

ADMINISTRATIVE PANEL DECISION

Macmillan Publishers International Limited v. DesignDevelopment Team
Case No. D2026-2438

1. The Parties

The Complainant is Macmillan Publishers International Limited, United Kingdom ("UK"), represented by Nordemann Czychowski & Partner mbB, Germany.

The Respondent is DesignDevelopment Team, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <macmillanpublications.com> is registered with Netregistry Wholesale Pty Ltd (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 4, 2026. On June 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 10, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 11, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on June 11, 2026.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 6, 2026.

The Center appointed Mario Soerensen Garcia as the sole panelist in this matter on July 16, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a global publishing company headquartered in London, UK, founded in 1843.

The Complainant owns the following trademark registrations:

- European Union Trademark No. 000066225 for MACMILLAN, registered on March 18, 1998, in classes 9, 16, and 41;
- UK Trademark No. 00900066225 for MACMILLAN, registered on March 18, 1998, in classes 9, 16, and 41; and
- German Trademark No. 924226, for MACMILLAN, registered on October 28, 1974, in classes 9, 16, and 28.

The Complainant also owns the domain name <macmillan.com>, registered on August 11, 1994, as its main online retail website.

The Respondent is DesignDevelopment Team, from Pakistan, based on the information received from the Registrar.

The disputed domain name was registered on April 3, 2026, and resolves to a website displaying the sign “Mac Millan Publications”, and purportedly offering publishing related services, such as book editing, book design, and book marketing, which are identical to the Complainant’s services.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant argues that the disputed domain name is confusingly similar to the trademark MACMILLAN.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant alleges that there is no evidence that the Respondent has made demonstrable preparations to use the disputed domain name for legitimate purposes, nor is there any evidence that the Respondent is using the disputed domain name in connection with any legitimate noncommercial or fair use. The Complainant also finds that the disputed domain name is likely to make Internet users assume that the disputed domain name offers goods and services supplied by the Complainant.

According to the Complainant, it has prior rights over the trademark MACMILLAN and has not authorized the Respondent’s registration and use of the disputed domain name. The Complainant’s intellectual property rights for the MACMILLAN trademark predate the registration of the disputed domain name. The Complainant asserts that the Respondent’s website appears to be an imitation of the Complainant’s website including the use of the same color coding used on the Complainant’s website (red, white, black) and offering

publishing related services. The Complainant argues that the registration and the use of the disputed domain name have been conducted in bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The mark MACMILLAN is reproduced in its entirety within the disputed domain name, with the addition of the term "publications". Accordingly, the disputed domain name is confusingly similar to the Complainant's mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

The Panel finds that the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names, such as those enumerated in the Policy or otherwise.

There is no evidence that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name or that before any notice of the dispute, the Respondent has made use of, or demonstrable preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services. There is also no evidence that the Respondent has been commonly known by the disputed domain name.

The Panel finds that the composition of the disputed domain name also carries a risk of implied affiliation as it effectively impersonates or suggests sponsorship or endorsement by the Complainant.

[WIPO Overview 3.1](#), section 2.5.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel finds that the Respondent was aware of the Complainant's trademarks and domain name, as the disputed domain name incorporates the mark MACMILLAN in its entirety, together with the term "publications", which is closely related to the Complainant's business, and resolves to a website purportedly offering publishing related services, including book editing. The website also displays the sign "Mac Millan Publications", and adopts a color scheme similar to that of the Complainant's website, which would mislead Internet users into believing that services offered on the website at the disputed domain name are provided by the Complainant.

Besides, the Complainant's trademark and domain name registrations predate the registration date of the disputed domain name. The Panel finds that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark.

Further, panels have held that the use of a domain name for illegal activity, here, claimed as passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

In addition, the Panel notes that the bottom of the website at the disputed domain name displays a fine print disclaimer indicating "All company logos and trademarks appearing on our website are the property of their respective owners. We are not affiliated, associated, endorsed by, or in any way officially connected with these companies or their trademarks". Considering the overall circumstances of this case, the Panel finds that the mere existence of this disclaimer does not change the Panel's finding of the Respondent's bad faith. [WIPO Overview 3.1](#), section 3.7.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

The Panel finds the third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <macmillanpublications.com> be transferred to the Complainant.

/Mario Soerensen Garcia/

Mario Soerensen Garcia

Sole Panelist

Date: July 30, 2026