ADMINISTRATIVE PANEL DECISION

Dansko, LLC v. wang yang
Case No. D2026-2912

1. The Parties

The Complainant is Dansko, LLC, United States of America ("United States"), represented by Cozen O'Connor, United States.

The Respondent is wang yang, United States.

2. The Domain Name and Registrar

The disputed domain name <danskooutletus.com> is registered with TuringSign Inc. d/b/a Cosmotown (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 2, 2026. On July 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 6, 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 (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 6, 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 amended Complaint on July 9, 2026.

The Center verified that the Complaint together with the amended 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 July 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 7, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on August 14, 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 footwear company founded in 1990. Originally known for its clogs, it now offers a range of footwear products, including boots, sandals, flats, and sneakers through approximately 2,500 retailers, including department stores, footwear retailers, and online retailers. The Complainant owns the following trademark registrations for the DANSKO mark in the United States: Trademark Registration Number 2712957 registered on May 6, 2003; Trademark Registration Number 3265194 registered on July 17, 2007; Trademark Registration Number 3854991 registered on September 28, 2010; and Trademark Registration Number 4229847 registered on October 23, 2012.

The Respondent is an individual with an address in the United States.

The disputed domain name was registered on March 21, 2026 and resolves to a website displaying the Complainant's DANSKO mark and logo and offering DANSKO-branded footwear products for sale.

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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the mark in which the Complainant has rights since the disputed domain name incorporates the Complainant's DANSKO mark, with only adding the terms "outlet" and "us" at the end.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that the Respondent's use of the disputed domain name to offer the Complainant's footwear using a website that is confusingly similar to the Complainant's own website causes confusion and therefore does not constitute a bona fide offering, nor a legitimate noncommercial or fair use.

Finally, the Complainant contends that the disputed domain name was registered and is used in bad faith. The Complainant contends that based on the use of the DANSKO mark and logo, and sale of the Complainant's footwear at the website connected to the disputed domain name, the Respondent had the Complainant in mind when registering the disputed domain name. The Complainant also contends that the Respondent's use of the disputed domain name creates a likelihood of confusion with the Complainant's trademark and trades on its goodwill, and therefore constitutes use in bad faith.

B. Respondent

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

6. Discussion and Findings

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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms – here, "outlet" and "us" – may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The Panel finds 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 that 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 name. 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 name such as those enumerated in the Policy or otherwise.

Further, the disputed domain name resolves to a website calling itself "Dansko Outlet" reproducing the overall look and feel of the Complainant's website, including much of its layout, product images, and content. Panels have held that the use of a domain name for illegitimate activity – here, claimed copycat site and passing off – can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Moreover, "where a domain name consists of a trademark plus an additional term (at the second- or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner." WIPO Overview 3.1, section 2.5.1. Here, the disputed domain name incorporates the term "outlet" which alludes to the Complainant's outlet business and the geographic term "us" (a geographical abbreviation for United States).

As a result, the disputed domain name creates the misleading impression that it is associated or affiliated with the Complainant's outlet business in the United States.

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.

First, the Complainant's mark is well-known in connection with footwear and enjoys a certain reputation in the United States and abroad. Panels have found that the mere registration of a domain name that is confusingly similar to a well-known trademark can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4.

Besides that, the manner of use of the disputed domain name makes it apparent that the Respondent was aware of the Complainant and its mark when registering the disputed domain name. Further, panels have held that the use of a domain name for illegitimate activity – here, claimed copycat site and passing off – constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

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 <danskooutletus.com> be transferred to the Complainant.

/Kathryn Lee/
Kathryn Lee
Sole Panelist
Date: August 28, 2026