

ADMINISTRATIVE PANEL DECISION

Penguin Random House LLC v. Constantinos Hadjipetrou, Roynoa International Ltd
Case No. D2026-3142

1. The Parties

The Complainant is Penguin Random House LLC, United States of America ("United States"), represented by Meister & Steiner PLLC, United States.

The Respondent is Constantinos Hadjipetrou, Roynoa International Ltd, Belize.

2. The Domain Name and Registrar

The disputed domain name <ericcarle.art> is registered with Virtualia LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 16, 2026. On July 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 21, 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 Respondent) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 21, 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 21, 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 12, 2026.

The Center appointed Kaya Köklü as the sole panelist in this matter on August 12, 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 well-known publishing house and is part of the Penguin Random House publishing group, which comprises a large number of publishing imprints in the United States and internationally.

Among its imprints is “The World of Eric Carle”, an imprint dedicated to the works of the internationally renowned children's book author and illustrator Eric Carle. The imprint publishes books based on his works and characters, including the internationally well-known children's book “The Very Hungry Caterpillar”.

According to the Complainant, it owns the copyrights in the works of Eric Carle which it publishes.

The Complainant further owns numerous THE WORLD OF ERIC CARLE trademark registrations around the globe. According to the Complaint, the Complainant is, among many others, the owner of the United States Trademark Registration No. 3,945,966, registered on April 12, 2011, for THE WORLD OF ERIC CARLE (plus figurative elements), covering goods in classes 3, 9, 14, 16, 18, 21, 24, 25, and 28, the United States Trademark Registration No. 8,008,082, registered on November 4, 2025, for THE WORLD OF ERIC CARLE (plus figurative elements), covering services in class 41 and indicating a first use in commerce on September 7, 2024, and the United States Trademark Registration No. 8,008,302, registered on November 4, 2025, for THE WORLD OF ERIC CARLE (plus figurative elements), covering goods in classes 20, 27, and 28, and indicating a first use in commerce on January 1, 2021.

The Respondent is reportedly located in Belize.

The disputed domain name was registered on November 10, 2024.

Screenshots, as provided by the Complainant, show that the disputed domain name resolves to a website which is presented under the title “Family of Bobbie and Eric Carle”. The associated website contains copyright protected images and illustrations associated with Eric Carle and his works. Under the section “Sign our Guestbook”, the website lists the names of several members of the Carle family. The overall presentation of the website gives the impression that it is authorized or otherwise officially associated with the Carle family and/or the Complainant's imprint, although no such relationship exists. In this context, the associated website does not contain any disclaimer clarifying the relationship, or rather the lack thereof, between the Respondent and the Complainant and/or the Carle family. The website at the disputed domain name also contains links to third-party online gambling and casino websites.

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.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

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 a trademark 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.

As per paragraph 4(a) of the Policy, the complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant's contentions. See *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

Concerning the uncontested information provided by a complainant, the panel may, where relevant, accept the provided reasonable factual allegations in a complaint as true. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.1](#) and, where appropriate, will decide consistently with the consensus views captured therein.

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the THE WORLD OF ERIC CARLE word and figurative trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the Complainant's trademark is recognizable within the disputed domain name. The Panel notes that the dominant feature of the THE WORLD OF ERIC CARLE mark "Eric Carle" is reproduced in the disputed domain name. As to the design elements of the Complainant's word and figurative trademark, the Panel notes that these elements are, by their nature, not reproduced in the disputed domain name. In line with [WIPO Overview 3.1](#), section 1.10, the absence of such design elements does not prevent a finding of confusing similarity. Rather, such elements may be disregarded for the purpose of assessing confusing similarity under the first element.

Accordingly, the disputed domain name is confusingly similar to the THE WORLD OF ERIC CARLE mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.10.

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 Complainant particularly submitted that the Respondent has not been authorized by either the Complainant or any member of the Carle family to register or use the disputed domain name, or to reproduce or otherwise use the copyright protected illustrations displayed on the associated website. Also, the Complainant submitted that the Respondent is not known by the disputed domain name.

In the absence of a response, 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.

Particularly, the Panel finds that the Respondent’s use of the disputed domain name for a website, which creates the false impression that it is an official website of the Carle family and/or is otherwise affiliated with or endorsed by the Complainant, cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. This impression is reinforced by the nature of the disputed domain name, which consists of Eric Carle’s name, as well as by the content and overall presentation of the associated website. Panels have held that the use of a domain name for illegitimate activity, such as passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. The fact that the associated website additionally contains links to third-party online gambling and casino websites further reinforces the Panel’s finding that the Respondent’s use of the disputed domain name does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

The Panel finds that the Respondent must have been aware of Eric Carle and the Complainant’s THE WORLD OF ERIC CARLE trademark when registering the disputed domain name. This can be inferred from the composition of the disputed domain name, which consists of the author’s name “Eric Carle” as the dominant feature of the Complainant’s trademark, as well as from the content of the associated website, which expressly refers to Eric Carle and the Carle family, and also displays various copyright protected illustrations associated with Eric Carle’s works published by the Complainant. The Panel therefore concludes that the Respondent registered the disputed domain name with the Complainant and the works of Eric Carle, published by the Complainant under its THE WORLD OF ERIC CARLE trademark and imprint, in mind.

With respect to the use of the disputed domain name in bad faith, the Panel finds that the Respondent uses the disputed domain name to attract Internet users to its website by creating the false impression that the website is an official website of the Carle family and/or is otherwise affiliated with or endorsed by the

Complainant. In particular, the Panel notes that the associated website is presented under the title “Family of Bobbie and Eric Carle”, identifies several members of the Carle family, and displays copyright protected illustrations associated with Eric Carle and his works. The Panel further notes that the associated website does not contain any disclaimer clarifying the lack of a relationship with the Complainant and/or the Carle family.

The Panel additionally notes that the website contains links to third-party online gambling and casino websites. In view of the overall circumstances, including the nature of these links, the Panel finds that 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 THE WORLD OF ERIC CARLE trademark as to the source, sponsorship, affiliation, or endorsement of the website. In view of the Panel, such conduct constitutes evidence of bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Moreover, panels have held that the use of a domain name for illegitimate activity, including passing off, constitutes evidence of bad faith. [WIPO Overview 3.1](#), section 3.4. Accordingly, the Respondent’s use of the disputed domain name for a website designed to create the false impression that it is officially associated with Eric Carle’s family and/or the Complainant further supports the Panel’s finding of bad faith.

The fact that the Respondent did not respond to the Complainant’s contentions further reinforces this assessment.

All in all, the Panel finds that the disputed domain name was registered and is used in bad faith.

Consequently, 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 <ericcarle.art> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: August 12, 2026