

ADMINISTRATIVE PANEL DECISION

Zuru IP Limited v. Tayfun Erdem Acikgoz
Case No. D2026-3522

1. The Parties

The Complainant is Zuru IP Limited, Hong Kong, China, represented by Dunlap Bennett & Ludwig PLLC, United States of America ("United States").

The Respondent is Tayfun Erdem Acikgoz, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <tytantoys.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 7, 2026. On August 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 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 (Registration Private / Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 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 amended Complaint on August 11, 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 August 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 9, 2026.

The Center appointed Luca Barbero as the sole panelist in this matter on September 21, 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 part of the ZURU group of companies, a manufacturer of toys sold by major retailers throughout the world.

The Complainant acquired the TYTAN marks and substantially all of the assets of the TYTAN business, pursuant to an asset purchase agreement (“Purchase Agreement”) dated September 10, 2025, between E-Core Technology, Inc. and its affiliates, as sellers, and the Complainant and its affiliates, as buyers, together with an assignment of Intellectual Property (“Intellectual Property Assignment”) in connection therewith, under which all intellectual property of the TYTAN business, expressly including all trademarks and domain names including the disputed domain name, was irrevocably assigned to Complainant.

The Complainant is currently the owner of several trademark registrations for TYTAN, including the following:

- United States trademark registration No. 6007116 for TYTAN (word mark), filed on August 14, 2019, and registered on March 10, 2020, in international class 28; and
- United States trademark registration No. 7212405 for TYTAN (figurative mark), filed on September 30, 2022, and registered on November 7, 2023, in international class 28.

The disputed domain name <tytantomys.com> was registered on December 31, 2020. According to the Complainant’s submissions – which have not been contested by the Respondent – and the screenshots provided by the Complainant as well as the additional ones available on the Internet Archive “www.archive.org”¹, it has been used both prior and following the Complainant’s acquisition of the TYTAN business, until December 2025, in connection with the official website of the TYTAN brand, which used to promote and sell TYTAN magnetic tile building toys.

The evidence provided with the Complaint shows the disputed domain name bears an updated date of February 13, 2026. At the time of filing of the Complaint, the disputed domain name resolved to a “403 Forbidden” error page. The website at the disputed domain name remains unchanged as of the date of this decision.

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 trademark TYTAN in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the descriptive word “toys” at the end of the mark, a term that describes the very goods offered under the mark, and the generic Top-Level Domain (“gTLD”) “.com”.

¹ Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party’s contention. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.8.

The Complainant states that the Respondent does not have any rights or legitimate interests in respect of the disputed domain name since the Complainant and its predecessor in interest have priority rights in the TYTAN mark, which has been used in connection with toy goods since at least as early as 2019.

The Complainant submits that it has never authorized, licensed, or otherwise permitted the Respondent to register or hold any domain name incorporating the TYTAN mark and that, to the contrary, the disputed domain name was among the assets sold and assigned to Complainant under the Purchase Agreement and the related Intellectual Property Assignment. The Complainant asserts that, upon discovering that the disputed domain name had not been delivered to it, it demanded the transfer of the disputed domain name to the party from which the Complainant acquired the Tytan business and which last controlled the disputed domain name. That party, however, confirmed that the disputed domain name had been acquired by an unknown third party. The Complainant also asserts that the Complainant's own attempts through the Registrar's domain broker service to contact the underlying registrant have been unsuccessful.

The Complainant further claims that the Respondent is not commonly known by the disputed domain name and that the disputed domain name has not been used for a bona fide offering of goods or services or a legitimate noncommercial or fair use as it has been redirected to a "403 Forbidden" error page displaying no content.

The Complainant also states that the Respondent registered the disputed domain name on or about February 13, 2026 in bad faith because the Respondent acquired the disputed domain name months after the Complainant acquired the TYTAN mark and, at the time of said acquisition, the TYTAN mark had been registered in the United States for nearly six years, the disputed domain name itself had long served as the official TYTAN brand website, and even the most cursory search would have revealed Complainant's rights. The Complainant also points out that the composition of the disputed domain name, consisting of the Complainant's registered mark together with a term describing the Complainant's own goods is not explicable by any good faith purpose and evidences an intent to target the TYTAN mark and to trade on the goodwill associated with it.

The Complainant further states that the Respondent's passive holding of the disputed domain name amounts to bad faith since: i) the Complainant's TYTAN mark is registered and in longstanding use, and the disputed domain name itself served as the brand's official website, such that consumers necessarily associate it with the TYTAN brand; ii) the Respondent has provided no evidence of any actual or contemplated good faith use, and none is conceivable, because any use of the disputed domain name by Respondent would falsely convey an authorization by, or affiliation with, the TYTAN brand that does not exist; iii) the Respondent used a proxy registration service to conceal its identity in the public records; iv) because the Respondent has concealed its identity behind a proxy service, the Complainant has had no means of directing any demand to the Respondent itself; and v) the attempts made via the Registrar's own domain broker service to contact the underlying registrant have been unsuccessful, as the registrant indicated that the disputed domain name was not available for purchase while making no use of it.

The Complainant further claims that, by acquiring and withholding the disputed domain name, at which the TYTAN brand previously maintained its official online presence, the Respondent has been depriving the Complainant of the primary online address known to consumers of TYTAN products, impeding the Complainant's ability to reflect its own registered mark in a corresponding domain name, and disrupting the Complainant's ability to reach United States consumers under the brand it purchased.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: “A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.” Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

- (i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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 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. Indeed, the Complainant has provided evidence of valid trademark registrations for the TYTAN mark.

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, “toys”, may bear on assessment of the second and third elements, the Panel finds the addition of such term 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.

As to the gTLD “.com”, it is a standard registration requirement and can be disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the Complainant’s mark for the purposes of the Policy.

Therefore, 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.

According to the evidence on record, there is no relationship between the Complainant and the Respondent, and the Complainant has not authorized the Respondent to register or use its trademark or the disputed domain name. Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

Furthermore, the disputed domain name currently resolves to an error page and there is no evidence showing that the Respondent has ever made use of, or preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial use without intention to misleadingly divert consumers or to tarnish the TYTAN trademark.

Therefore, the Panel finds the second element of the Policy has also 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.

In the present case, the disputed domain name was originally registered by the Complainant's predecessor in interest in the TYTAN mark on December 31, 2020. According to the Complainant's submissions, which have not been contested by the Respondent, the disputed domain name was not transferred to the Complainant pursuant to the Purchase Agreement and the Intellectual Property Assignment executed with the prior owner of the TYTAN mark on September 10, 2025. The Complainant states that the disputed domain name was acquired by the Respondent on or about February 13, 2026, corresponding to the updated date reflected in the publicly available Whois database. As noted in section 4 above, the Panel also notes that the disputed domain name resolved to the official website of the TYTAN brand, which promoted and sold TYTAN magnetic tile building toys until December 2025. Therefore, the Panel concludes that the disputed domain name was acquired by the Respondent several months after the Complainant had acquired the TYTAN marks and the TYTAN business.

It is well established that the transfer of a domain name registration to a third party amounts to a new registration for purposes of the Policy, and the date on which the current registrant acquired the disputed domain name is the date the Panel shall consider in assessing bad faith. [WIPO Overview 3.1](#), section 3.9.

The Panel finds that, in light of the prior registration and use of the TYTAN mark by the Complainant and its predecessor in interest, and considering the TYTAN mark and TYTAN branded toys were promoted online via the website at the disputed domain name prior to the acquisition of the disputed domain name by the Respondent, the Respondent knew or should have known of the Complainant's trademark at the time of registration of the disputed domain name. [WIPO Overview 3.1](#), section 3.2.2.

Indeed, the composition of the disputed domain name, combining the TYTAN mark with the term “toys”, which is descriptive of the Complainant’s products, and the fact that the disputed domain name was used, prior to its acquisition by the Respondent, in connection with the official website dedicated to the TYTAN mark and products, suggest that the Respondent was aware of, and intended to target, the Complainant and its mark at the time it acquired the disputed domain name.

The disputed domain name currently resolves to an error page. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant’s trademark, the composition of the disputed domain name, the Respondent’s failure to provide any evidence of actual or contemplated good faith use and the Respondent’s attempt to conceal its identity through a privacy service, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <tytantomys.com> be transferred to the Complainant.

/Luca Barbero/

Luca Barbero

Sole Panelist

Date: October 5, 2026