

ADMINISTRATIVE PANEL DECISION

Lightricks Ltd. v. Guangqin Zhang, WhaleSwing
Case No. DAI2025-0041

1. The Parties

The Complainant is Lightricks Ltd., Israel, represented by Gornitzky & Co., Israel.

The Respondent is Guangqin Zhang, WhaleSwing, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <ltxv.ai> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 5, 2025. On August 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 6, 2025, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 7, 2025, 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 August 10, 2025.

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 August 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 2, 2025.

The Center appointed Mihaela Maravela as the sole panelist in this matter on September 8, 2025. 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

According to information in the Complaint, the Complainant is a leading AI-based software company that develops and markets various AI-based software products. One of the products of the Complainant is LTXV, which is an open-source AI model that generates photo and video content. The Complainant uses LTXV as a name both internally and publicly to refer to its proprietary video generation technology – standing for LTX Video.

The Complainant is the holder of a number of trademarks for LTX or LTX STUDIO, including the Israeli trademark LTX No. 371159, registered on May 2, 2024, for classes 9 and 42; the International trademark LTX No. 1802319, registered on May 21, 2024, for classes 9 and 42; the Israeli trademark LTX STUDIO No. 371160 registered on May 2, 2024, for classes 9 and 42; the International trademark LTX Studio No. 1801694, registered on May 21, 2024, for classes 9 and 42; the United States trademark registration LTX Studio No. 7676058 registered on February 4, 2025, for classes 9 and 42.

The disputed domain name was registered on May 8, 2025. According to evidence provided with the Complaint, the disputed domain name was used to resolve to a website offering similar services to that of the Complainant. Also, the Respondent's website included a copyright notice for ltxv.ai ("© 2025 ltxv.ai, All Rights Reserved. LTX-Video is developed by Lightricks"). The disputed domain name is inactive at the date of the Decision.

There is no information known about the Respondent apart from the details as they appear on the Whois record.

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 includes its registered trademark LTX and that the addition of the letter "v" (representing "video") does not sufficiently distinguish the disputed domain name from the Complainant's trademark.

As regards the second element, the Complainant argues that the use of the disputed domain name as described in the Factual Background section above and the overall presentation of the website falsely implies that it is owned or operated by the Complainant. The Respondent has not only incorporated the Complainant's trademarks in the disputed domain name, but also mimicked the branding and language used by the Complainant, thereby misleading users into believing that the website is official or authorized. The Respondent is not affiliated with the Complainant and has no rights or legitimate interests in the disputed domain name.

With respect to the third element, the Complainant submits that the disputed domain name was registered after its brand "LTXV" was established and after the registration of both the LTX and LTX Studio trademarks of the Complainant. "LTXV" had already been used as a product identifier for the Complainant's video generation technology before the registration of the disputed domain name. Regarding the use, according to the Complainant, the Respondent uses the disputed domain name to operate a website that actively

misleads the public by impersonating the Complainant, as the website includes a fabricated copyright notice, which falsely indicates that the content is officially owned or advertised by the Complainant. Even if no direct sales are taking place on the website, the Respondent is clearly leveraging the Complainant's trademarks and reputation to attract attention and gain credibility, likely with the intent of commercial gain.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”. Likewise, paragraph 10(d) of the Rules, provides that “the Panel shall determine the admissibility, relevance, materiality and weight of the evidence”.

Although properly notified, no response has been received from the Respondent in this case. Even if the Respondent has not replied to the Complainant's contentions, the Complainant still bears the burden of proving that all requirements are fulfilled. To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a 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.

The applicable standard of proof in UDRP cases is the “balance of probabilities” or “preponderance of the evidence”, and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 4.2. Concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations provided in the Complaint as true. [WIPO Overview 3.0](#), section 4.3.

The Panel has taken note of the [WIPO Overview 3.0](#), and, where appropriate, will decide consistently with the consensus views stated 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 3.0](#), section 1.7. It is the settled view of panels applying the Policy that the Top-Level Domain (“TLD”) (here “.ai”) may be disregarded under the first element test as it is viewed as a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1. Thus, the Panel disregards the TLD “.ai” for the purposes of the confusing similarity test.

The Complainant has shown rights in respect of the trademark LTX for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the LTX 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 3.0](#), section 1.7.

Although the addition of other terms (here, the letter “v”) 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 3.0](#), section 1.8.

The Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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 3.0](#), 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. It asserts that the Respondent, who is not affiliated with the Complainant in any way, is not using the disputed domain name for a legitimate noncommercial or fair use or in connection with a bona fide offering of goods or services.

There is no evidence that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services, nor does the Respondent appear to engage in any legitimate noncommercial or fair use of the disputed domain name within the meaning of paragraphs 4(c)(i) and (iii) of the Policy. Rather, according to unrebutted evidence provided with the Complaint, the website at the disputed domain name allegedly offered similar services to those of the Complainant. Moreover, the Respondent has attempted to pass off as the Complainant by mentioning the name of the Complainant in the copyright notice at the bottom of the website at the disputed domain name and elsewhere on the website. Such use does not, in the circumstances of this case, give rise to any rights or legitimate interests on the Respondent's part. Panels have held that the use of a domain name for illegal activity (such as impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Also, there is no evidence indicating that the Respondent is commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy.

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.

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 3.0](#), section 3.2.1.

The Panel notes that based on the available record, the Respondent has used the disputed domain name to impersonate the Complainant by creating the impression of an official website which would be operated by the Complainant. As such, given also the composition of the disputed domain name, the Respondent must have had the Complainant and its trademark in mind when registering the disputed domain name.

The website at the disputed domain name displayed the Complainant's trademark and allegedly offered services similar to those of the Complainant, and the name of the Complainant was mentioned in the copyright notice at the bottom of the website at the disputed domain name and elsewhere on the website. Also, the website to which the disputed domain name resolved, is found at a domain name registered under the TLD ".ai", which alludes to the Complainant's services in the AI technology field. The Complainant denies extending an authorization for such use. Such use demonstrates an intentional attempt to attract Internet users for commercial gain by creating a likelihood of confusion, which is evidence of bad faith under paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off) constitutes bad faith. [WIPO Overview 3.0](#), 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.

Further, the Respondent has not participated in these proceedings and has failed to rebut the Complainant's contentions or provide any evidence of actual or contemplated good faith use.

As regards the fact that the disputed domain name is currently inactive, 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 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the prior use of the Complainant's trademark, the composition of the disputed domain name, and the prior use of the disputed domain name, and finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of 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 <ltxv.ai> be transferred to the Complainant.

/Mihaela Maravela/

Mihaela Maravela

Sole Panelist

Date: September 18, 2025