

ADMINISTRATIVE PANEL DECISION

Macmillan Publishers International Limited v. Trivex Labs
Case No. DCO2026-0043

1. The Parties

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

The Respondent is Trivex Labs, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <macmillanpublishers.co> 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 April 29, 2026. On April 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 30, 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 May 1, 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 May 2, 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 May 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 5, 2026.

The Center appointed Vincent Denoyelle as the sole panelist in this matter on June 15, 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 book publishing company with international operations, headquartered in the United Kingdom and founded in 1843.

The Complainant is the owner of several MACMILLAN trade marks including the following:

- European Union trade mark MACMILLAN, registered on March 18, 1998, under no. 000066225; and
- German trade mark MACMILLAN, registered on October 28, 1974, under no. 924226.

The Complainant offers products online, including through the website at the domain name <macmillan.com>.

The disputed domain name was registered on November 29, 2025.

The disputed domain name does not currently resolve to an active website and it used to resolve to an English-language website purporting to sell products and publishing services in direct competition with the Complainant and stating “We are the Macmillan Publishers”.

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 Complainant’s trade mark as it incorporates the distinctive MACMILLAN trade mark in its entirety.

The Complainant asserts that it has not authorized, licensed, or otherwise permitted the Respondent to use the trade mark MACMILLAN or to register any domain name incorporating the trade mark. The Complainant states that it is not affiliated with the Respondent in any way. Further, the Complainant contends that there is no evidence or even indication that the Respondent is commonly known by the name “Macmillan Publishers” or any similar name.

The Complainant submits that the longevity and reputation of its MACMILLAN trade mark create a strong presumption that the Respondent had actual or constructive knowledge of the Complainant at the time of registration of the disputed domain name. The Complainant highlights the use of the disputed domain name to direct to a website passing itself off as the Complainant as a clear indication that the Respondent has registered and is using the disputed domain name to mislead unsuspecting Internet users and trade off the Complainant’s reputation.

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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the MACMILLAN trade mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the MACMILLAN trade mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, "publishers", 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.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 must have been aware of the Complainant's MACMILLAN trade mark and must have targeted the Complainant at the time of registration given (i) the fact that the disputed domain name reproduces the exact MACMILLAN trade mark of the Complainant, (ii) the fact that the disputed domain name has been registered several decades after the MACMILLAN trade mark, (iii) the targeted choice of descriptive term used in the domain name, "publishers", which corresponds to the business activity of the Complainant and (iv) the content made available on the website associated with the disputed domain name which clearly demonstrates the Respondent's intent to specifically target the Complainant. [WIPO Overview 3.1](#), section 3.2.1.

The Panel finds that the disputed domain name was registered in bad faith.

Turning to use of the disputed domain name in bad faith, panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3.

Having reviewed the available record, the Panel notes the previous content of the website associated with 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.

As for the previous use of the disputed domain name, panels have held that the use of a domain name for illegitimate activity here, claimed 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.

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 <macmillanpublishers.co> be transferred to the Complainant.

/Vincent Denoyelle/

Vincent Denoyelle

Sole Panelist

Date: June 29, 2026