

ADMINISTRATIVE PANEL DECISION

AB Lindex v. NETWORKSOLUTIONS.COM Holding Account,
New Ventures, LLC
Case No. D2024-3801

1. The Parties

The Complainant is AB Lindex, Sweden, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is NETWORKSOLUTIONS.COM Holding Account, New Ventures, LLC, United States of America.

2. The Domain Name and Registrar

The disputed domain name <lindexgroup.com> is registered with Network Solutions, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 18, 2024. On September 18, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 18, 2024, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 September 23, 2024. In accordance with the Rules, paragraph 5, the due date for Response was October 13, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 14, 2024.

The Center appointed George R. F. Souter as the sole panelist in this matter on October 21, 2024. 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 one of Europe's leading fashion companies, with 4,300 employees, operates 440 stores across 18 countries under its LINDEX trademark. In 2023 its turnover was EUR 951.7 million.

The Complainant has widely registered its LINDEX trademark, including United Kingdom registration number UK00001334653, registered on October 22, 1990, and European Union registration number 016193138, registered on May 27, 2017.

The disputed domain name was registered on December 21, 2023, and resolves to an inactive page.

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 Respondent is not generally known by the disputed domain name, and the Complainant has never granted permission to the Respondent to use its LINDEX trademark in connection with the registration of a domain name, or otherwise.

B. Respondent

The Respondent did not reply to the Complainant's contentions

6. Discussion and Findings

A. Identical or Confusingly Similar

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

The entirety of the Complainant's LINDEX trademark 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. The addition the word "group" to the Complainant's trademark in the disputed domain name does not detract from this finding.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interest

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.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel is convinced that the disputed domain name was inspired by the Complainant's LINDEX trademark, and cannot conceive of a legitimate reason for its adoption by the Respondent.

Panels have consistently 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 reputation of the Complainant's trademark, and the composition of the disputed domain name, 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.

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 <lindexgroup.com> be transferred to the Complainant.

/George R. F. Souter/

George R. F. Souter

Sole Panelist

Date: November 4, 2024