

ADMINISTRATIVE PANEL DECISION

LEGO Juris A/S v. Spielwaren Krömer GmbH & Co. KG
Case No. D2024-4508

1. The Parties

The Complainant is LEGO Juris A/S, Denmark, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Spielwaren Krömer GmbH & Co. KG, Germany.

2. The Domain Names and Registrar

The disputed domain names <legoblumen.com>, <legoblumen.info>, <lego-botanicals.com>, and <legobotanicals.com> (the “Domain Names”) are registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on November 1, 2024. On November 1, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On November 4, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (REDACTED FOR PRIVACY, Spielwaren Krömer GmbH & Co. KG) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 6, 2024, 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 in English on November 11, 2024.

On November 6, 2024, the Center informed the parties in German and English, that the language of the registration agreement for the Domain Names is German. On November 11, 2024, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission and did not object to the Complainant’s request that English be the language of the proceeding.

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 in German and English of the Complaint, and the proceedings commenced on November 12, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 2, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 6, 2024.

The Center appointed Gregor Vos as the sole panelist in this matter on December 16, 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.

On December 9, and 17, the Respondent sent e-mails to the Center asking what this dispute is about, and indicating that it does not wish to enter a dispute and that it has no problem with transferring the Domain Names.

The Panel would have accepted a Response in English and German, but no Response was submitted. Taking account of the Panel's ability to understand both languages at issue, the fact that the Respondent indicated its willingness to transfer the Domain Names in reply to the English Complaint and further taking into account the interest of fairness and to preserve continuity in the case, the Panel decides English to be the language of the present proceedings in accordance with paragraph 11(a) of the Rules.

4. Factual Background

The Complainant is a well-known manufacturer of inter alia construction toys and sells its products in over 130 countries worldwide.

The Complainant is the owner of inter alia the following trademark registrations (the "Trademarks"):

- International Trademark registration No. 287932 for the wordmark LEGO, registered on August 27, 1964;
- Unites States Trademark registration No. 1018875 for the wordmark LEGO, registered on August 26, 1975.

The Domain Names were registered on July 25, 2024, and used to redirect to a website on which unauthorized products of the Complainant and competing products were sold.

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 Domain Names.

Notably, the Complainant first contends that the Domain Names are confusingly similar to its Trademarks, since they incorporate the Trademarks in their entirety with the mere addition of a hyphen and generic terms.

Second, the Complainant states that the Respondent has no rights or legitimate interests in the Domain Names. The Respondent has never received authorization from the Complainant to use the Trademarks in the Domain Names and is not commonly known by the Domain Names.

Finally, according to the Complainant, the Respondent was undoubtedly aware of the Trademarks when registering the Domain Names and its use of the Domain Names constitutes use of the Domain Names in bad faith.

B. Respondent

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

However, on December 9, and 17, the Respondent sent e-mails to the Center asking what this dispute is about, and indicating that it does not wish to enter a dispute and that it has no problem with transferring the Domain Names.

6. Discussion and Findings

Paragraph 4(a) of the Policy requires that, in order to obtain the transfer of the Domain names the Complainant must prove:

- (i) The Domain Names registered by the Respondent are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) The Respondent has no rights or legitimate interests with respect to the Domain Names; and
- (iii) The Domain Names have been registered and are being used in bad faith.

The Panel notes that consent to transfer by the Respondent can provide a basis for an order for transfer without a need for consideration of the UDRP grounds. Taking into account the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Second Edition ("[WIPO Overview 3.0](#)"), section 4.10 and *Pierre Balmain S.A. v. Domains By Proxy, LLC / Daniel Phillips*, WIPO Case No. [D2015-0189](#), the Panel finds that when the Complainant seeks transfer of the Domain Names, and the Respondent agrees to transfer, the Panel may proceed immediately to make an order for transfer.

In the present case, the Center received only two communications from the Respondent, in an e-mail asked what the disputed is about, and addressed to the Center, stating that it has no problem with transferring the Domain Names.

The Panel finds that it undoubtedly demonstrates the Respondent's consent to transfer the Domain Names. In the Panel's view, the fact that no settlement agreement could be executed within the suspension period does not affect the Respondent's consent to the transfer.

Accordingly, the Panel immediately orders the transfer of the Domain Names.

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 Domain Names <legoblumen.com>, <legoblumen.info>, <lego-botanicals.com>, and <legobotanicals.com> be transferred to the Complainant.

/Gregor Vos/

Gregor Vos

Sole Panelist

Date: December 24, 2024