Decision for dispute CAC-UDRP-108250

Case number	CAC-UDRP-108250
Time of filing	2025-12-16 17:30:51
Domain names	wekday.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	H & M Hennes & Mauritz AB

Complainant representative

Organization	SILKA AB

Respondent

Name	Hope Lee

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the registered owner of many trademarks for WEEKDAY, e.g. European Union trademark registration No. 006298897 registered on 9 July 2008 for goods in the classes 16, 18 and 25.

FACTUAL BACKGROUND

It results from the Complainant's undisputed allegations that it, H & M Hennes & Mauritz AB (commonly known as H&M), was founded in 1947 and headquartered in Stockholm, Sweden, is one of the world's leading fashion and apparel groups. The H&M Group operates multiple brands, including WEEKDAY, COS and ARKET to mention a few. As of 2025, the Group operates in more than 70 markets through thousands of physical stores and extensive e-commerce platforms. The WEEKDAY brand was founded in 2002 and became part of the H&M Group in 2008. WEEKDAY is a contemporary fashion and denim brand targeting a global audience, with physical stores across multiple European markets and broader international reach through its online e-commerce platform. As of 2025, the Complainant operates WEEKDAY stores in a number of European countries, including Sweden, Germany, Denmark, the Netherlands and the United Kingdom, and offers online shopping in additional markets worldwide.

Furthermore, the Complainant use the domain name <weekday.com> for promoting and selling WEEKDAY-branded products online through its principal website.

The disputed domain name <wekday.com> was registered on 16 May 2025. Furthermore, the undisputed evidence provided by the Complainant proves that, depending on the searcher's location, redirected amongst others to websites in the Complainant's area of activity/competing websites, to websites displaying also pornographic content and to the Complainant's own website under an affiliate tracking code.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

1. Pursuant to paragraph 4(a)(i) of the Policy, the complainant must establish rights in a trademark or service mark, and that the disputed domain name is identical or confusingly similar to a trademark in which the complainant has rights.

It results from the evidence provided, that the Complainant is the registered owner of various WEEKDAY trademarks.

Prior UDRP panels have found that a disputed domain name is confusingly similar to a complainant's trademark where the disputed domain name incorporates the complainant's trademark in its entirety or where at least a dominant feature of the relevant mark is recognizable in the domain name (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0") at section 1.7. This Panel shares this view and notes that the disputed domain name < wekday.com > incorporates the dominant feature of the Complainant's trademark WEEKDAY, which is clearly recognizable in the disputed domain name).

In addition, it is the view of this Panel that the omission of the vowel "e" in the disputed domain name results to be a common, obvious, or intentional **misspelling** of the Complainant's trademark WEEKDAY, and cannot prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark since the disputed domain name contains sufficiently recognizable aspects of the relevant mark (see WIPO Overview 3.0 at section 1.9).

Finally, the generic Top-Level Domain ("gTLD") ".com" of the disputed domain name is typically disregarded under the first element confusing similarity test (see WIPO Overview 3.0 at section 1.11.1).

In the light of the above, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

2. Pursuant to paragraph 4(a)(ii) of the Policy, the Complainant must secondly establish that the Respondent has no rights or

legitimate interests in respect of the disputed domain name.

Paragraph 4(c) of the Policy contains a non-exhaustive list of circumstances which, if found by the Panel to be proved, shall demonstrate the Respondent's rights or legitimate interests to the disputed domain name.

In the Panel's view, based on the undisputed allegations stated above, the Complainant has made a prima facie case that none of these circumstances are found in the case at hand and, therefore, that the Respondent lacks rights or legitimate interests in the disputed domain name.

According to the Complaint, which has remained unchallenged, the Complainant has no relationship in any way with the Respondent and did, in particular, not authorize the Respondent's use of the Complainant's trademark WEEKDAY.

Furthermore, the Panel notes that there is no evidence showing that the Respondents might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

The Panel notes that the disputed domain name <wekday.com> is clearly a typosquatting of the Complainant's trademark WEEKDAY, so that this Panel finds it most likely that employing a misspelling in this way signals an intention on the part of the Respondent to confuse users seeking or expecting the Complainant. This is also confirmed by the content of the websites to which the disputed domain name resolved (amongst others to websites in the Complainant's area of activity/competing websites, to websites displaying also pornographic content).

It is acknowledged that once the Panel finds a prima facie case is made by a complainant, the burden of production under the second element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name (see WIPO Overview 3.0 at section 2.1). Since the Respondent in the case at hand failed to come forward with any allegations or evidence, this Panel finds, in the circumstances of this case, that the Respondents have no rights or legitimate interests in the disputed domain names.

The Panel finds that the Complainant has therefore satisfied paragraph 4(a)(ii) of the Policy.

3. According to paragraph 4(a)(iii) of the Policy, the Complainant must thirdly establish that the disputed domain name has been registered and is being used in bad faith. The Policy indicates that certain circumstances specified in paragraph 4(b) of the Policy may, "in particular but without limitation", be evidence of the disputed domain name's registration and use in bad faith. One of these circumstances is that the Respondent by using the disputed domain name, has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location (paragraph 4(b)(iv) of the Policy).

It is the view of this Panel that these circumstances are met in the case at hand. The Complainant's trademarks have existed for many years. Therefore, this Panel has no doubt that the Respondent positively knew the Complainant and its trademarks when it registered the disputed domain name. Registration of the disputed domain name by the Respondent in awareness of the WEEKDAY mark and in the absence of rights or legitimate interests in this case amounts to registration in bad faith.

Finally, the further circumstances surrounding the disputed domain name's registration and use confirm the findings that the Respondent has registered and is using the disputed domain name in bad faith (see WIPO Overview 3.0 at section 3.2.1):

(i) the nature of the disputed domain name (i.e., a typosquatting);

(ii) the content of the websites to which the disputed domain name directs (i.e. amongst others to websites in the Complainant's area of activity/competing websites, to websites displaying also pornographic content);

(iii) other indicia generally suggesting that the Respondent has targeted the Complainant, e.g. redirecting the disputed domain name amongst others to the Complainant's web page under an affiliate tracking code). In fact, prior UDRP panels have found that a respondent redirecting a domain name to the complainant's website can establish bad faith insofar as the respondent retains control over the redirection thus creating a real or implied ongoing threat to the complainant. This Panel shares this view and considers that this is the case here (see WIPO Overview 3.0 at section 3.1.4);

(iv) a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name;

(v) the Respondent's concealing its identity through a privacy service.

Finally, the Respondent has been involved in a number of trademark-abusive domain name registrations (e.g., Doggett Company, LLC v. Hope Lee, WIPO Case No. D2024-3590; Société des Produits Nestlé S.A. v. Hope Lee, WIPO Case No. D2023-3611). In the view of the Panel, this behavior demonstrates a pattern of conduct by the Respondent of taking advantage of trademarks of third parties without any right to do so and further supports a finding of the Respondent's bad faith. Previous UDRP panels have held that establishing a pattern of bad faith conduct requires more than one, but as few as two instances of abusive domain name registration, see WIPO Overview 3.0, section 3.1.2. The Panel considers that this is the case here.

The Panel finds that the Complainant has therefore satisfied paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **wekday.com**: Transferred

PANELLISTS

Name	**Dr. Federica Togo**

DATE OF PANEL DECISION 2026-01-21

Publish the Decision