

Decision for dispute CAC-UDRP-105724

Case number	CAC-UDRP-105724
Time of filing	2023-11-24 09:45:52
Domain names	kuaishouyijiandaihuo.com

Case administrator

Name	Olga Dvořáková (Case admin)
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Complainant

Organization	BEIJING DAJIA INTERNET INFORMATION TECHNOLOGY CO LTD
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Complainant representative

Organization	Lei Zhang (Chofn Intellectual Property)
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Respondent

Name

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

- “” 1443935120151114
- “” 15942253A2016328
- “KUAISHOU” 170259962016728
- “” 184597832018214
- “” 22291516201827
- “” 238163562019728
- “KUAISHOU” 296946092019928
- “KUAISHOU” 29694619201927
- “KUAISHOU” 297048952020814
- “KUAISHOU” 297109982020814
- “” 29828050A2019421
- “KUAISHOU” 348080442020814
- “KUAISHOU” 659978720211228
- “KUAISHOU” 67269942022524
- “KUAISHOU” 0149561312016426.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

2014,102,AcFun“KWAI”
“”“KUAISHOU”“”“KUAISHOU”
“”2011“GIF”“GIF”GIF201211“GIF”201411“GIF”“”“”201520156,IOS832017870020449.242018121.631500802018445365202011
IPO20206303.027.7620213.0822.64616.5%5.4424.81113.1%111.587.327.7%20223.563.0815%6.135.4413%
20172017832018203201939120201231202058820218112022942
APPvivoAPPAPP26202232520123096“”“”1443935114439348“”“”“”

Xu Fu Xuan

PARTIES CONTENTIONS

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).
4(a)(i)
20142015KUAISHOUKUAISHOUKUAISHOUKUAISHOUAvast Software s. r. o. v Milen Radumilo, 102384, (CAC 2019-03-12)
“.com”WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“WIPO Overview 3.0”)1.11
"kuaishouyijiandaihuo.com"KUAISHOU"yijiandaihuo"(“”)“yijiandaihuo”“”ABN Group Pty Ltd vs. Daniel Jason, 105930 (CAC 2023-12-28) ("The Panel finds that the disputed domain name is confusingly similar to the Complainant’s trademarks as it reproduces the core of the Complainant’s trademarks, consisting of the three-letter term ABN, with the mere addition of the descriptive term “group”, which is insufficient to prevent a finding of confusing similarity. Moreover, the gTLD “.org” is viewed as a standard registration requirement and as such can be disregarded for the purpose of assessing identity or confusing similarity under paragraph 4(a)(i) of the Policy.")
For the foregoing reasons, the Panel finds the Complainant has satisfied paragraph 4(a)(i) of the Policy.
4(a)(i)

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).

4(a)(ii)

Prima Facie) WIPO Overview 3.02.8

4(c)

- (i)
- (ii)
- (iii)

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(Prima Facie)WIPO Overview 3.02.1

For the foregoing reasons, the Panel finds the Complainant has satisfied paragraph 4(a)(ii) of the Policy.
4(a)(ii)

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).
4(a)(iii)

4(a)4(b)

- (i)
- (ii)
- (iii)
- (iv)

KUAISHOU2014KUAISHOU“”KUAISHOU

" " 4(b)(iv)SoftBank Group Corp. vs. Idris Halya, 105523 (CAC 2023-08-11) ("Furthermore, the use of a similar website indicates that the Respondent has registered and is using the disputed domain name to attract and divert internet users interested in the Complainant's services to its own website. It seems very likely that the purpose in registering the disputed domain name was to capitalize on the reputation of the "SOFTBANK" trademark and to obtain visitors' personal information for - possibly - phishing purposes by providing pages for registration or access. It follows that the Respondent attempts to attract internet users by creating a likelihood of confusion with the Complainant's trademark. Such likelihood of confusion as well as using the disputed domain name for illegal activities are evidence of bad faith registration and use.")

For the foregoing reasons, the Panel finds the Complainant has satisfied paragraph 4(a)(iii) of the Policy.
4(a)(iii)

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.
UDRP

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PRINCIPAL REASONS FOR THE DECISION

Having established all three elements required under the UDRP Policy, the Panel concludes that relief shall be granted.
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FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **kuaishouyijiandaihuo.com**: Transferred

PANELLISTS

Name	Mr Paddy TAM
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DATE OF PANEL DECISION	2023-12-30
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Publish the Decision