Decision for dispute CAC-UDRP-107449

Case number	CAC-UDRP-107449
Time of filing	2025-04-04 08:33:38
Domain names	geekbarvapes.com

Case administrator

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

Complainant

Organization	Guangdong Qisitech CO., LTD.

Complainant representative

Organization	Chofn Intellectual Property

Respondent

Name	Sagi Isaschar

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, Guangdong Qisitech CO., LTD., is a Chinese company established in 2016, engaged in the development, production, and sales of electronic cigarettes under the brand name GEEK BAR. The Complainant owns numerous trademark registrations for “GEEK BAR,” including:

- EU Trademark No. 018225081 – Registered on August 26, 2020;
- U.S. Trademark No. 6275589 – Registered on February 23, 2021;
- China Trademark No. 45380452 – Registered on January 7, 2021;
- International Madrid Registration No. 1676896 – Registered on June 8, 2022.

These trademarks cover goods in International Class 34 and predate the registration of the disputed domain name.

The Complainant operates globally, with substantial presence in the United States, United Kingdom, Russia, Middle East, and Europe, and has invested heavily in marketing and product development under the GEEK BAR brand. The Complainant is also the owner of multiple official domain names and web presences related to the brand.

FACTUAL BACKGROUND

The disputed domain name <geekbarvapes.com> was registered by the Respondent on April 1, 2025. The Respondent's identity is masked by a privacy service provided by GoDaddy.com, LLC. However, the content hosted at the disputed domain name imitates the Complainant’s official website and uses the GEEK BAR brand and design elements without authorization.

No administratively compliant response has been filed.

PARTIES CONTENTIONS

The Complainant contends that it owns valid and well-established trademark rights for the sign GEEK BAR, which has been registered in multiple jurisdictions, including the European Union, the United States, China, and as an international trademark through the Madrid system.

The Complainant argues that the disputed domain name <geekbarvapes.com> is confusingly similar to its trademark because it wholly incorporates the mark GEEK BAR, and that the addition of the generic and descriptive term “vapes” does not remove the overall impression of similarity. According to the Complainant, the term “vapes” merely refers to electronic cigarettes, the exact field of activity in which the Complainant operates, and therefore enhances the likelihood of confusion rather than dispels it. The Complainant relies on the UDRP jurisprudence, in particular referring to Article 1.8 of the WIPO Overview 3.0, which provides that the addition of descriptive or generic terms does not prevent a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant in any way, nor has it been licensed or otherwise authorized to use the GEEK BAR trademark. The Respondent has not been commonly known by the domain name and is not making any legitimate noncommercial or fair use of it. According to the Complainant, the Respondent is using the disputed domain name to operate a website that closely imitates the Complainant’s official site and its branding, without any clear disclosure of the lack of affiliation. This conduct, according to the Complainant, is not bona fide and is instead intended to mislead consumers by implying a connection or sponsorship by the Complainant.

Finally, the Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant argues that its GEEK BAR brand is widely known and enjoys a strong presence in global markets, particularly in the United Kingdom and the United States. Given the distinctiveness and global reach of the trademark, the Complainant claims that the Respondent must have been aware of its rights at the time of registration of the disputed domain name. The Complainant asserts that the Respondent’s use of the disputed domain name to host a website imitating the Complainant’s own website constitutes a deliberate attempt to attract, for commercial gain, internet users by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the site, within the meaning of paragraph 4(b)(iv) of the Policy. The Complainant contends that the Respondent’s conduct is part of a broader pattern of impersonation and abuse of the Complainant’s brand, and that both the registration and use of the disputed domain name were made in bad faith.

No administratively compliant Response has been filed. The Respondent was active in this proceeding and filed a request to start a settlement negotiations.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to trademarks 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.
Regarding the language of the proceeding, the Panel finds that the Registration Agreement is in English. The Complainant requested that the language of the proceeding be English based on Article 11 of the Rules and the nature of the website content, which is presented in English. The Panel agrees therefore that English is appropriate and fair for both parties and orders that the proceedings continue in English.

The negotiations of possible settlement of the parties were not successful and the Complainant requested the proceeding to continue. The Respondent did not file any response after the unsuccessful settlement negotiations.

PRINCIPAL REASONS FOR THE DECISION

1. Identical or Confusingly Similar

The disputed domain name <geekbarvapes.com> contains the Complainant's trademark GEEK BAR in its entirety, with the addition of the generic term "vapes" and the plural suffix "s." The addition of such descriptive or generic terms does not however prevent a finding of confusing similarity.

The Panel finds that GEEK BAR is clearly recognizable within the disputed domain name and concludes that the disputed domain name is confusingly similar to the Complainant's trademark.

Accordingly, the requirement under Paragraph 4(a)(i) of the Policy is met.

2. Rights or Legitimate Interests

The Respondent has not provided any evidence or argument that would suggest it has rights or legitimate interests in the disputed domain name.

There is no evidence that the Respondent is commonly known by the disputed domain name. The Complainant has not authorized the Respondent to use the GEEK BAR trademark. The website at <geekbarvapes.com> mimics the Complainant's site, creating an impression of affiliation, which undermines any claim of bona fide offering of goods or fair use.

Accordingly, the requirement under Paragraph 4(a)(ii) of the Policy is met.

3. Registered and Used in Bad Faith

The Panel finds that the Respondent registered the disputed domain name with knowledge of the Complainant's rights in the GEEK BAR mark. The Complainant's brand has a strong international presence, and the mark is distinctive and widely used in connection with popular e-cigarette products.

The Respondent's use of the disputed domain name to operate a website that closely resembles the Complainant's official site, without disclosing the lack of affiliation, suggests an intent to mislead consumers and divert traffic for commercial gain.

Given the totality of the circumstances, the Panel finds that the disputed domain name was registered and is being used in bad faith.

Accordingly, the requirement under Paragraph 4(a)(iii) of the Policy is met.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **geekbarvapes.com**: Transferred

PANELLISTS

Name	**Hana Císlerová**

DATE OF PANEL DECISION 2025-05-28

Publish the Decision