# Decision for dispute CAC-UDRP-107860

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| Case number | CAC-UDRP-107860 |
| Time of filing | 2025-08-20 09:31:31 |
| Domain names | vioohs.com |

## Case administrator

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

## Complainant

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| Organization | VIOOH Limited |

## Complainant representative

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| Organization | NAMESHIELD S.A.S. |

## Respondent

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| Name | Yi Wei Wong |

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any pending or concluded legal proceedings concerning the domain name <vioohs.com> (hereinafter referred to as 'the disputed domain name').

IDENTIFICATION OF RIGHTS

The Complainant, VIOOH Limited, asserts rights to the following registered trade marks:

• International trade mark registration no. 1436571, registered on 14 May 2018, for the word mark VIOOH, in classes 9, 35, 36, 38, 41, and 42 of the Nice Classification; and

• International trade mark registration no. 1434610, registered on 14 May 2018, for the figurative mark VIOOH, in classes 9, 35, 36, 38, 41, and 42 of the Nice Classification.

These trade marks are collectively termed 'the Complainant's trade mark' or 'the trade mark VIOOH'.

Furthermore, the Complainant holds the following domain names featuring the term 'viooh', <viooh.com> and <viooh.net>, both registered in 2017.

The disputed domain name was registered on 9 August 2025 and currently does not resolve to an active website (hereinafter referred to as 'the Respondent's website').

FACTUAL BACKGROUND

### A. Complainant's Factual Assertions

The Complainant, which stands for 'Viewed Impressions for Out of Home', is a subsidiary of JCDECAUX established in 2018 as a global platform for automated Out-of-Home advertising.

### B. Respondent's Factual Assertions

The Respondent has failed to submit a Response in this UDRP administrative proceeding, leaving the Complainant's assertions unchallenged.

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PARTIES CONTENTIONS

### A. Complainant's Submissions

#### A.1 The disputed domain name is confusingly similar to a trade mark in which the Complainant has rights

The Complainant asserts that the disputed domain name is confusingly similar to the trade mark VIOOH. The addition of the letter 's' does not diminish this similarity and constitutes an instance of typosquatting. Previous UDRP decisions confirm that minor spelling variations do not preclude a finding of confusion. Moreover, the inclusion of the generic Top-Level Domain (TLD) <.com> does not alter the perception that the disputed domain name is connected to the Complainant's trade mark, resulting in a clear likelihood of confusion.

#### A.2 The Respondent has no rights or legitimate interests in respect of the disputed domain name

The Complainant has established a prima facie case demonstrating that the Respondent lacks rights or legitimate interests in the disputed domain name. The absence of the Respondent's identity in the Whois database, combined with the lack of any affiliation or authorisation from the Complainant, supports this assertion. The Complainant has no business relationship with the Respondent and has neither granted nor licensed the use of the trade mark VIOOH. The inactive status of the disputed domain name further underscores the Respondent's lack of rights or legitimate interests.

#### A.3 The Respondent registered and is using the disputed domain name in bad faith

The similarity to the Complainant's trade mark indicates registration in bad faith. The Respondent's inactivity renders it implausible to conceive of legitimate use, suggesting the disputed domain name is held solely to infringe upon the Complainant's trade mark rights. The configuration of MX records implies potential email use, reinforcing the Respondent's intent to misuse the disputed domain name. Accordingly, the Respondent has registered and is using the disputed domain name in bad faith.

#### A.4 Relief sought

The Complainant requests the transfer of the disputed domain name.

### B. Respondent's Submissions

The Respondent has failed to provide any substantive defence in this UDRP administrative proceeding.

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RIGHTS

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

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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 UDRP Policy).

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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 UDRP Policy).

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PROCEDURAL FACTORS

The Panel confirms that all procedural requirements under the UDRP have been duly met, with no grounds preventing a decision from being issued.

PRINCIPAL REASONS FOR THE DECISION

**A. Applicable Legal Framework and Burden of Proof**

Pursuant to Rule 15 of the UDRP Rules, the Panel shall base its determination on the statements and documents submitted, together with the UDRP Policy, UDRP Rules, and any pertinent rules and principles of law. The Complainant must establish three essential elements under paragraph 4(a) of the UDRP Policy:

i. The disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;

ii. The Respondent has no rights or legitimate interests in respect of the disputed domain name; and

iii. The disputed domain name has been registered and is being used in bad faith.

These elements collectively constitute 'the requirements of the UDRP Policy'. The standard of evidence in UDRP administrative proceedings operates on the balance of probabilities, and the Panel will assess each requirement in turn.

**B. Identical or Confusingly Similar**

The Panel finds that the Complainant holds UDRP-relevant rights in the registered trade mark VIOOH since at least 2018. The disputed domain name <vioohs.com> incorporates the trade mark VIOOH entirely, with the additional letter 's' failing to materially affect its recognition. The inclusion of the TLD <.com> does not diminish this similarity, thereby fulfilling the first requirement of the UDRP Policy.

**C. Rights or Legitimate Interests**

The evidence indicates that the Respondent is not commonly known by the disputed domain name and has not secured authorisation from the Complainant to utilise the trade mark VIOOH. Furthermore, the Respondent has demonstrated no legitimate use of the disputed domain name for a bona fide offering of goods or services, nor any legitimate non-commercial or fair use. Therefore, the Complainant has satisfied the second requirement of the UDRP Policy.

**D. Registered and Used in Bad Faith**

The Panel finds that the Respondent registered and has used the disputed domain name with full knowledge and intention to target the Complainant. The factual matrix supports a presumption of bad faith: (i) the Complainant's ownership of the nearly identical domain name <viooh.com>, registered in 2017; (ii) the obvious similarity between the disputed domain name and the Complainant's trade mark; (iii) the Respondent's failure to refute the Complainant's prima facie case; (iv) the Respondent's attempts to gain reputational advantage by redirecting Internet users for potentially fraudulent purposes; and (v) the implausibility of any good faith use for the disputed domain name.

The Respondent has thus engaged in conduct described in paragraph 4(b)(iv) of the UDRP Policy.

In view of the above, the Panel finds that the Complainant has satisfied the third and final requirement of the UDRP Policy.

**E. Decision**

For the reasons stated, in accordance with paragraph 4(a) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain name <vioohs.com> be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **vioohs.com**: Transferred

## PANELLISTS

| Name | Yana Zhou |
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DATE OF PANEL DECISION 2025-09-15

Publish the Decision