Decision for dispute CAC-UDRP-107922

Case number	CAC-UDRP-107922
Time of filing	2025-09-05 00:04:39
Domain names	chewyoutlets.top

Case administrator

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

Complainant

Organization	Chewy, Inc.

Complainant representative

Organization	RODENBAUGH LAW LLC

Respondent

Name	ren wei

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any pending or concluded legal proceedings concerning the domain name <chewyoutlets.top> ('the disputed domain name').

IDENTIFICATION OF RIGHTS

The Complainant, Chewy, Inc., is the proprietor of multiple CHEWY trade mark registrations across several jurisdictions, among them the United States, Europe, and Australia. Notable registrations are as follows:

• US trade mark registration no. 5028009, filed on 15 April 2015, for the mark CHEWY, in class 35 of the Nice Classification;

• EU trade mark registration no. 018513701, filed on 14 July 2021, for the mark CHEWY, in class 9 of the Nice Classification; and

• Australian trade mark registration no. 2060121, filed on 2 January 2020, for the mark CHEWY, in class 35 of the Nice Classification

(Collectively, 'the Complainant's trade mark' or 'the trade mark CHEWY').

The disputed domain name <chewyoutlets.top> was registered on 3 September 2025. It currently resolves to a landing page stating:

> 'C***Y
>
> This store is under construction'

The Complainant has provided evidence of an active website linked to the Respondent, which appears to imitate the Complainant's legitimate online presence.

FACTUAL BACKGROUND

A. Complainant's Factual Assertions

The Complainant operates one of the largest online retail stores specialising in pet supplies and wellness-related services. Founded in 2011, it ranked #362 on the Fortune 500 list by 2023, and by 2024 reported nearly USD 12 billion in net sales. Its principal website, www.chewy.com, has been in use since April 2004 and prominently features the trade mark CHEWY.

B. Respondent's Factual Assertions

The Respondent has failed to submit any response in this ADR Proceeding.

PARTIES CONTENTIONS

A. Complainant's Submissions

A.1 Preliminary Issue - Language of the Proceeding Request

The registration agreement for the disputed domain name <chewyoutlets.top> is Chinese. The Complainant requests English as the language of the proceeding, on the basis that:

• The disputed domain name registration and website content are in English;

• The website at the disputed domain name duplicates the Complainant's English-language website and targets an English-speaking audience;

• Prior fraudulent advertisements by the Respondent were in English;

• The Respondent has been party to a previous UDRP case conducted in English (Williams-Sonoma, Inc. v. Bee Seth Seth; (Boss Cloud Technology (Zhejiang) Co., Ltd.); junhao luo; and ren wei, WIPO Case No. D2025-1227); and

• Translation of the Complainant would be inefficient and disproportionate.

A.2 Substantive grounds

The Complainant's contentions may be summarised as follows:

A.2.1 The disputed domain name is confusingly similar to a trade mark in which the Complainant has rights

The disputed domain name <chewyoutlets.top> incorporates the trade mark CHEWY in its entirety. The addition of the descriptive term 'outlets' and the generic Top-Level Domain ('TLD') <.top> do not dispel the overall impression of similarity. Consistent with established UDRP authority (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, section 1.8), such additions are insufficient to avoid a finding of confusing similarity.

A.2.2 The Respondent has no rights or legitimate interests in respect of the disputed domain name

The Respondent has not been authorised by the Complainant to use the trade mark CHEWY. Nor is there any evidence that the Respondent is commonly known by the disputed domain name or engaged in bona fide trading activity. The imitation of the Complainant's brand for commercial gain cannot constitute legitimate or fair use.

A.2.3 The Respondent registered and is using the disputed domain name in bad faith

The Respondent's conduct demonstrates clear bad faith. The disputed domain name was registered long after the Complainant's trade mark became well-known and has been used to mislead Internet users into believing an affiliation with the Complainant. Such conduct falls squarely within paragraph 4(b)(iv) of the UDRP Policy – intentionally attracting users for commercial gain by creating confusion with the Complainant's trade mark.

A.2.4 Relief sought

The Complainant seeks transfer of the disputed domain name.

B. Respondent's Submissions

No Response was filed. The Panel therefore proceeds on the unchallenged evidence before it.

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).

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).

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).

PROCEDURAL FACTORS

1. Language determination

Under Rule 11 of the UDRP Rules, the Panel may determine the language of the proceeding. Having considered the factors outlined in CAC Case no. 104144 (Writera test), including the English content of the disputed domain name string and website, the Respondent's prior English-language conduct, and the absence of any Response, the Panel concludes that English is appropriate. This ensures efficiency and fairness while avoiding unnecessary delay or expense.

2. Procedural compliance

All procedural requirements have been duly met. The matter is properly before the Panel.

PRINCIPAL REASONS FOR THE DECISION

A. Applicable Legal Framework

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 proof is on the balance of probabilities.

B. Identical or Confusingly Similar

The trade mark CHEWY has been registered for nearly a decade prior to the registration of the disputed domain name; its full incorporation renders the disputed domain name confusingly similar. The addition of the word 'outlets' merely amplifies the risk of confusion by suggesting an authorised retail channel. The first requirement of the UDRP Policy is satisfied.

C. Rights or Legitimate Interests

There is no evidence that the Respondent is commonly known by the disputed domain name, nor that it is engaged in legitimate commercial. The imitation of the Complainant's brand cannot be construed as bona fide. The second requirement of the UDRP Policy is therefore satisfied.

D. Registered and Used in Bad Faith

The evidence demonstrates that the Respondent registered the disputed domain name with knowledge of the Complainant's trade mark and has used it to mislead consumers. The deliberate imitation of CHEWY's branding and the absence of any credible alternative explanation support a finding of bad faith under paragraph 4(b)(iv) of the UDRP Policy. Thus, the Complainant has met all three requirements 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 <chewyoutlets.top> 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. **chewyoutlets.top**: Transferred

PANELLISTS

Name	**Yana Zhou**

DATE OF PANEL DECISION 2025-10-15

Publish the Decision