Decision for dispute CAC-UDRP-108111

Case number	CAC-UDRP-108111
Time of filing	2025-11-06 09:20:07
Domain names	chewypet.site

Case administrator

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

Complainant

Organization	Chewy, Inc.

Complainant representative

Organization	RODENBAUGH LAW LLC

Respondent

Name	wang yu chen

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 owns numerous trademark registrations for the CHEWY marks in multiple jurisdictions worldwide.

These registrations include, but are not limited to, the following:

- CHEWY.COM (U.S. Reg. 4346308) in Class 35, used in commerce since 2012 and registered on 4 June 2013;
- CHEWY (U.S. Reg. 5028009), in Class 35, used in commerce since 2016 and registered on 23 August 2016;
- CHEWY (U.S. Reg. 5834442), in Class 35, used in commerce since 2018 and registered on 13 August 2019;
- CHEWY (U.S. Reg. 6788620), in Class 9, used in commerce since 2016 and registered on 12 July 2022;
- CHEWY (EU Reg. 016605834) in Class 35, registered on 10 August 2017;
- CHEWY (EU Reg. 018101754) in Class 35, registered on 14 December 2019;
- CHEWY (EU Reg. 018168138) in Class 18, registered on 22 May 2020;
- CHEWY (AU Reg. 2060121) in Class 35, registered on 10 August 2020.

FACTUAL BACKGROUND

The Complainant operates an online retail store offering pet supplies and pet wellness-related products and services, including pet food, treats, accessories and veterinary pharmaceutical products. The company was founded in 2011 as a customer-service-

focused online retailer for pet supplies. By 2023, Chewy was ranked #362 on the Fortune 500 list, and in 2024, it was included in the Standard & Poor's MidCap 500 list. In 2024, Chewy reported net sales of approximately $12 billion, reflecting a 6% increase over the previous year.

Complainant operates its primary website through the domain name <chewy.com>, which incorporates the CHEWY trademark and makes substantial use of the CHEWY Marks. The <chewy.com> domain was created in April 2004. The CHEWY Marks are used in connection with Complainant's online retail store, including for the sale of pet food, pet supplies, and pet accessories.

The Respondent appears to be an individual based in Fujian, China.

The disputed domain name was registered on 29 October 2025.

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).

The Complainant claims rights in the CHEWY mark through its trademark registrations. By virtue of its trademark registrations, the Complainant has proved that it has rights in the mark under paragraph 4(a) of the Policy. See Avast Software s. r. o. v Milen Radumilo, 102384, (CAC 2019-03-12).

The Complainant asserts that the only difference between Complainant's CHEWY trademark and the disputed domain name is the addition of the word "pet" and the ".site" Top-Level Domain. It is well-established that the use of a trademark in its entirety suffices to establish confusing similarity and the addition of descriptive terms or a TLD extension to an identical mark is insufficient to escape a finding of such similarity.

By doing a side-by-side comparison, the Panel agrees that the disputed domain name is confusingly similar to the Complainant's trademark, see paragraph 1.7 of the WIPO Jurisprudential Overview 3.0.

For the foregoing reasons, the Panel finds that the Complainant has satisfied 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). More specifically, the Complainant must first make a prima facie case that the Respondent lacks rights and legitimate interests in the disputed domain name, and the burden of proof then shifts to the Respondent to show it does have rights or legitimate interests. See PepsiCo, Inc. v Smith power production, 102378, (CAC 2019-03-08) ("The Panel finds that the Complainant has made out a prima facie case that arises from the considerations above. All of these matters go to make out the prima facie case against the Respondent. As the Respondent has not filed a Response or attempted by any other means to rebut the prima facie case against it, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.").

The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not authorized to use the CHEWY trademark and the disputed domain name was registered long after the Complainant established its marks and goodwill. The disputed domain name does not reflect the Respondent's name and has been used to operate websites offering products under the CHEWY trademark, creating a likelihood of confusion. Such use does not constitute bona fide or fair use and the Respondent has not disclosed any affiliation with the Complainant. No credible intent exists that would avoid capitalizing on the CHEWY trademark's reputation and the Respondent has provided no evidence to the contrary.

The Panel finds that the Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name. As a result, the burden of proof shifts to the Respondent to demonstrate such rights or interests. However, the Respondent has failed to submit any response within the required timeframe to rebut these assertions.

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

BAD FAITH

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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).

The Complainant alleges that the disputed domain name has been registered and used in bad faith. The Respondent has used the disputed domain name to operate websites offering pet-related products under the CHEWY trademark, including imitation and competing sites, thereby trading on the goodwill of the Complainant and diverting business and potential customers. Given the fame and recognition of the CHEWY trademark, it is implausible that the Respondent was unaware of the brand and the domain name is valuable solely due to its association with Chewy. There is no evidence of any legitimate or bona fide use.

Having considered the overall circumstances and noting the absence of an official response from the Respondent, the Panel is of the view that it is unlikely to be a coincidence that the Respondent registered the disputed domain name containing the Complainant's CHEWY trademark. The Panel also notes that the disputed domain name has been used to resolve a lookalike website selling products under the CHEWY trademark. See paragraph 3.4 of the WIPO Overview 3.0 ("Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution. (In some such cases, the respondent may host a copycat version of the complainant's website.) Many such cases involve the respondent's use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information from prospective job applicants, or to solicit payment of fraudulent invoices by the complainant's actual or prospective customers."). See also Sony Interactive Entertainment LLC, Sony Interactive Entertainment Inc and Sony Interactive Entertainment Europe Ltd v. panen grup and Shenzhen Yunnuotaifeng Tech Co., Ltd., 107313 (CAC 2025-05-05) ("As previously noted, the Respondent's website prominently displays the Complainant's Trademark (as such and on various products / merchandise). The Panel finds that Respondent's use of the disputed domain names disrupts Complainant's business by misleading consumers and falsely suggesting an affiliation with the Complainants. This conduct serves to redirect Internet users to the Respondent's website, thereby exploiting the Complainant's goodwill. ").

For the foregoing reasons, the Panel finds that the Complainant has satisfied 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.

PRELIMINARY FINDINGS - LANGUAGE OF PROCEEDING:

The Panel notes that the language of the Registration Agreements is Chinese, as confirmed by the Registrar. The official Complaint was submitted in English and the Respondents did not submit an official response. Pursuant to paragraph 11 of the Rules, unless otherwise agreed by the Parties, or specified otherwise in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement. However, this is subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding.

The Complainant requests that English be used as the language of the proceeding, arguing that although the registration agreement is in Chinese, it is also available in English. The disputed domain name and website copy Chewy's English-language content and the fraudulent ads are in English, targeting English-speaking users. Prior UDRP cases under similar circumstances support proceeding in English, so the Complainant requests the case be conducted in English.

The Panel is bilingual and fully capable of conducting the proceeding in both Chinese and English. In view of the English-language content of the website and the absence of a timely response from the Respondent, the Panel finds it appropriate to conduct the proceedings in English and would serve the UDRP's objective of facilitating the swift resolution of disputes. Accordingly, the Panel determines that the language requirement has been satisfied, and that the language of the proceeding shall be English.

PRINCIPAL REASONS FOR THE DECISION

Having established all three elements required under the UDRP Policy, the Panel concludes that the disputed domain name should 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. **chewypet.site**: Transferred

PANELLISTS

Name	**Mr Paddy TAM**

DATE OF PANEL DECISION 2025-12-08

Publish the Decision