Decision for dispute CAC-UDRP-108058

Case number	CAC-UDRP-108058
Time of filing	2025-10-24 16:21:27
Domain names	ajipon60th-ponmatsuri.com

Case administrator

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

Complainant

Organization	Mizkan Holdings Co., Ltd.

Complainant representative

Organization	RODENBAUGH LAW LLC

Respondent

Organization	Domain Name Privacy Inc.

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 has demonstrated ownership of rights in the trademark AJIPON for the purposes of standing to file a UDRP complaint.

The Complainant is the owner of numerous trademark registrations, including the following:

- Japanese trademark registration No. 6601310 for AJIPON (word mark), filed on April 4, 2022, and registered on August 15, 2022, in class 30;

- Japanese trademark registration No. 1049656 for AJIPON (figurative mark), filed on October 12, 1967, and registered on January 10, 1974, in class 30;

- International trademark registration No. 1682172 for AJIPON (word mark), registered on July 7, 2022, in class 30.

FACTUAL BACKGROUND

The Complainant is a global food company headquartered in Japan and founded in 1804 as a family-owned enterprise, that has grown into one of Japan’s leading producers of vinegars, sauces, condiments, and other food products, with annual consolidated

sales exceeding ¥313 billion and operations spanning Asia, North America, and Europe.

The Complainant is widely recognized for its long-standing AJIPON brand, a citrus-seasoned soy sauce first launched in 1964, which has become a staple in Japanese households for over half a century.

On November 10, 2024, to celebrate the 60th anniversary of its AJIPON brand, the Complainant organized a promotional campaign in Japan titled “Ponmatsuri”, meaning “Pon Festival.” The campaign featured limited-edition goods, contests, and giveaways celebrating AJIPON’s six decades of success. The campaign was conducted through a website published at the disputed domain name <ajipon60th-ponmatsuri.com>. Following the conclusion of the campaign, the disputed domain name was allowed to expire by Complainant, and then subsequently drop-caught by the Respondent.

The disputed domain name <ajipon60th-ponmatsuri.com> was registered by the Respondent on January 31, 2025, and resolves to a website displaying pay-per-click links.

PARTIES CONTENTIONS

COMPLAINANT

The Complainant contends that the disputed domain name is confusingly similar to the Complainant’s trademark AJIPON, as it reproduces the trademark in its entirety with the mere addition of the words “60th” and “ponmatsuri” and the generic Top Level Domain (“gTLD”) “.com”, which are not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademark.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name because: i) the Respondent has never been authorized by the Complainant to use the AJIPON mark in any manner; ii) the disputed domain name was registered long after the Complainant registered the AJIPON marks and established extensive goodwill; iii) the Respondent is not commonly known by the disputed domain name; and iv) the disputed domain name has not been used for a bona fide offering of goods or services or for a legitimate non-commercial use, since it has been redirected to a parking page with pay-per click links partly targeting sushi products - highly related to those of the Complainant - as well as other unrelated categories and the Respondent has been monetizing the disputed domain name through clicks or referral advertising whilst causing consumer confusion to the detriment of the Complainant.

The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith since: i) the Respondent was no doubt aware of the Complainant’s rights considering the disputed domain name is identical to the Complainant’s prior domain name and the Complainant’s rights in the AJIPON mark are long-established and widely recognized; ii) the incorporation of the AJIPON well-known mark together with the terms “60th” and “ponmatsuri” specifically adopted by Complainant for its campaign, heightens the false appearance of authenticity and affiliation with the Complainant; iii) the Respondent is using the disputed domain name to divert Internet users to a website that redirects them to unrelated third-party advertising and sales content, thereby disrupting the Complainant’s brand integrity and commercial goodwill; and iv) the Respondent is using the disputed domain name to intentionally attract Internet users, using Complainant’s mark and media campaign name, to a website displaying pay-per-click links redirecting to alternative and competitive product providers.

The Complainant further submits that the Respondent’s bad faith is highlighted by the fact that the Respondent purports to be a domain privacy service and has not provided any identifiable means to contact the actual domain holder, even to the concerned registrar.

RESPONDENT

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).

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.

PRINCIPAL REASONS FOR THE DECISION

1. The Complainant has provided evidence of ownership of valid trademark registrations for AJIPON.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark as it consists of the Complainant's mark in its entirety with the mere addition of the word "60th", a hyphen, the term "ponmatsuri" (meaning "Pon Festival" in Japanese) and the generic Top Level Domain ("gTLD") ".com", As stated in prior decisions rendered under the UDRP, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms and of a gTLD suffix does not prevent a finding of confusing similarity under the first element.

2. With reference to the Respondent's rights or legitimate interests in the disputed domain name, the Panel finds that the Complainant has made a prima facie case and that the Respondent, by not submitting a Response, has failed to provide any element from which a Respondent's right or legitimate interest in the disputed domain name could be inferred.

The Panel notes that, based on the records, the Respondent has not been authorized or licensed by the Complainant to use its trademark AJIPON. Moreover, there is no evidence that the Respondent might be commonly known by the disputed domain name or a name corresponding to the disputed domain name.

As highlighted above, the disputed domain name resolves to a parking page with commercial links related, amongst others, to the Complainant's products and sector. The Panel finds that the Respondent's use of the disputed domain name to host a parking page with pay-per-click links does not represent a bona fide offering of goods or services since such links compete with, and capitalize, on the reputation and goodwill of the Complainant's mark and, combined with the composition of the disputed domain name, are also apt to mislead Internet users. The Panel also finds that the Respondent's use of the disputed domain name does not amount to legitimate non-commercial or fair use since the Respondent is attempting to collect click-through revenue from the advertising links published on the website to which the disputed domain name resolves.

Therefore, the Panel finds that the Complainant has demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain name according to paragraph 4(a)(i) of the Policy.

3. As to bad faith at the time of the registration, the Panel finds that, in light of the Complainant's prior registration and use of the trademark AJIPON and considering the disputed domain name was previously owned and used by the Complainant in connection with its campaign to celebrate the 60th anniversary of its AJIPON brand, the Respondent was very likely aware of the Complainant and its trademark when it registered the disputed domain name on January 31, 2025.

Moreover, considering the redirection of the disputed domain name to a website displaying pay-per-click links also related to the Complainant's field of activity, the Panel finds that the Respondent was indeed aware of the Complainant's trademark and intentionally attempted to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of its website, according to paragraph 4(b)(iv) of the Policy.

Under the circumstances, the Panel also finds that the Respondent's concealment of its identity through a privacy service and its failure to submit a Response further demonstrate that the Respondent acted in bad faith.

Therefore, the Panel finds that the Complainant has also demonstrated that the Respondent registered and is using the disputed domain name in bad faith according to paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ajipon60th-ponmatsuri.com**: Transferred

PANELLISTS

Name	**Luca Barbero**

DATE OF PANEL DECISION 2025-12-10

Publish the Decision