Decision for dispute CAC-UDRP-108252

Case number	CAC-UDRP-108252
Time of filing	2025-12-22 10:12:04
Domain names	blissscape.com

Case administrator

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

Complainant

Organization	Jagex Limited

Complainant representative

Organization	Stobbs IP

Respondent

Name	Tim Parsons

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 is the owner of numerous trademarks filed or registered worldwide, including but not limited to the following:

- SCAPE (figurative) – United Kingdom IPO UK00004247316, covering Nice Classification 41, registered since 21 November 2025;
- RUNESCAPE (word) - United Kingdom IPO UK00002302308, covering Nice Classifications 16, 25, 41, registered since 27 December 2002; and
- DARKSCAPE (word) – European Union IPO 018613417, covering Nice Classifications 9, 16, 25, 28, 41, registered since 18 May 2022.

The Complainant owns the domain name <runescape.com>, which has resolved to an active website relating to online video games since at least as early as 17 August 2000. In addition to <runescape.com>, the Complainant has acquired various further domain names which incorporate the RUNESCAPE trade marks and SCAPE sign, and which resolve to active websites, including in particular <runescape.net>; <06scape.com>; and <2007scape.com>.

The Complainant is also active on social media (YouTube, Facebook, Instagram) since at least 2005 and has generated a significant level of endorsement.

The Complainant also uses a wide range of other SCAPE-summative signs within and in association with RuneScape, including but

not limited to the ScapeRune, ScapeRune Teleport, or again music track made available on SoundCloud: Scape Sorrow.

The Respondent registered the disputed domain name on 20 September 2024. Currently, the disputed domain name resolves at the time of the Complaint to a webpage offering to acquire the disputed domain.

FACTUAL BACKGROUND

The Complainant was incorporated on 28 April 2000 as Jagex Limited, and since then has carried on the business of designing, developing, publishing, and operating online video games and other electronic-based entertainment.

The Complainant is well-known internationally for its Massively Multiplayer Online Role-Playing Games ("MMORPG") RuneScape, and Old School RuneScape. Together, the Games average a total of more than 3 million active users per month since October 2022 Old School RuneScape has been recognised by the Guinness World Records for being the largest free-to-play MMORPG with over 300 million accounts.

The Complainant has also received public and critical praise for its Games. Old School RuneScape was awarded 2019 EE Mobile Game of the Year at the British Academy Games Awards, while maintaining a Metacritic score of 87, a 4.8 rating (out of 5) on the iOS App Store, and 14,252 "Very Positive" user ratings on Steam.

The Complainant's Games have also provided the stimulus for a substantial quantity of online user-generated content relating to the games, including blogs, online articles, forums, videos, message boards, as well dedicated wikis.

In addition to its extensive use of the RUNESCAPE and SCAPE trade marks in relation to video games, large player-base, significant level of endorsement on social media, and critical acclaim, the Complainant also uses a wide range of other SCAPE-summative signs.

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. The Complainant makes a number of legal arguments and also supplies a set of annexes providing evidence of its activities and of the Respondent's use of a mere webpage offering to sell the disputed domain.

No administratively compliant Response has been filed by the Respondent.

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

It is indicated that the CAC was able to send the written notice to the Respondent.

The notice of the Commencement of the administrative proceeding was sent also by e-mail and duly received.

The Respondent never accessed the online platform.

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

Notwithstanding the fact that no Response has been filed, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant.

Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following elements:

- that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- that the disputed domain name was registered and is being used in bad faith.

A. Identical or confusingly similar: Paragraph 4(a)(i)

The trademark citation and documentation provided by Complainant are sufficient to establish that Complainant has rights in the SCAPE or RUNESCAPE Trademark.

As to whether the disputed domain name is identical or confusingly similar to the trademark, the relevant comparison to be made is with the second-level portion of the disputed domain name only i.e. "blissscape" because “[t]he applicable Top Level Domain (‘TLD’) in a domain name (e.g. '.com') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.” WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“WIPO Overview 3.0”), section 1.11.1.

The disputed domain name wholly incorporates and is confusingly similar to the Complainant’s SCAPE registered trademark, and the addition of the descriptive term “bliss” as a prefix to ‘SCAPE’ within the disputed domain name.

The combination of ‘SCAPE’ and ‘BLISS’ does nothing to alter the impression generated by the Disputed Domain Name in the eyes of the average internet user. As a user would associate ‘SCAPE’ and ‘BLISS’ (a descriptive or laudatory term) combined to indicate the domain originates from the Complainant.

Furthermore, the Respondent has copied the Complainant’s logo; as well as content from and relating to the Complainant’s Game onto the website available at the domain name. The logo used by the Respondent on the resolving website is in the form ‘BLISSSCAPE’, with the figurative elements imitating the Complainant’s official RUNESCAPE logo and use the same stylisation of the Complainant’s SCAPE trade mark.

“The fact that a respondent is shown to have been targeting the complainant’s mark (e.g., based on the manner in which the related website is used) may support the complainant’s assertion that its mark has achieved significance as a source identifier.” (Paragraph 1.3, WIPO Overview 3.0)

In re. Dunn and Dunn P.C. (aka Charles Dunn Law, P.C.) v W P, The Cloud Corp., WIPO Case No. D2018-0219 - “An additional relevant factor in determining whether the Complainant has rights is the Respondent in acquiring the Domain Name, has clearly targeted the Complainant’s Domain Mark, which supports the assertion by the Complainant that the Domain Mark has acquired some secondary meaning.”

The Respondent's pattern of conduct shows that the Respondent intended clearly to target the Complainant's internet users and the domain names.

With respect to the comparison between "runescape" the Complainant's trademark and "blissscape", the disputed domain name, the distinctive and dominant element remains the root "scape". Blissscape being seen and recognized as one of the names of a range of trademarks "scape". Similarly to the previous analysis, the use of the Complainant's logo or design increases the risk of confusing similarity.

The Panel is satisfied that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests: Paragraph 4(a)(ii)

The Respondent is not commonly known by the disputed domain name and the Respondent’s Whois information is not similar to the disputed domain name. The Respondent is neither affiliated with nor authorized by the Complainant in any way. The Respondent does not carry out any activity for, nor has any business with the Complainant. No authorization has been granted to the Respondent by the Complainant to use its SCAPE or RUNESCAPE trademark.

The disputed domain name was registered on 20 September 2024. The disputed domain name resolved to a website presenting various products identical or similar to that of the Complainant and reproduces the Complainant's logo and designs.

UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term UDRP panels have largely held that such composition cannot

constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner.

The Complainant has demonstrated a pattern of conduct of the Respondent where such impersonation or high risk of confusion for the internet user is created.

To demonstrate rights or legitimate interests in a domain name, non-exclusive respondent defences under UDRP paragraph 4(c) include the following:

(i) before any notice of the dispute, the respondent's use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) the respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or

(iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

In the present case it clearly appears that none of the conditions are fulfilled.

Finally, it is reminded that WIPO Overview 3.0, section 2.1, states: "While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of 'proving a negative', requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element."

The Panel finds that Complainant has established its prima facie case and, without any evidence from Respondent to the contrary and the pattern of conduct of the Respondent comfort it.

The Panel is satisfied that Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith: Paragraph 4(a)(iii)

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in paragraph 4(b) of the Policy: (i) circumstances indicating that the registrant has registered or the registrant has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the registrant's website or location or of a product or service on the registrant's website or location.

As set forth in section 3.1.4 of WIPO Overview 3.0: "Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar… to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith." That is applicable here.

Further, the disputed domain name resolving to a website presenting identical or similar products and services of the Complainant would be construed as bad faith.

For the evidence provided with it appears that by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location. UDRP Policy, para. 4(b)(iv).

Accordingly, the Panel finds that Complainant has proven the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **blissscape.com**: Transferred

PANELLISTS

Name	David-Irving Tayer

DATE OF PANEL DECISION 2026-01-24

Publish the Decision