# Decision for dispute CAC-UDRP-108233

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| Case number | CAC-UDRP-108233 |
| Time of filing | 2025-12-22 10:35:31 |
| Domain names | honeytoonmodapk.com |

## Case administrator

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

## Complainant

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| Organization | HONEYTECH LTD |

## Respondent

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| Name | Sarib Khan |

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

On 26 November 2025, the Complainant has filed a US trademark application for the HONEYTOON word mark, under serial No. 99517045, for services in class 41. At the time of the filing of this UDRP Complaint, this US trademark application is still pending.

The Complainant maintains that it has established rights in the HONEYTOON mark through extensive and continuous use in commerce, resulting in acquired distinctiveness of the mark as a source identifier for the Complainant's digital entertainment services.

The Complainant is also the owner of the domain name <honeytoon.com>, registered on 17 January 2022.

FACTUAL BACKGROUND

The Complainant operates in the digital entertainment services sector through a platform named "honeytoon", which enables users to access digital entertainment content, namely digital comics. The platform allows users to purchase limited licenses to access such digital content and to submit, upload, post, display, communicate or otherwise publish various type of content, such as profile information, screenshots, comments, third party URL links, and other materials of any type on or through the platform.

The disputed domain name was registered on October 11, 2025, by an individual, allegedly located in Pakistan. It resolves to a website promoting a comic reader app, named "Honeytoon", which purportedly features a vast library of webtoons, manhwa, manga, and manhua across genres such as romance, adventure, drama, and fantasy. The website also advertises a "Honeytoon APK Lite variant" intended for budget devices. The promoted applications are allegedly curated by an entity named Honeytoon, Inc. The website prominently displays the Complainant's HONEYTOON figurative and word marks.

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.

According to the Complainant, although it does not own any registered trademark for the HONEYTOON mark, it has nonetheless established rights in this mark through its extensive and continuous use in commerce, which has resulted in acquired distinctiveness and recognition of the mark as a source identifier for the Complainant's services. The Complainant operates the "honeytoon" platform and publicly identifies its online entertainment services on its corporate website.

The HONEYTOON mark is used consistently and prominently across the Complainant's official website and platform, marketing materials, and its official social media channels, including X (formerly Twitter), Instagram, Facebook and TikTok. Independent online references and third party mention additionally demonstrate that the public associates the HONEYTOON designation exclusively with the Complainant. The Web Archive records confirm that the "honeytoon" platform was publicly accessible and branded well before the Respondent registered the disputed domain name. Moreover, marketing and analytics data show millions of searches for the keyword "honeytoon", all of which are associated exclusively with the Complainant.

The disputed domain name incorporates the Complainant's HONEYTOON mark in its entirety. The addition of the descriptive term "mod apk", which directly refers to modified or unauthorized versions of mobile applications, cannot prevent a finding of confusing similarity of the disputed domain name with the Complainant's mark.

The Complainant further maintains that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant never authorized, licensed or otherwise permitted the Respondent to use the HONEYTOON mark. There is no evidence that the Respondent is commonly known by the disputed domain name or operates any legitimate business under this designation.

The disputed domain name resolves to a website that does not provide a genuine or authorized version of the "honeytoon" platform. Instead, the Respondent's website promotes "mod apk" files, which, by definition, consist of unauthorized and modified versions of software. Such use of the disputed domain name is not legitimate and constitutes an unlawful exploitation of the Complainant's mark. Consequently, the Respondent's activities through the disputed domain name cannot constitute a bona fide offering of goods or services.

Furthermore, the Respondent's conduct evidences consumer diversion and trademark tarnishment as the use of the Complainant's mark within the disputed domain name intentionally directs Internet users, searching for the official "honeytoon" platform, toward unauthorized content that exposes them to security vulnerability and malware risks. This behavior damages the Complainant's reputation and undermines user trust. The Respondent's website also functions as a competitor or parasitic site, by distributing unauthorized APK content, imitating the Complainant's service and monetizing diverted user traffic. The Complainant also submits that the disputed domain name falsely suggests affiliation as the Respondent uses it to impersonate an official service offered by the Complainant and illegally distributes an unauthorized version of a "honeytoon" comic reader app. Accordingly, such use of the disputed domain name cannot confer rights or legitimate interests to the Respondent.

With respect to registration and use in bad faith, the Complainant contends that given the Complainant's established online presence, extensive marketing and global recognition of the HONEYTOON mark, it is inconceivable that the Respondent was unaware of the Complainant at the time the disputed domain name was registered. The registration of a domain name that incorporates a distinctive and widely used third party's mark constitutes evidence of bad faith. Moreover, the Complainant submits that the Respondent intentionally registered the disputed domain name for the purpose of diverting consumers for commercial gain by creating a likelihood of confusion with the Complainant's mark. The nature of the disputed domain name, consisting of the Complainant's mark coupled with the wording "mod apk", has no plausible purpose other than to mislead users into believing that the disputed domain name offers an official or sanctioned "honeytoon" application.

The Complainant further contends that the Respondent's conduct amounts to trademark tarnishment and causes consumer harm, as the dispute domain name is used to distribute unauthorized and potentially harmful software. In addition, the Respondent's behavior reflects a broader pattern of impersonation, unfair competition and parasitic exploitation of brand traffic, which also supports a finding of bad faith. Accordingly, the Complainant considers that the disputed domain name was registered and is being primarily used to exploit the Complainant's goodwill, to divert Internet users and to benefit from the resulting confusion.

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

I. Confusing Similarity

Under paragraph 4(a)(i) of the Policy, the Complainant must demonstrate that the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights. It is established that, for the purpose of the Policy, the expression “trade mark or service mark” in paragraph 4(a)(i) encompasses both registered and unregistered marks. Sections 1.1.1 and 1.3 of the WIPO Overview 3.0.

The Complainant has provided evidence that it owns a pending US trademark application for HONEYTOON. However, a pending trademark application would not by itself establish trademark rights within the meaning of UDRP paragraph 4(a)(i). WIPO Overview 3.0, section 1.1.4.

Accordingly, for the first element of the Policy, the Panel must assess whether the Complainant has submitted sufficient evidence to support that its HONEYTOON mark has become a distinctive identifier that consumers associate with the Complainant's services.

The Complainant has provided evidence that it owns a domain name identical to its HONEYTOON mark, namely <honeytoon.com>, registered on 17 January 2022, which resolves to a website hosting an online platform that features the Complainant's figurative and word HONEYTOON marks. This platform enables users to access digital comics and exchange views, information, images and content. The Complainant has also submitted third party's comments and reviews on the "honeytoon" platform, screenshots showing the number of followers on X, TikTok, Facebook, Instagram, as well as a Web Archive screenshot indicating activity associated with the Complainant's website dating back to the registration date of the domain name <honeytoon.com> although its historical content is not available. In addition, and importantly, the Complainant has submitted marketing and analytics data demonstrating significant website traffic and substantial volume of searches using the "honeytoon" keyword. This evidence reflects that the Complainant's HONEYTOON mark has been the subject of a vast number of user searches and the corresponding domain name and website featuring the HONEYTOON mark have generated high levels of traffic.

Moreover, where a respondent is shown to have specifically targeted the complainant’s mark, for example, through the way the associated website is used, such conduct may support a finding that the complainant’s mark has acquired significance as a source identifier. WIPO Overview 3.0, section 1.3.

Given the above, on balance, the Panel concludes that the Complainant has established unregistered trademark rights in the HONEYTOON mark for the purposes of the Policy.

The disputed domain name incorporates the Complainant's unregistered trademark HONEYTOON in its entirety, followed by the descriptive terms "mod apk". The Complainant's trademark remains clearly recognizable within the disputed domain name. Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) does not prevent a finding of confusing similarity under the first element of the Policy. WIPO Overview 3.0, section 1.8.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's HONEYTOON mark and that the first condition under the Policy is met.

II. Rights or Legitimate Interests

Although 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 difficult 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.0, section 2.1.

In this case, the Complainant asserts that the Respondent was not authorized to reflect its HONEYTOON mark in the disputed domain name. The Complainant has neither licensed its mark to the Respondent, nor authorized the Respondent to use the

HONEYTOON mark in any way. There is no evidence in the case file that the Respondent is commonly known by the disputed domain name.

In accordance with WIPO Overview 3.0, section 2.5.1, 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 composition of the disputed domain names – reproducing the entirety of the HONEYTOON mark, together with the terms “mod” and “apk” – carries a risk of implied affiliation with the Complainant.

The Panel observes that the disputed domain name resolves to a website offering the download of an Android reader app named "Honeytoon APK", allegedly curated by a company referred to as Honeytoon, Inc. The Panel notes that the Respondent's website associated with the disputed domain name appears intentionally designed to create the impression of being one the Complainant’s websites or an affiliated site. Indeed, the website displays the HONEYTOON figurative and word marks in several places. It also uses the same yellow and black color scheme as the Complainant's original website, features cartoon drawings that are highly similar, and repeatedly displays the HONEYTOON sign.

The Panel further finds that, in a section of the website, the Respondent lists the pros and cons of the “Honeytoon MOD”. Among the cons, the following is stated: “This is not an official app release. Being a third-party application, it may carry certain security risks. Official customer support may be limited or unavailable. You might occasionally encounter bugs or performance issues. MOD APKs aren’t from the Google Play Store”. Elsewhere on the website, one can also read: “Honeytoon MOD is a third-party app that gives you access to all the best features without any restrictions”.

Although the Respondent acknowledges that the Honeytoon modified Android application is an unofficial application, the Panel observes that this indication does not eliminate the misleading nature of the website. This is because the relevant information is obscured among numerous other confusing statements regarding the Android app and therefore becomes apparent to the users only if they read the entire website carefully, something that often does not occur. Moreover, the repeated display of the Complainant’s mark throughout the website, including in its figurative form, the use of an identical color scheme to that of the Complainant’s official website, and the various references to an alleged company named Honeytoon, Inc., falsely suggest that the website belongs to the Complainant or to a related entity.

Accordingly, the Panel determines that the Respondent's use of the disputed domain name is neither legitimate nor fair, and that it does not constitute a bona fide offering of goods or services. In light of the foregoing, the Panel concludes that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The burden therefore shifts to the Respondent to demonstrate that it owns such rights or legitimate interests. As the Respondent has failed to submit a Response, it has waived its right of defence. Consequently, the Panel is satisfied that the second requirement under the Policy is fulfilled.

III. Bad Faith

The Panel agrees with the Complainant that the Respondent was aware of the Complainant's mark when it registered the disputed domain name. The Complainant's mark is distinctive and appears to be exclusively associated with the Complainant. The disputed domain name incorporates the Complainant's mark together with the terms "mod apk", which indicate that the disputed domain name refers to a modified Android application related to the Honeytoon platform. Accordingly, it is unlikely that the Respondent registered the disputed domain name by mere coincidence. Rather, it appears more likely that the Respondent had full knowledge of the Complainant's mark when registering the disputed domain name.

The registration of a domain name confusingly similar to an earlier third party's mark, with knowledge of that mark and in the absence of any rights or legitimate interests constitutes registration in bad faith.

As far as use in bad faith is concerned, the Panel notes that the disputed domain name resolves to a misleading website offering information and guidance concerning a modified version of the "standard version of Honeytoon". The website highlights the purported significant advantages of the modified Honeytoon app compared to its standard version and encourages users to download this modified Android application, which is named after the Complainant's mark and competes with the Complainant's platform and services.

The Respondent's website claims that the "Honeytoon MOD APK by Honeytoon Inc." enhances the user's experience by providing unlimited access to a vast library of cartoons with "premium extras like unlimited coins, unlimited episodes, and no ads". The website further asserts that the "standard version of Honeytoon", which could be understood as referring to the Complainant's platform, "has its drawbacks, including limited coins, waiting times for free episodes, and disruptive ads that can hinder your binge sessions". By contrast, the Honeytoon MOD APK purportedly "eliminates these barriers, offering unlimited coins, instant episode access, and an ad-free experience for seamless Android reading".

Accordingly, the disputed domain name is used to access a website that disparages the Complainant's platform and services while promoting an alternative and allegedly superior version through the download of a modified Android application. Such use cannot be considered as a good faith use as the Respondent is improperly exploiting the Complainant's mark to attract Internet users to a competing and unauthorized version of the Complainant's platform for purposes that appear illegitimate and may include obtaining an undue economic advantage, or collecting personal and sensitive information from Internet users, spreading malware of malicious software, or other improper activities.

Accordingly, the Panel finds that the Respondent is being using the disputed domain name in bad faith, to disrupt the business of a competitor, or to intentionally attempt to attract, for commercial gain, Internet users to the Respondent's web site, by creating a

likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of this web site, or of a modified APK version of the Complainant's platform promoted on the Respondent's website.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **honeytoonmodapk.com**: Transferred

## PANELLISTS

| Name | **Angelica Lodigiani** |
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DATE OF PANEL DECISION 2026-01-31

Publish the Decision