Decision for dispute CAC-UDRP-108278

Case number	CAC-UDRP-108278
Time of filing	2025-12-30 10:45:56
Domain names	alibabablower.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Alibaba Group Holding Limited

Complainant representative

Organization	Convey srl

Respondent

Name	li xin ()

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 trademark registrations for ALIBABA word and figurative marks across the world, including the following:

- International trademark registration No. 1800560, registered on March 1, 2024;
- China trademark registration No. 67863513, registered on April 7, 2024;
- China trademark registration No. 12127699, registered on July 27, 2014;
- European Union trademark registration No. 004534319, registered on August 2, 2006; and
- U.S. trademark registration No. 2579498, registered on June 11, 2002.

FACTUAL BACKGROUND

The Complainant is a Chinese multinational company specialised in e-commerce, retail, Internet, and technology. It was founded on June 28, 1999, in Hangzhou, Zhejiang, China. It provides consumer-to-consumer, business-to-consumer, and business-to-business sales services via Chinese and global marketplaces. It owns and operates a diverse portfolio of companies around the world in numerous business sectors.

The Complainant is one of the world’s largest retailers and e-commerce companies and is active in over 190 countries. In 2020, it

was ranked the 5th largest artificial intelligence company. It is also one of the biggest venture capital firms and investment corporations in the world. Its Fintech arm, Ant Group, is the second-largest financial services group.

The Complainant registered the domain name <alibaba.com> in 1999, amongst numerous other domain names, all of which consist of or contain the term “ALIBABA”. The Complainant has a strong Internet and social media presence.

The Respondent registered the disputed domain name on June 14, 2023. At the time of filing the Complaint, the disputed domain name resolved to a website which promotes the design and manufacture of industrial air-moving equipment, specifically ring blowers, side channel blowers, vacuum pumps, high-pressure blowers, etc.

The Complainant reported the infringement of the Complainant’s trademark rights to the domain name Registrar, the hosting provider of the website, and to the Respondent. No response was received from the Respondent.

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 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

LANGUAGE OF THE PROCEEDINGS

The language of the registration agreement is Chinese.

The Complainant has requested that the language of proceedings be English for a variety of reasons. These include:

- The disputed domain name consists of Latin characters including the English word “blower”, which shows that the Respondent is familiar with the English language;
- The Respondent’s website provides an option to select English as the applicable language, and is in English;
- English is the primary language for international relations and business; and
- To conduct the proceeding in Chinese, the Complainant would have to incur additional costs for translation and cause a delay in the proceeding.

Having considered these points and the circumstances of this case, the Panel has decided that it would be fair and equitable to all parties to adopt English as the language of the proceedings. Furthermore, the Respondent did not respond to the issue of the language in the proceedings and did not object to the Complainant’s request.

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

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a complainant to show that a domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

A registered trade mark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. The Complainant has provided evidence that it owns registered trademark rights in the ALIBABA trade mark. The disputed domain name contains the entirety of the Complainant's ALIBABA trade mark with the addition of the suffix "blower". The Complainant's ALIBABA trade mark is recognizable within the disputed domain name. The addition of the term "blower" does not prevent a finding of confusing similarity. See section 1.8 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("the WIPO Overview 3.0").

Consequently, the Panel finds that the Complainant has shown that the disputed domain name is confusingly similar to a trade mark in which the Complainant has rights.

B. Rights or Legitimate Interests

Once a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests in the disputed domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect to the disputed domain name.

In the present case, the Complainant has demonstrated a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. There is no evidence that the Respondent holds trademark rights in the term "ALIBABA" or "ALIBABA BLOWER", or that the Respondent has been commonly known by the disputed domain name. The Respondent has no affiliation or connection with the Complainant and has not been granted any licence to use the ALIBABA trade mark in any manner.

The Panel does not find the Respondent's manner of use of the disputed domain name to be fair use. As is stated in the WIPO Overview 3.0 at section 2.5.1, "generally speaking, 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 (at the second- or top-level), 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 Panel finds this to be the case, since the adoption of the distinctive and well-known "ALIBABA" trade mark in the disputed domain name carries a high risk of implied affiliation with the Complainant.

Of significance, the Respondent did not submit any Response and did not provide any explanation or evidence to show he has rights or legitimate interests in the disputed domain name which would be sufficient to rebut the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

The Complainant must also show that the Respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)).

The ALIBABA mark is a distinctive and globally well-known trade mark, having been registered and used for many years, with an extensive global reputation. The trade mark is exclusively associated with the Complainant and it would be hard to conceive of any good faith registration and use of the disputed domain name which incorporates the ALIBABA mark. The Panel agrees with the Complainant that it is not plausible that the Respondent was unaware of the Complainant and its ALIBABA trade mark when he registered the domain name.

The Panel draws a negative inference from the Respondent's failure to respond, both in this administrative proceeding and to the Complainant's communication to the Respondent which was sent in the Chinese language via the online contact form made available on the Registrar's website. The Panel concludes that the circumstances described in paragraph 4(b)(iv) of the Policy apply in this case, viz:

"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".

The Panel therefore concludes that the disputed domain name was registered and used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **alibabablower.com**: Transferred

PANELLISTS

Name	**Francine Tan**

DATE OF PANEL DECISION 2026-02-04

Publish the Decision