Decision for dispute CAC-UDRP-108260

Case number	CAC-UDRP-108260
Time of filing	2026-01-05 10:15:40
Domain names	sofucorfan.com

Case administrator

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

Complainant

Organization	Zhongshan Kebaishi Electric Co., Ltd.

Complainant representative

Organization	Shenzhen Hyrui Internet Technology Co., LTD.

Respondent

Name	DONGWEI LIN

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 trademark registrations for the word mark “SOFUCOR,” including, in particular:

- European Union Trademark No. 018468913, filed on May 9, 2021 and registered on September 30, 2021, covering goods in International Class 11; and
- United States Trademark No. 6128096, registered on August 18, 2020, covering goods in International Class 11;

(collectively, the “SOFUCOR Trademark”).The Panel has confirmed the validity of the SOFUCOR Trademark by consulting the relevant online trademark registries and databases.

FACTUAL BACKGROUND

The Complainant, founded in 2017, is a Chinese manufacturer specializing in decorative ceiling fan lights and fan lights. The disputed domain name <sofucorfan.com> was registered on September 10, 2021 and, according to the Registrar, has been held by the present registrant since at least December 23, 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).

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

Procedural issues

The Panel issued a Procedural Order inviting the Complainant to provide limited supplemental evidence regarding the Respondent's employment termination date and the registrant details prior to the alleged transfer of the disputed domain name. No response was filed by either Party, and the Panel will therefore render its decision on the basis of the record available.

Rights

The Complainant has established that it owns rights in the SOFUCOR Trademark. The Panel further finds that the disputed domain name <sofucorfan.com> is confusingly similar to the Complainant's SOFUCOR Trademark. The domain name incorporates the trademark in its entirety, and the SOFUCOR Trademark remains clearly recognizable within the disputed domain name. The addition of the descriptive term "fan", which refers to the Complainant's core line of products, does not dispel confusing similarity; rather, it increases the likelihood that Internet users will assume an association with the Complainant or its trademark.

According to section 1.8 of the WIPO Overview 3.0, the addition of descriptive, geographical, or other terms to a complainant's mark in a domain name does not avoid a finding of confusing similarity where the trademark remains recognizable.

Furthermore, the inclusion of the generic Top-Level Domain (".com") is a technical requirement of registration and is disregarded when assessing whether the disputed domain name is identical or confusingly similar to the Complainant's trademark (see Rollerblade, Inc. v. Chris McCrady, WIPO Case No. D2000-0429).

No Rights or Legitimate Interests

A complainant is required to establish a prima facie case that the respondent lacks rights or legitimate interests. Once such a case is made, the burden of proof shifts to the respondent to demonstrate their rights or legitimate interests in the disputed domain name. Failure to do so results in the complainant satisfying paragraph 4(a)(ii) of the Policy (as per Article 2.1 of WIPO Jurisprudential Overview 3.0 and WIPO Case No. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

Based on the contentions of the Complainant, the Panel finds that the Complainant has successfully established a prima facie case that the Respondent lacks rights or legitimate interests. As the Respondent has failed to provide relevant evidence demonstrating

any such rights or legitimate interests, the Complainant is deemed to have satisfied the second element.

Bad Faith

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark (see Article 3.1. of WIPO Jurisprudential Overview 3.0).

Because the Respondent has failed to submit a Response, the Panel accepts as true all statements of fact made by the Complainant in its submissions. See, e.g., Talk City Inc. v. Robertson, WIPO Case No. D2000-0009 (accepting as true the allegations of the complaint in view of the respondent's default); see also EAuto, L.L.C. v. EAuto Parts, WIPO Case No. D2000-0096 (same principle). The Panel therefore proceeds on the basis of the Complaint and the supporting evidence submitted.

The Complainant holds registered trademark rights in SOFUCOR, and submits evidence that the SOFUCOR mark had been used and had obtained marketplace recognition prior to the registration of the disputed domain name. The Complaint asserts that the Respondent, DONGWEI LIN, was former employee of the Complainant, who registered the domain initially for company purposes and used it for the Complainant's official website as part of legitimate company operations, and that after leaving the Complainant the Respondent transferred the disputed domain name without authorization and retained control over it. In the Panel's view, these circumstances demonstrate that the Respondent had prior knowledge of the Complainant's right and the Respondent's subsequent acquisition of the disputed domain name reflects an intent to take unfair advantage of the Complainant's trademark and to deprive the Complainant of control over a domain name incorporating its trademark.

In addition, the Respondent had previously registered <sofucor.com>, which was the subject of CAC-UDRP-108080, in which the Complainant prevailed and obtained control of that domain name. The Panel takes this prior proceeding into account. Paragraph 4(b) of the Policy provides that one of non-exclusive scenarios which constitute evidence of a respondent's bad faith is that the respondent 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 respondent has engaged in a pattern of such conduct.

WIPO Jurisprudential Overview 3.0, Article 3.1.2. explains that establishing a "pattern" of bad faith conduct requires more than one, but can be shown by as few as two instances of abusive domain name registration. Here, on the unrebutted record, the Respondent has been involved in at least two registrations targeting the Complainant's SOFUCOR mark (including the earlier CAC-UDRP-108080 case and the present dispute), supporting a finding that the Respondent has engaged in a pattern of conduct aimed at preventing the Complainant from reflecting its mark in corresponding domain names within the meaning of paragraph 4(b)(ii) of the Policy (or, at minimum, constituting a strong indication of targeting and bad faith under the non-exhaustive nature of paragraph 4(b)).

The Complaint does not describe the current content of any website to which the disputed domain name resolves. The Panel nevertheless finds that, in the circumstances of this case, the Respondent's continued retention and control of a domain name incorporating the Complainant's trademark supports a finding of bad faith use.

By analogy to section 3.1.4 of the WIPO Overview 3.0, panels have found bad faith where a respondent "redirect[s] a domain name to the complainant's website … insofar as the respondent retains control over the redirection," thereby creating a real or implied ongoing threat to the complainant. The same rationale applies here. Regardless of whether the disputed domain name currently resolves to a blank page, a parking page, the Complainant's website, or other content, the Respondent's continued control enables him to change its use at any time in a manner that could mislead Internet users, disrupt the Complainant's business, or otherwise harm the Complainant.

In the specific context of an alleged unauthorized transfer and retention of a domain name originally registered and used for company purposes by a former employee, the Respondent's continued possession and control of the disputed domain name—acquired in bad faith—constitutes bad faith use.

For the foregoing reasons, the Panel finds that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy. The Panel therefore concludes that the Complainant has satisfied 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. **sofucorfan.com**: Transferred

PANELLISTS

Name	**Karel Šindelka**

DATE OF PANEL DECISION 2026-02-23