Decision for dispute CAC-UDRP-108326

Case number	CAC-UDRP-108326
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Domain names	grinderscape.org

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Jagex Limited

Complainant representative

Organization	Stobbs IP

Respondent

Organization	GSS

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 bases its Complaint among others on the following trademarks:

- United Kingdom national word trademark “RUNESCAPE”, no. UK00002302308, registered on December 27, 2002, for goods and services in classes 16, 25, 41;

- European Union word trademark “DARKSCAPE”, no. 018613417, registered on May 18, 2022, for goods and services in classes 9, 16, 25, 28, 41;

- United Kingdom national figurative trademark “SCAPE”, no. UK00004247316, registered on November 21, 2025, for services in class 41.

FACTUAL BACKGROUND

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

The Complainant’s games Massively Multiplayer Online Role-Playing Games, RuneScape and Old School RuneScape average a total

of more than 3 million active users per month since October 2022. Old School RuneScape game has been recognised by the Guinness World Records for being the largest free-to-play MMORPG with over 300 million accounts.

The Complainant owns several domain names, among which, <runescape.com>, registered on January 10, 2000, which resolves to an active website relating to online video games.

The Complainant is also active on social media and has generated a significant level of endorsement.

The Complainant is the owner of the RUNESCAPE, DARKSCAPE and SCAPE trademarks cited above.

The disputed domain name <grinderscape.org> was registered on May 11, 2009, being used in relation to an active website relating to an online gaming community.

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's contentions are the following:

- the disputed domain name <org> is confusingly similar to the Complainant's trademark SCAPE as it includes its SCAPE trademark with the addition of the descriptive term “grinder”,
- the Respondent lacks rights or legitimate interests in the disputed domain name for a number of reasons, among which that (i) considering the Complainant’s alleged reputation in its RUNESCAPE brand, the disputed domain name was registered in order to take advantage of the Complainant’srights and reputation, (ii) the disputed domain name resolves to an website which allegedly offers a pirated version of the Complainant’s Old School RuneScape game, (iii) the Respondent has never been known under the denominations RUNESCAPE or SCAPE, and
- the disputed domain name was registered and is being used in bad faith for a number of reasons, among which that (i) the Complainant’s trademarks would allegedly significantly pre-date the registration of the disputed domain name, (ii) the Complainant enjoys a substantial reputation in the RUNESCAPE brand, (iii) the disputed domain name resolves to an website which allegedly offers a pirated version of the Complainant’s Old School RuneScape game.

The Respondent has filed an administratively compliant Response.

The Respondent contends that the Complaint should be denied in its entirety as the requirements of the Policy have not been met and thus to retain the disputed domain name.

In brief, the Respondent’s contentions are the following:

- the Complainant has filed the complaint nearly seventeen years after the registration of the disputed domain name,
- that during this entire period, he has openly operated an online gaming community under the GrinderScape name, building substantial goodwill, investing significant resources, and creating an independent brand identity,
- the Complainant has based its Complaint on the figurative trademark "SCAPE" no UK00004247316 which was registered on November 21, 2025, more than sixteen years after the registration of the disputed domain name,
- there is an UDRP decision, CAC Case No. CAC-UDRP-107531, Jagex Limited v. GuardPrivacy.org, by which the Complainant's complaint against the domain name <battle-scape.com> was rejected, and the reasoning from this decision would be applicable in this case also,
- that disputed domain name is not confusingly similar to the Complainant’s trademarks,
- he has rights and legitimate interests in the disputed domain name,
- the disputed domain name was not registered nor is used in bad faith,
- the Complaint constitutes reverse domain name hijacking.

In addition, the Complainant has filed a request for Supplementary Filing on February 18, 2026 with regard to the claims of the Respondent that the Complainant has allegedly engaged in reverse domain name hijacking.

RIGHTS

The Panel finds that the Complainant has not shown that 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

Considering that the Panel finds that the domain name is not identical or confusingly similar to a trademark or service mark in which

the Complainant has rights, the Panel will not rule on the second and third elements of the Policy.

BAD FAITH

Considering that the Panel finds that the domain name is not identical or confusingly similar to a trademark or service mark in which the Complainant has rights, the Panel will not rule on the second and third elements 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

In order for the Complainant to succeed, the Complainant must prove, according to paragraph 4(a) of the Policy, that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests with respect to the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

In case all three elements above have been fulfilled, the Panel is able to grant the remedy requested by the Complainant.

1. Confusing Similarity

The Complainant has shown that it has trademark rights which are prior to the registration date of the disputed domain name only for the trademark RUNESCAPE cited above. All the other cited trademarks were registered after the registration date of the disputed domain name.

The standing test for confusing similarity involves a reasoned but relatively straightforward comparison between the complainant's trademark and the disputed domain name. This test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name. ("WIPO Overview 3.1"), section 1.7.

In this case, the Panel finds that the Complainant's mark RUNESCAPE is not recognizable within the disputed domain name and therefore, the disputed domain name is not confusingly similar to a trademark or service mark in which the Complainant has rights.

Therefore, the Panel finds that the first condition under the Policy is not met.

2. Lack of Respondent's rights or legitimate interests

Considering that the Panel finds that the domain name is not identical or confusingly similar to a trademark or service mark in which the Complainant has rights, the Panel will not rule on the second and third elements of the Policy.

3. Bad Faith

Considering that the Panel finds that the domain name is not identical or confusingly similar to a trademark or service mark in which the Complainant has rights, the Panel will not rule on the second and third elements of the Policy.

Reverse Domain Name Hijacking (RDNH)

Paragraph 15(e) of the Rules provides that, if "after considering the submissions the panel finds that the complaint was brought in bad faith, for example in an attempt at RDNH or was brought primarily to harass the domain-name holder, the panel shall declare in its decision that the complaint was brought in bad faith and constitutes an abuse of the administrative proceeding".

For this purpose, paragraph 1 of the Rules defines "Reverse Domain Name Hijacking" to be "using the Policy in bad faith to attempt to deprive a registered domain name holder of a domain name".

Reasons articulated by panels for finding RDNH as stated in the WIPO Overview include: (i) facts which demonstrate that the complainant knew it could not succeed as to any of the required three elements – such as the complainant's lack of relevant trademark rights, clear knowledge of respondent rights or legitimate interests, or clear knowledge of a lack of respondent bad faith (see generally section 3.8) such as registration of the disputed domain name well before the complainant acquired trademark rights, (ii) facts which demonstrate that the complainant clearly ought to have known it could not succeed under any fair interpretation of

facts reasonably available prior to the filing of the complaint, including relevant facts on the website at the disputed domain name or readily available public sources such as the WhoIs database, (iii) unreasonably ignoring established Policy precedent notably as captured in this WIPO Overview – except in limited circumstances which prima facie justify advancing an alternative legal argument, (iv) the provision of false evidence, or otherwise attempting to mislead the panel, (v) the provision of intentionally incomplete material evidence – often clarified by the respondent, (vi) the complainant's failure to disclose that a case is a UDRP refiling, (vii) filing the complaint after an unsuccessful attempt to acquire the disputed domain name from the respondent without a plausible legal basis, (viii) basing a complaint on only the barest of allegations without any supporting evidence. WIPO Overview 3.1, section 4.16.

The mere lack of success of a complaint is not in itself sufficient for a finding of RDNH.

According to the Respondent, "this Complaint constitutes Reverse Domain Name Hijacking (RDNH) as defined in Rule 1: "using the Policy in bad faith to attempt to deprive a registered domain-name holder of a domain name."

In the case at hand, the Panel finds no evidence that the Complaint was brought in bad faith. The Complainant has valid trademark rights and seems to have been legitimately convinced that, when registering the disputed domain name, the Respondent was targeting the Complainant.

The Panel therefore declines to declare that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Rejected

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

1. **grinderscape.org**: Remaining with the Respondent

PANELLISTS

Name	**Delia-Mihaela Belciu**

DATE OF PANEL DECISION 2026-02-25

Publish the Decision