Decision for dispute CAC-UDRP-108363

Case number	CAC-UDRP-108363
Time of filing	2026-01-27 10:10:54
Domain names	instantpotitalia.com, instantpotsouthafrica.com, instantpotdeutschland.com, instantpotsverige.com, instantpotchile.com, instantpotaustralia.com , instantpotcanada.com, instantpotespana.com, instantpotpolska.com, instantpotnederland.com, instantpotromania.com, instantpotdanmark.com, instantpotindia.com, instantpotcolombia.com, Instantpotkuwait.com, instantpotmalaysia.com, instantpot-mexico.com, instantpotireland.com, instantpotnz.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	IB Appliances US Holdings, LLC (trading as "Instant Pot")

Complainant representative

Organization	Stobbs IP

Respondents

Name	gao yuan ()
Name	gao yuan ()
Name	xu hui ()
Name	xu hui ()
Name	xu hui ()
Name	Xu Hui ()
Name	gao yuan ()
Name	xuhui
Name	xuhui
Name	ma lei ()
Name	xu hui ()
Name	ma lei ()
Name	xuhui

Name	**ma lei () Gāo yuán ()**

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 names.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the trademark INSTANT POT in various jurisdictions around the world, inter alia, the following trademark registrations:

- Canada CIPO Reg. No. TMA1152436, registered on November 21, 2022, in classes 7, 9, 11, etc.; and
- WIPO (Madrid) Reg. No. 1514738, designating Australia, China, EU, Mexico, the United States, India, et al., registered on June 17, 2019, in classes 7, 9, 11, etc.

FACTUAL BACKGROUND

The Complainant launched the INSTANT POT branded multicooker in 2008, and since then, the brand has gained widespread acclaim and commercial success. For example, on March 6, 2017, the BBC reported on its UK website that "the INSTANT POT has become a veritable craze, a success built through social media word-of-mouth instead of traditional TV or print advertising." In July 2016, on Amazon Prime Day, the INSTANT POT multicooker sold 215,000 units in the United States in a single day. The Complainant maintains an active online presence, including owning the domain name <instantpot.com>, which is used to operate the INSTANT POT main website (the "official website"). The official website has been live since at least as early as May 22, 2009. The Complainant holds a portfolio of domain names in support of its INSTANT POT brand, including domains with the naming convention "INSTANT POT + [geographic term].com." The Complainant is also active on social media and has, through its social media efforts, generated a significant level of endorsement.

The INSTANT POT Community on Facebook has 3.2M members, further demonstrating the popularity and reach of the INSTANT POT brand amongst consumers and Internet users. The Complainant is well-known and has established goodwill and a reputation in the Countries. The Complainant has been headlined and featured in online news outlets that are read by the public worldwide, as well as news outlets that are popular locally in the Countries. In Canada, for example, CBC News released an article in 2017 headlined, "Cult-like worshippers turn Canadian-invented INSTANT POT into a phenomenon." That same year in the United States, The New York Times wrote that INSTANT POT is "the Kitchen Gadget That Spawned a Religion." In 2021, the Daily Maverick (South Africa) wrote that INSTANT POT "stirred the Air Fryer Revolution." Additionally, Malay Mail published an article with the headline, "Falling in love with the INSTANT POT." Further, the Complainant's INSTANT POT-branded products are available for purchase on marketplaces available globally. The Complainant also has manufacturing operations in Malaysia and other Southeast Asian countries.

All of the disputed domain names were registered on November 6, 2025. The disputed domain names resolve to the identical websites, which advertise and offer for sale INSTANT POT branded products without authorization from the Complainant, by prominently displaying the Complainant's marks and adopting a substantively similar layout to the official websites for the INSTANT POT mark of the Complainant.

PARTIES CONTENTIONS

COMPLAINANT:

(i) The Complainant has rights in the INSTANT POT marks as identified in the section "Identification of rights" above. The disputed domain names are confusingly similar to the Complainant's INSTANT POT mark because they incorporate the Complainant's mark in its entirety, with the mere addition of a geographic term (i.e., the name of a country) plus the gTLD ".com." One of the disputed domain names, <instantpot-mexico.com>, slightly departs from this convention with the addition of the hyphen symbol "-" before the geographic term.

(ii) The Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent is not commonly known by the disputed domain names. The Respondent has not provided a bona fide offering of goods or services in connection with the disputed domain names. The disputed domain names resolve to impersonation websites, which impersonate and attempt to pass off as the Complainant and the INSTANT POT mark. The websites at the disputed domain names advertise and offer for sale INSTANT POT branded products, without authorization from the Complainant. Further, the resolving websites at the disputed

domain names prominently display the Complainant's marks and adopt a substantially similar layout to the official websites for the INSTANT POT brand.

(iii) The Respondent has registered is using the disputed domain names in bad faith. Given the reputation of the Complainant's mark and the Respondent's impersonation of the INSTANT POT mark, the Respondent had knowledge of the Complainant's rights in the INSTANT POT mark before registering the disputed domain names, which constitutes bad faith registration. The use of the disputed domain names in connection with commercial websites where the Complainant's trademark is misappropriated and prima facie counterfeit INSTANT POT-branded products are offered for sale, clearly indicates that the Respondent's purpose for registering the disputed domain names was to capitalize on the reputation of the Complainant's trademark.

RESPONDENT:

No administratively compliant response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 names (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 names have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

PRELIMINARY ISSUE 1: Multiple Respondents

The Complainant has alleged that it is likely that the disputed domain names are under the control of a single entity and consolidation is appropriate in this matter. Paragraph 3(c) of the Rules for the Uniform Domain Name Dispute Resolution Policy (the "Rules" and the "UDRP" or "Policy") provides that a "complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder." The Complainant contends that the disputed domain names are subject to evident common control, thus making the consolidation of the dispute equitable and procedurally efficient. The disputed domain names were registered by the same domain-name holder or under the control of a common operator, based on commonalities between the disputed domain names and the websites to which they resolve, given that:

(i) There is a common use of registrant names. There are only three names used for the registrant contact details for the disputed domain names, namely Xu Hui, Ma Lei, and Gao Yuan (subject to some variation due to English translation);

(ii) There is use of other common registration information, including postal addresses, email addresses, telephone, and fax numbers;

(iii) The disputed domain names are registered with only three registrars: Vantage of Convergence (Chengdu) Technology Co., Ltd., Xin Net Technology Corporation, and Bangning Digital Technology Co., Ltd., which are all based in China;

(iv) The disputed domain names were all registered on the same day, specifically November 6, 2025;

(v) The disputed domain names (except for one) have identical naming patterns and use the same gTLD ".com." All but one of the disputed domain names adopt the naming convention "INSTANT POT + [country].com." The outstanding domain name adopts an almost identical naming convention, specifically "INSTANT POT - [country].com." Therefore, the only difference between this domain name and the other disputed domain names is the mere addition of the hyphen symbol "-," which is insufficient to distinguish it from the other domain names;

(vi) The disputed domain names all resolve to identical websites which impersonate and attempt to pass off as the official website of the INSTANT POT mark; and

(vii) The disputed domain names' resolving websites are all connected to the same account on X (formerly Twitter) called "@uix."

In light of all the information related above and the relationships between the use of the disputed domain names, the Complainant believes that the present one is a clear case where the disputed domain names are under the actual control of a single individual or entity or, at least, reflective of a group of individuals acting in concert.

The Complainant provides exhibits showing the circumstances as listed above. The Panel finds that the circumstances indicated above are concrete and sufficient to prove that the disputed domain names are subject to common control by a single entity. The Panel agrees and finds that the disputed domain names are commonly owned/controlled by a single Respondent who is using multiple aliases. Throughout the decision, the Respondents will be collectively referred to as "the Respondent."

PRELIMINARY ISSUE 2: Language of the Proceedings

The Panel notes that the Registration Agreement is written in Chinese, thereby making the language of the proceedings Chinese. The Complainant has requested that the proceeding should be conducted in English. The Panel has the discretion under UDRP Rule 11(a) to determine the appropriate language of the proceedings, taking the particular circumstances of the administrative proceeding into consideration. See Section 4.5, WIPO Overview 3.1; see also Lovehoney Group Limited v. yan zhang, CAC 103917 (CAC August 17, 2021) (finding it appropriate to conduct the proceeding in English under Rule 11, despite Japanese being designated as the required language in the registration agreement).

The Complainant contends that (i) the disputed domain names and the impersonation websites are in English; (ii) the Complainant and its legal representatives are English-speakers; and (iii) it would be inequitable for it to incur additional time and expense in dealing with proceedings in Chinese or another language in which it does not have any proficiency or understanding.

Pursuant to UDRP Rule 11(a), the Panel finds that a persuasive argument has been adduced by the Complainant. After considering the circumstances of the present case, in the absence of a Response and no objection to the Complainant's request for the language of the proceeding, the Panel decides that the proceeding should be in English.

The Panel is satisfied that all procedural requirements under the UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 15(a) of the Rules for the Policy instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

(1) the domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(2) the Respondent has no rights or legitimate interests in respect of the domain name; and

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

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a), and 15(a) of the Rules and draw such inferences it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations and inferences set forth in the Complaint as true unless the evidence is clearly contradictory. See Vertical Solutions Mgmt., Inc. v. webnetmarketing, inc., FA 95095 (FORUM July 31, 2000) (holding that the respondent's failure to respond allows all reasonable inferences of fact in the allegations of the complaint to be deemed true); see also Talk City, Inc. v. Robertson, D2000-0009 (WIPO Feb. 29, 2000) ("In the absence of a response, it is appropriate to accept as true all allegations of the Complaint.").

Rights and Confusing Similarity

The Complainant claims rights in the INSTANT POT mark as identified in the section 'Identification of Rights' above. The Panel notes that national or international trademark registrations are sufficient to establish rights in those marks. Since the Complainant provides evidence of the trademark registrations with the WIPO and the CIPO above, the Panel finds that the Complainant has established rights in the mark INSTANT POT.

The Complainant contends that the disputed domain names are confusingly similar to the Complainant's mark because the disputed domain names incorporate the Complainant's mark INSTANT POT in their entirety, with the mere addition of a geographic term (i.e., the name of a country) plus the gTLD ".com." One of the disputed domain names, <instantpot-mexico.com>, slightly departs from this convention with the addition of the hyphen symbol "-" before the geographic term.

Adding a generic, descriptive, or geographical term or non-distinctive letters and a gTLD to a mark fails to sufficiently distinguish a disputed domain name from a mark per Policy paragraph 4(a)(i). See MONCLER S.P.A. v. Qiu Xiaofeng, Agayeva SEVINC, Petrosyan YELENA, Birzu GALINA, Karapetyan IRINA, CAC-UDRP-105522 (CAC July 18, 2023) ("Adding a generic term and a gTLD to a mark fails to sufficiently distinguish a disputed domain name from a mark per Policy paragraph 4(a)(i)."); see also Dell Inc. v. pushpender chauhan, FA 1784548 (Forum June 11, 2018) ("Respondent merely adds the term 'supports' and a '.org' gTLD to the DELL mark. Thus, the Panel finds Respondent's disputed domain name is confusingly similar to Complainant's DELL mark per Policy paragraph

4(a)(i).”). Therefore, the Panel finds the disputed domain names are confusingly similar to the Complainant’s INSTANT POT mark per Policy paragraph 4(a)(i).

No rights or legitimate interests

The Complainant must first make a prima facie case that the Respondent lacks rights and legitimate interests in the disputed domain names under Policy paragraph 4(a)(ii), then the burden shifts to the Respondent to show it does have rights or legitimate interests. See Section 2.1, WIPO Overview 3.1 ("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.").

Relevant information, such as WHOIS data, can serve as evidence to demonstrate whether a respondent is or is not commonly known by the disputed domain names under Policy paragraph 4(c)(ii). The Panel notes that the WHOIS data lists “gao yuan (), xu hui (), and ma lei ()” as the registrants, and there is no evidence in the record indicating that the Respondent was authorized to use the mark. Therefore, the Panel finds that the Respondent is not commonly known by the disputed domain names under Policy paragraph 4(c)(ii).

The Complainant also contends that the Respondent has not provided any evidence of the use of, or demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services before any notice of the dispute. The disputed domain names have been redirected by the Respondent to websites where the Complainant’s trademark INSTANT POT is displayed, and unauthorized products are offered for sale. Where a respondent uses a domain to pass itself off as affiliated with a complainant and redirect users to sell unauthorized goods, the Panel may find the respondent fails to make a bona fide offering of goods or services or a legitimate noncommercial or fair use per Policy paragraph 4(c)(i) or (iii). See Wolverine World Wide, Inc. v. Fergus Knox, FA 1627751 (Forum Aug. 19, 2015) (finding no bona fide offering of goods or legitimate noncommercial or fair use existed where Respondent used the resolving website to sell products branded with Complainant’s MERRELL mark, and were either counterfeit products or legitimate products of Complainant being resold without authorization); see also Dell Inc. v. Devesh Tyagi, FA 1785301 (Forum June 2, 2018) (“Respondent replicates Complainant’s website and displays Complainant’s products. The Panel finds that this use is not a bona fide offering of goods or services under Policy paragraph 4(c)(i) & (iii).”).

The Complainant provides evidence of the disputed domain names resolving to webpages displaying the Complainant’s mark and product photos, as well as offering for sale unauthorized versions of the Complainant’s goods. In the absence of any response, it is difficult to determine from the screenshot of the disputed domain names’ websites whether they were offering counterfeit goods or the Complainant's genuine products. If the Respondent's websites are offering only the Complainant's genuine goods, the question of fair use must be considered. The seminal case on this issue is Oki Data Americas, Inc. v. ASD, Inc., where the respondent was a reseller of the complainant's OKIDATA products. The respondent registered and used the domain <okidataparts.com> for that business. The panel in that case found that such use could qualify as a bona fide offering of goods or services under the Policy if certain conditions were met: (i) the respondent must actually be offering the goods or services at issue, (ii) the respondent must use the site to sell only the trademarked goods (otherwise there is the possibility that the respondent is using the trademark in a domain name to bait consumers and then switch them to other goods), (iii) the site itself must accurately disclose the respondent's relationship with the trademark owner, and (iv) the respondent must not try to 'corner the market' in all relevant domain names, thus depriving the trademark owner of the ability to reflect its own mark in a domain name.

The Panel notes that (i) the Respondent's sites do not accurately disclose their relationship with the trademark owner, and (ii) the Respondent has tried to corner the market based on the Respondent's webpages, as the Respondent is attempting to register multiple INSTANT POT domains not only to pass itself off as the Complainant, but also to interfere with the Complainant's ability to register domains related to or incorporating the INSTANT POT names. Therefore, the Panel concludes that even if the products offered for sale at the disputed domain names’ websites were the Complainant's genuine products, this does not constitute a bona fide offering of goods or services under Policy Paragraph 4(c)(i), nor is it a legitimate noncommercial or fair use under Policy Paragraph 4(c)(iii). See General Motors LLC v. MIKE LEE, FA 1659965 (Forum Mar. 10, 2016) (finding that "use of a domain to sell products and/or services that compete directly with a complainant's business does not constitute a bona fide offering of goods or services pursuant to Policy Paragraph 4(c)(i) or a legitimate non-commercial or fair use pursuant to Policy Paragraph 4(c)(iii).").

The Panel finds that the Complainant has made out a prima facie case that arises from the considerations above. All of these matters go to make up the prima facie case against the Respondent. As the Respondent has not filed a Response or attempted by any other means to rebut the prima facie case against it, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain names.

Bad faith

The Complainant contends that the Respondent registered and uses the disputed domain names in bad faith. The use of the disputed domain names in connection with commercial websites where the Complainant’s trademark is misappropriated and unauthorized INSTANT POT branded products are offered for sale, clearly indicates that the Respondent’s purpose for registering the disputed domain names was to capitalize on the reputation of the Complainant’s trademark by diverting Internet users seeking the Complainant’s products to their websites for financial gain.

The Panel observes that the websites resolving from the disputed domain names explicitly reference the same goods offered by the Complainant and use the Complainant’s product images and display the Complainant’s figurative mark INSTANT POT, adopting a substantively similar layout to the official websites for the INSTANT POT mark of the Complainant. In the absence of a Response, it is difficult to determine from the evidence whether the website is offering counterfeit goods or the Complainant’s genuine products.

The Panel also notes that the Respondent's websites do not disclose any relationship with the Complainant. Even if the Respondent is offering only the Complainant's genuine products, the Panel finds that the Respondent's conduct was designed to impersonate the Complainant and mislead Internet users into believing they were interacting with the Complainant or with an authorized outlet. Such behavior not only creates a likelihood of confusion but also intentionally diverts consumers away from the Complainant's official website, thereby interfering with the Complainant's business operations and exploiting the goodwill associated with its mark for commercial gain. Accordingly, the Panel concludes that the Respondent's conduct satisfies the criteria for bad faith registration and use under Paragraphs 4(b)(iii) and 4(b)(iv) of the Policy. See Xiaomi Inc. v. Nguyễn Đức Đạt (N/A), CAC-UDRP-107237 (CAC Feb. 12, 2025) (finding that the respondent's use of a disputed domain name to offer competing products disrupted the complainant's business and misled Internet users by falsely suggesting affiliation with the complainant, thereby supporting a finding of bad faith registration and use under Policy paragraph 4(b)(iv)).

Next, the Complainant contends that given the reputation of the Complainant's mark and the Respondent's impersonation of the INSTANT POT mark, the Respondents had knowledge of the Complainant's rights in the INSTANT POT mark before registering the disputed domain names, which constitutes bad faith registration.

The Panel notes that the Complainant's INSTANT POT mark was well known prior to the registration of the disputed domain names as outlined in the section "Factual Ground" above, and the Respondent's passing off activities as the Complainant. The Panel infers, due to the notoriety of the Complainant's mark; the impersonation manner of use of the disputed domain names; and the registration of 19 domain names incorporating the Complainant's mark, that the Respondent had knowledge of the Complainant's rights in the INSTANT POT mark before registering the disputed domain names, which constitutes bad faith registration per Policy paragraph 4(a)(iii).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **instantpotitalia.com**: Transferred
2. **instantpotsouthafrica.com**: Transferred
3. **instantpotdeutschland.com**: Transferred
4. **instantpotsverige.com**: Transferred
5. **instantpotchile.com**: Transferred
6. **instantpotaustralia.com** : Transferred
7. **instantpotcanada.com**: Transferred
8. **instantpotespana.com**: Transferred
9. **instantpotpolska.com**: Transferred
10. **instantpotnederland.com**: Transferred
11. **instantpotromania.com**: Transferred
12. **instantpotdanmark.com**: Transferred
13. **instantpotindia.com**: Transferred
14. **instantpotcolombia.com**: Transferred
15. **Instantpotkuwait.com**: Transferred
16. **instantpotmalaysia.com**: Transferred
17. **instantpot-mexico.com**: Transferred
18. **instantpotireland.com**: Transferred
19. **instantpotnz.com**: Transferred

PANELLISTS

Name	**Mr. Ho-Hyun Nahm Esq.**

DATE OF PANEL DECISION 2026-03-02

Publish the Decision