Decision for dispute CAC-UDRP-108437

Case number	CAC-UDRP-108437
Time of filing	2026-03-02 10:59:42
Domain names	weverse.vip

Case administrator

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

Complainant

Organization	WeVerse INC

Complainant representative

Organization	cv SNB-REACT ua

Respondent

Name	Tristan Portman

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 trademarks including the word “weverse” in several countries, such as the international trademark “weverse” n°1826294, registered since September 13, 2024 and the European Union trademarks “weverse” n°018617164, “weverse” n°018617163 and “weverse” n°018617162, all of them registered since April 19, 2022.

FACTUAL BACKGROUND

The Complainant WeVerse INC is a global digital platform that facilitates direct communication and engagement between artists and their fans worldwide. The platform functions as an integrated ecosystem where artists can share exclusive content, publish official announcements, host live broadcasts (Weverse Live), and interact directly with their communities through posts, comments, and direct messaging features available via paid memberships. In addition to community interaction, the Complainant’s platform incorporates e-commerce services through Weverse Shop, enabling the sale of official merchandise, albums (including Weverse Albums), and fan club memberships. The platform also provides multilingual support with automatic translation features, making content accessible to a global audience.

The Complainant holds trademark registrations including “weverse” phrase going back to 2022.

On December 3, 2025; the Respondent registered the disputed domain name <weverse.vip>. The disputed domain name is inactive

at the time of the decision.

PARTIES CONTENTIONS

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

THE DISPUTED DOMAIN NAME IS IDENTICAL

The Complainant states that the disputed domain name is identical to the Complainant's trademark "WEVERSE", as it reproduces the Complainant's trademark in its entirety.

Furthermore, it is argued that the top-level domain ".vip" is added only for technical reasons and it should be disregarded, referring to earlier panel decisions such as CAC UDRP decision on the case Chocoladefabriken Lindt & Sprüngli AG v. Pi Te, (CAC-UDRP-108225) where it was stated that "it is well established that generic Top-Level Domains (gTLDs), here ".vip" may be disregarded when considering whether a disputed domain name is confusingly similar to a trademark in which a complainant has rights", as well as the CAC UDPR decision on the case Compagnie Générale des Établissments Michelin v. Jack her, (CAC-UDRP-108097) in the same regard.

In view of the above, it was claimed that "WEVERSE" is the solely term within the disputed domain name <weverse.vip> that which must be taken into account when comparing it with Weverse's previous rights.

Given the above, it has been argued that the disputed domain name is identical to the Complainant's trademarks, pursuant to the Policy, paragraph 4(a)(i).

NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant states that the Respondent is neither affiliated nor authorized by the Complainant in any way and neither license nor authorization has been granted to the Respondent to use the Complainant's trademarks "WEVERSE".

The Respondent has no rights on the disputed domain names as the Respondent is not known as the disputed domain names and as the Respondent does not hold any trademark or domain name with "WEVERSE".

The Complainant also claims that its trademark is well-known and the awareness of the trademark among the public is considerable.

Additionally, in this regard, it was stated that several notices of take down have been sent to the Registrant email address, Registrar and the Internet Services Provider and no response was received from none of them, and regular monitoring of the disputed domain name and its website content revealed that until the filing of the Complaint, the domain name continued using the Complainant's trademarks not only on the domain name at-issue but also in its content itself.

The Complainant argues that the Respondent is not using the disputed domain name in connection with bona fide offering of goods or services or a legitimate non-commercial or fair use.

THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS USED IN BAD FAITH

The Complainant states that the disputed domain name is identical to its well-known trademark WEVERSE. Thus, it is stated that given the distinctiveness of the Complainant's trademark and its reputation, the Respondent has registered and used the domain name with full knowledge of the Complainant's trademark. The Complainant referred to the previous panel decisions in support of this argument.

Although the Respondent would have no relationship with the Complainant's trademarks, the disputed domain name is claimed to be emulating to be a website related to the Complainant under the impression that this may be some kind of official and/or officially linked website that provides a "VIP" or exclusive experience, when it is not the case. The Complainant states that the official website belonging to Complainant does not require a username and password to access its content. However, the infringing domain name does require this information, which may lead consumers to believe that they are accessing a more exclusive website of the Complainant, when this is not the case. Also, it is argued that the Respondent was aware of the Complainant's trademark prior to registering the disputed domain name, as the website has been replicated.

The Complainant expresses that the Respondent was using the Complainant's well-known trademarks without permission in order to get some benefit from the false impression created of a potential affiliation and/or connection with the Complainant, its trademarks or its services. This false impression is achieved by the full incorporation of the Complainant's trademarks in the disputed domain name, as well as in the content of the website.

Accordingly, the Complainant alleges that the disputed domain name was registered and is being used in bad faith.

RESPONDENT:

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

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In this context, the Panel also notes that the burden of proof is on the Complainant to make out its case and past UDRP panels have consistently said that a Complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

1. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore deal with each of these requirements in turn.

1. IDENTICAL OR CONFUSINGLY SIMILAR

The Policy simply requires the Complainant to demonstrate that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. The Panel is satisfied that the Complainant is the owner of registration of “WEVERSE” trademark.

The Panel finds that the disputed domain name is identical to the Complainant’s “WEVERSE” trademark.

Moreover, the addition of the TLD ".VIP" is not enough to abolish the identity.

The Panel is of the opinion that the Internet users will easily fall into false impression that the disputed domain name is an official domain name of the Complainant. The Panel recognizes the Complainant's rights and concludes that the disputed domain name is identical with the Complainant's trademark. Therefore, the Panel concludes that the requirements of paragraph 4(a)(i) of the Policy is provided.

2. NO RIGHTS OR LEGITIMATE INTERESTS

Under paragraph 4(a)(ii) of the Policy, the complainant has the burden of establishing that the respondent has no rights or legitimate interests in respect of the domain name.

It is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to the respondent of the dispute, the use or making demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) the respondent of the dispute (as an individual, business, or other organization) has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or

(iii) the respondent of the dispute is making a legitimate non-commercial or fair use of the domain name, without an intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Thus, if the respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the domain name, the complainant will have failed to discharge its burden of proof and the complaint will fail. The burden is on the complainant to demonstrate a prima facie case that the respondent does not have rights or legitimate interests in the disputed domain name. Once the complainant has made out a prima facie case, then the respondent may, inter alia, by showing one of the above circumstances, demonstrate rights or legitimate interests in the domain name.

It is understood from the explanations of the Complainant that the Respondent and the Complainant have no relationship or agreement on the use of the disputed domain name. In the absence of a response, the Panel considers that the Respondent has no authorization to use the Complainant's trademarks in the disputed domain name.

Hence, as the Complainant has made out its prima facie case, and as the Respondent has not demonstrated any rights or legitimate interests as illustrated under paragraph 4(c) of the Policy, nor has the Panel found any other basis for finding any rights or legitimate interests of the Respondent in the disputed domain dame, the Panel concludes that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

3. BAD FAITH

The Panel concludes that the Complainant's "WEVERSE" trademark is of distinctive character and has a certain reputation. Therefore, the Panel is of the opinion that due to the earlier rights of the Complainant in the "WEVERSE" trademark, the Respondent, was aware of the Complainant and its trademarks at the time of registration of the disputed domain name (see e.g., Ebay Inc. v. Wangming, WIPO Case No. D2006-1107 and Solvay SA v. Name Redacted, WIPO Case No. D2023-0235, where it was decided as follows: "the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith." The Complainant's SOLVAY mark has acquired considerable goodwill and renown worldwide. The Respondent is, therefore, presumed to have registered and used the Domain Name in bad faith".). Also referring to Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net, WIPO Case No. D2000-0226, the Panel believes that the awareness of the Complainant's trademark at the time of the registration of the disputed domain name is to be considered an inference of bad faith registration.

Moreover, the disputed domain name is currently invalid, which does not prevent a finding of bad faith. However, taking into account the copy of the website, where it can be seen that the disputed domain name operating by using the Complainant's trademark without authorization, the Panel finds that the Respondent registered and uses the domain name in bad faith to create confusion with Complainant's trademarks for commercial gain by using the almost identical domain name to resolve to a website offering services in direct competition with the Complainant's services. Since the disputed domain name redirects to a website requiring membership as opposed to the Complainant's services requiring none, the Panel considers it likely that the consumers will have the impression that this is an exclusive service offered by the Complainant.

Additionally, taking into account the copy of the e-mail correspondences, it seems that the Complainant sent several take down notices to the Respondent before but received no response. Considering there was no response to these allegations, it is accepted that they are true.

All the circumstances of the case must be examined to determine whether the Respondent is acting in bad faith. The cumulative circumstances for an indication of bad faith include the Complainant having a well-known trade mark, no response having been filed,

and the disputed domain name being inactive, which all happened in this case, in addition to the disputed domain name being invalid now but redirected to unauthorized confusing and competing use before as well as no response to the previous take down notices, which were inference of bad faith themselves.

Therefore, in light of the above-mentioned circumstances in the present case, the Panel finds that the disputed domain name has been registered and is being used in bad faith and that the Complainant has established the third element under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **weverse.vip**: Transferred

PANELLISTS

Name	**Mrs Selma Ünlü**

DATE OF PANEL DECISION 2026-04-02

Publish the Decision