Decision for dispute CAC-UDRP-108505

Case number	CAC-UDRP-108505
Time of filing	2026-03-24 11:50:38
Domain names	bandqshop.com

Case administrator

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

Complainant

Organization	B&Q Limited

Complainant representative

Organization	Convey srl

Respondent

Name	zhuang tingyong

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings relating to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant owns multiple registered trademarks worldwide that incorporate or consist of the term “B and Q”.

Among its trademark portfolio, the Complainant submits the following registrations:

UKIPO TM No. UK0002207488B – “bandq”, registered on 2000, October 27;

UKIPO TM N. UK00001327953 – “B&Q”, registered May 24, 1991;

UKIPO TM N. UK00002322887 – “B&Q”, registered July 11, 2003;

UKIPO TM N. UK00911007119 – “B&Q” device mark, registered November 1, 2012;

UKIPO TM N. 011993573 – “B&Q” device mark, registered on December, 11, 2013;

EUIPO TM N. 011007119 – “B&Q” device mark, registered on November 1, 2012;

EUIPO TM N. 001037324 – “B&Q”, registered on November 11, 2001;

CNIPA TM N. 4102290 – “B&Q”, registered on January 7, 2008;

CNIPA TM N. 4102289 – “B&Q”, registered on January 7, 2008;

CNIPA TM N. 4102288 – “B&Q”, registered on April 28, 2007;

CNIPA TM N. 4102287 – “B&Q”, registered on April 21, 2014;

CNIPA TM N. 4102286 – “B&Q”, registered on April 21, 2007;

CNIPA TM N. 1079778 – “B&Q”, registered on August 14, 1997;

CNIPA TM N. 1354368 – “B&Q”, registered on January 14, 2000.

FACTUAL BACKGROUND

The Complainant Limited was founded in March 1969 in Southampton, England, by Richard Block and David Quayle, from whose initials the company name derives. The first B&Q store opened in a former cinema on Portswood Road, Southampton. Since its inception, the Complainant has sought to make home improvement and DIY (“do it yourself”) accessible to the general public by offering extended opening hours, competitive prices, and a wide range of products.

The Complainant is one of the leading retailers in Europe for DIY and home improvement products.

By 1979, B&Q operated 26 stores across the United Kingdom. Richard Block had left the company in 1976.

During the 1980s, the Complainant expanded further and acquired Dodge City, a Scottish DIY chain. B&Q itself was subsequently purchased by F.W. Woolworth Company for £16.8 million.

Later, the Complainant became part of Paternoster Stores, which subsequently evolved into Kingfisher plc, its parent company to this day. Throughout the 1990s and 2000s, the Complainant continued its expansion within the United Kingdom, also acquiring additional companies, including Dickens Ltd and Screwfix Direct in 1999.

In 2000, the Complainant launched the domain name <diy.com>, together with the corresponding website at <diy.com>, marking its entry into e-commerce.
The Complainant expanded internationally, including into China, Taiwan, and Hong Kong.

In 2011, the Complainant acquired 31 stores from Focus DIY.

The Complainant remains a subsidiary of Kingfisher plc and currently operates over 300 stores across the United Kingdom and Ireland, employing approximately 27,000 people.

The Complainant registered the domain name <bandq.com> on July 15, 1997, followed by <bandq.co.uk> on September 18, 2006, and <bandq.shop> on September 1, 2016. All three domain names resolve to the Complainant’s official website at <diy.com>. Accordingly, the name “B&Q” has become commonly associated with the Complainant’s products and brand.

The Complainant has made extensive use of the “B&Q” denomination across all major online environments, including but not limited to the official website <diy.com>, as well as verified accounts on leading social media and developer platforms such as Facebook, X, YouTube, Instagram, Pinterest and TikTok.
The Complainant owns multiple registered trademarks worldwide that incorporate or consist of the term “B and Q” and “B&Q”.

The disputed domain name was registered on December 1, 2025.

PARTIES CONTENTIONS

COMPLAINANT

The above illustrative and non-exhaustive list of trademarks, including “BANDQ” and “B&Q”, has been registered and actively used by the Complainant for a considerable period of time in multiple jurisdictions – including China - in connection with goods and services falling under numerous Nice Classes. These trademarks are highly distinctive and widely recognized in the fields of home improvement, garden centers, and DIY tools.

The disputed domain name was registered by the Respondent on December 1, 2025, without the Complainant’s authorization. The corresponding website, accessible at <bandqshop.com>, made unauthorized use of the Complainant’s trademarks and overall brand identity with clear intention of passing itself off as “B&Q”. Although the Respondent added the descriptive term “shop” to the string “bandq”, the disputed domain name nonetheless reproduces the Complainant’s “BANDQ” trademark in its entirety, creating a phonetically and conceptually identical impression. The addition of a generic term does not prevent confusion and does not grant the Respondent any authorization, license, or legitimate interest.

The website to which the disputed domain name resolved further demonstrated a deliberate attempt to impersonate the Complainant. The Respondent reproduced key elements of the Complainant's corporate identity, including a fabricated company history that mirrored the Complainant's genuine origins – such as its founding in 1969 and the operation of over 300 stores in the United Kingdom – in order to mislead users into believing they were accessing an official B&Q platform.

The visual presentation of the website, including its color scheme, layout, and overall look-and-feel, closely resembled that of the Complainant's legitimate online presence. The Respondent also used a counterfeit logo, which further reinforced the false impression of authenticity and an affiliation with the Complainant's brand.

The website corresponding to the disputed domain name also offered for sale a wide range of products identical or highly similar to those sold by the Complainant, using category names and product descriptions closely resembling those on the Complainant's official website. Such conduct demonstrates a deliberate attempt to exploit the reputation and goodwill associated with the well-known B&Q brand and to divert consumers for commercial gain.

The Respondent's conduct clearly demonstrates an intent to impersonate the Complainant by falsely suggesting a partnership or affiliation with B&Q Limited, thereby misleading unsuspecting internet users seeking the Complainant's genuine products and services online.

In light of the Respondent's abusive registration and use of the disputed domain name - confusingly similar to the Complainant's registered and well-known "BANDQ" trademark - and given that no email contact details for the Respondent were available due to privacy redaction, the Complainant instructed its authorized representative to notify the Respondent of the trademark infringement through the registrar's online contact form, which constituted the only available communication channel. Accordingly, the Complainant formally requested the immediate cessation of the unauthorized use and the transfer of the disputed domain name via said form.

Despite this attempt, the Respondent failed to reply. Consequently, the Complainant instructed its authorized representative to proceed to file the present Complaint.

A. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant has rights in respect of its trademarks for the purposes of the Policy, in accordance with section 1.2.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (WIPO Overview 3.1).

The disputed domain name is confusingly similar to the Complainant's trademark "BANDQ".

The only difference is that the mark has been supplemented by the non-distinctive term "shop" and the generic Top-Level Domain ("gTLD") ".com". Panels have consistently held that top-level domains, such as ".com" are typically disregarded when assessing identity or confusing similarity under the first element of the Policy. Therefore, the analysis focuses on the second-level portion of the disputed domain name, which incorporates the Complainant's trademark "BANDQ" in its entirety. Furthermore, the mere addition of the generic term "shop", which directly relates to the retail sector in which the Complainant operates, does not prevent a finding of confusing similarity under the first element of the Policy.

In light of the above, the Complainant submits that the disputed domain name is confusingly similar to the prior registered trademark "BANDQ", in which the

Complainant holds valid rights, in accordance with Paragraph 4(a)(i) of the Policy.

B. The Respondent has no rights or legitimate interests in respect of the disputed domain name.

It is a well-established principle that the burden of proof lies with the Complainant. However, demonstrating that the Respondent lacks rights or legitimate interests in the disputed domain name can be inherently challenging, as it requires proving a negative fact. This task is particularly onerous because the information necessary to assess any potential rights or legitimate interests typically lies within the Respondent's exclusive knowledge and control.
Accordingly, it is sufficient that Complainant shows prima facie evidence in order to shift the burden of production of Respondent.

As a preliminary observation, it is well established in prior UDRP decisions that the mere registration of a domain name does not, in itself, confer rights or legitimate interests upon the registrant.

The Respondent is neither a licensee nor an authorized distributor of the Complainant and has not been granted any permission, authorization, or consent to use the Complainant's trademarks – including any variation, misspelling, or derivative – in the disputed domain name or in any other manner.

The Complainant is not aware of any evidence indicating that the Respondent is commonly known by the disputed domain name, or by any name corresponding to it, whether as an individual, business, or other organization. The publicly available Whois records do not disclose any identifying information whatsoever and therefore provide no indication that the Respondent might be commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy. This absence of any evidence pointing to the Respondent being commonly known by the disputed domain name further confirms that the Respondent has not acquired rights or legitimate interests in the disputed domain name.

The Respondent is not making any bona fide offering of goods or services, nor is it engaged in any legitimate non-commercial or fair use of the disputed domain name. On the contrary, the disputed domain name has been used to impersonate the Complainant and

to pass itself off as an official B&Q platform, without any authorization. Such conduct is incompatible with any claim to rights or legitimate interests under Paragraph 4(c) of the Policy and clearly demonstrates an intent to exploit the reputation and goodwill associated with the Complainant's trademarks.

Moreover, the Respondent's website displays the Complainant's trademarks and imitates the Complainant's visual identity, thereby misleading internet users into believing that the website is affiliated with or endorsed by the Complainant. Such use cannot be considered legitimate and confirms that the Respondent is attempting to divert users by exploiting the Complainant's brand identity. In addition, the Respondent has failed to accurately and prominently disclose its lack of affiliation with the Complainant. Notably, the website corresponding to the disputed domain name contains no disclaimer indicating that the Respondent is unaffiliated with the Complainant, which further contributes to user confusion.

The Respondent has registered the disputed domain name, which fully incorporates the Complainant's trademark "BANDQ". Such conduct misleads users and cannot confer any rights or legitimate interest in the Respondent. Moreover, by registering a domain name that contains the Complainant's mark in its entirety, the Respondent effectively prevents the Complainant from registering a corresponding domain name, further evidencing the absence of any bona fide or legitimate use.

Furthermore, the Respondent registered the disputed domain name on December 1, 2025, a date that postdates all of the Complainant's earliest trademark registrations by many years. This timing further supports the conclusion that the Respondent was aware of the Complainant's established rights and nonetheless proceeded without any legitimate interest.

Consequently, the Complainant respectfully submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name, in accordance with Paragraph 4(a)(ii) of the Policy.

C. The disputed domain name was registered and is being used in bad faith.

As to the assessment of the Respondent's bad faith at the time of registration, the Respondent could not reasonably have been unaware of the Complainant's trademarks when it registered the disputed domain name on December 1, 2025. By that time, the Complainant's "BANDQ" and "B&Q" trademarks had long been registered and extensively used in connection with home improvement and retail services – including in China, where the Respondent appears to be located. In addition, the disputed domain name resolved to a website prominently displaying the Complainant's trademarks and visual identity, which confirms that the Respondent had actual knowledge of the Complainant's rights and deliberately sought to exploit them.

By registering a domain name that incorporates the Complainant's trademark "BANDQ" in its entirety, the Respondent has created a domain name that is effectively identical to the Complainant's mark, thereby reinforcing an association with the Complainant's brand and significantly increasing the likelihood of confusion.

Given these facts, the only reasonable conclusion is that the Respondent registered the disputed domain name with the Complainant specifically in mind.
Moreover, the Respondent is using the website associated with the disputed domain name to offer information about the Complainant. Not only has the Respondent used the Complainant's distinctive and well-known mark within the disputed domain name itself, but the corresponding website is also branded "DIY", which directly reflects the nature of the Complainant's retail business and mirrors the Complainant's official website at "www.diy.com". In addition, the Respondent displays a range of products belonging to the same commercial sector as those offered by the Complainant, accompanied by prices expressed in British pounds, thereby further reinforcing the false impression of a legitimate UK-based "B&Q" retail operation. This conduct demonstrates clear knowledge of - and familiarity with - the Complainant's brand and business and further confirms that the Respondent lacks any rights or legitimate interest in the disputed domain name.

The website to which the disputed domain name resolved further demonstrated a deliberate attempt to impersonate the Complainant. The Respondent reproduced key elements of the Complainant's corporate identity, including a fabricated company history that mirrored the Complainant's genuine origins - such as its founding in 1969 and the operation of over 300 stores in the United Kingdom - in order to mislead users into believing they were accessing an official B&Q platform. This level of detailed copying goes beyond mere similarity and constitutes clear impersonation, which UDRP panels have consistently found to be a strong indicator of bad faith.

With respect to the bad-faith use of the disputed domain name, the prominent and unauthorized display of the Complainant's trademarks on the associated website demonstrates an intention to exploit the reputation of the Complainant's brand. By diverting Internet users searching for "bandq" to a website falsely presenting itself as connected to the Complainant, the Respondent intentionally creates confusion as to the source, sponsorship, affiliation, or endorsement of the website for commercial gain. Such conduct falls squarely within the circumstances of bad faith described in Paragraph 4(b)(iv) of the Policy.

The disputed domain name resolves to a website that cannot be considered trustworthy, as it provides misleading and inaccurate information about the Complainant. The use of the Complainant's trademarks both in the disputed domain name and throughout the website is clearly deceptive, as it creates a likelihood of confusion among users who may reasonably - yet mistakenly - believe that they are accessing the Complainant's official website.

In view of the Respondent's abusive registration and use of the disputed domain name, which is confusingly similar to the Complainant's registered and well-known trademarks, the Complainant instructed its authorized representative to notify the Respondent of the trademark infringement through the registrar's online contact form, which constituted the only available communication channel due to the absence of any e-mail contact in the publicly available Whois records. Despite this notification being submitted, the Respondent failed to provide any reply.

The Respondent's failure to engage or address the infringement concerns further evidences its bad faith, as the communication expressly requested the cessation of the unauthorized use of the Complainant's trademarks and the transfer of the disputed domain name.

Lastly, the Complainant refers to previous Panel decisions in which domain names incorporating the same trademarks were ordered to be transferred to the Complainant. These decisions confirm the consistent recognition of the Complainant's rights and further support the conclusion that the Respondent has registered and used the disputed domain name in bad faith.

The Complainant firmly submits that the disputed domain name was registered and is being used in bad faith. The circumstances described above fully satisfy the requirement under Paragraph 4(a)(iii) of the Policy, which mandates demonstrating both bad-faith registration and bad-faith use by the holder of the disputed domain name.

RESPONDENT

No administratively compliant Response was filed.

RIGHTS

To the satisfaction of the Panel, the Complainant has shown that the disputed domain name is identical or confusingly similar to the trademark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

To the satisfaction of the Panel, the Complainant has 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

To the satisfaction of the Panel, the Complainant has 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 the UDRP have been met, and there is no other reason why it would be unsuitable to provide the Decision.

PRINCIPAL REASONS FOR THE DECISION

1. **Identical or Confusingly Similar**

On the basis of the record, the Panel is satisfied that the Complainant has established such rights. In particular, the Complainant owns a registration for the word mark "BANDQ" dating back at least to the year 2000. The Panel further notes that the Complainant's rights in the trademark "B&Q" significantly predate this, with trademark registrations existing since at least 1991. These earlier registrations reinforce the longstanding and continuous use of the sign corresponding to the expression "B and Q", whether represented with the ampersand symbol or spelled out.

Turning to the disputed domain name, the Panel observes that it incorporates the Complainant's "BANDQ" trademark in its entirety, with the addition of the term "shop". This alone is sufficient to establish confusing similarity for the purposes of the Policy.

Moreover, the Panel considers that the disputed domain name also presents an obvious conceptual and phonetic identity with the Complainant's "B&Q" mark. The substitution of the ampersand symbol "&" with the word "and" is a technical and commonplace adaptation in domain names, where special characters are not always available or are typically avoided. As such, Internet users would readily perceive "bandq" as the equivalent of "B&Q". In this respect, the disputed domain name effectively reproduces both of the Complainant's core trademarks.

The addition of the term "shop" does not prevent a finding of confusing similarity. On the contrary, given that this term is descriptive of retail services and directly related with the Complainant's commercial activities, it may even enhance the impression that the disputed domain name refers to an official online store operated or endorsed by the Complainant, however, that will be analyzed under the subsequent elements.

In light of the above, the Panel finds that the disputed domain name is confusingly similar to trademarks in which the Complainant has rights.

Accordingly, the Panel finds that the disputed domain name is identical or confusingly similar to trademarks in which the Complainant has rights, and that the requirement of paragraph 4(a)(i) of the Policy is satisfied.

2. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain name. While the overall burden of proof rests with the Complainant, it is well accepted that this element may be satisfied by making out a prima facie case, after which the burden of production shifts to the Respondent.

In the present case, the Panel finds that the Complainant has made such a prima facie showing.

The Complainant affirms that it has not authorized, licensed, or otherwise permitted the Respondent to use its "BANDQ" or "B&Q" trademarks, whether in a domain name or otherwise. There is no evidence on record suggesting that the Respondent is commonly known by the disputed domain name, within the meaning of the Policy. The available WhoIs information, as limited as it is, does not support any such inference.

Further, the Panel notes that the disputed domain name previously resolved to a website which is no longer accessible. In these circumstances, the Panel relies on the screenshots submitted by the Complainant, which have not been contested by the Respondent. These materials indicate that the website prominently reproduced the Complainant's trademarks and imitated its overall visual identity, including references to its history, scale of operations, and business activities.

Such use, cannot be considered a legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy. The apparent commercial nature of the website, combined with the absence of any clear disclaimer and the misleading presentation, points in the opposite direction, however, further analysis will be carried out under the element below.

The Panel also notes that the Respondent has chosen not to participate in these proceedings and has therefore failed to rebut the Complainant's prima facie case or to provide any evidence of rights or legitimate interests in the disputed domain name.

In the absence of any explanation from the Respondent, and taking into account the nature of the disputed domain name and the use evidenced in the record, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Accordingly, the requirement of paragraph 4(a)(ii) of the Policy is satisfied.

3. Registered and Used in Bad Faith

As to registration in bad faith, the Panel considers it inconceivable that the Respondent was unaware of the Complainant and its trademarks at the time of registration of the disputed domain name on December 1, 2025. The Complainant's "BANDQ" mark has been registered since at least 2000, and its "B&Q" marks date back to at least 1991. As per the record, these marks have been used extensively in connection with a retail business operating hundreds of stores and maintaining a seemingly significant online presence.

The composition of the disputed domain name, which wholly incorporates the Complainant's "BANDQ" mark together with the descriptive term "shop", strongly suggests that the Respondent had the Complainant specifically in mind. The choice of such a domain name carries a clear risk of implied affiliation with the Complainant and cannot reasonably be regarded as coincidental.

This conclusion is further reinforced by the evidence relating to the use of the disputed domain name. Although the website associated with the disputed domain name is no longer available, the Panel relies on the screenshots submitted by the Complainant, which remain uncontested. These show that the Respondent used the disputed domain name to host a website that reproduced the Complainant's trademarks, imitated its visual identity, and even incorporated a fabricated company history closely mirroring that of the Complainant, as per the record at hand.

The Panel considers that such conduct, without any explanation to the contrary and on the balance of probability, may appear to be in bad faith. It more than likely demonstrates a deliberate attempt to impersonate the Complainant, by targeting it, and to mislead Internet users into believing that the website was either operated by the Complainant, or at least through someone affiliated with the Complainant.

In these circumstances, the Panel finds that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of the website. This constitutes clear evidence of bad faith under paragraph 4(b)(iv) of the Policy.

The Respondent's failure to reply to the Complainant's pre-Complaint communication, as well as its failure to participate in the present proceedings, while at the same time removing the content from the website associated to the disputed domain name further supports an inference of bad faith.

In light of the above, the Panel concludes that the disputed domain name was registered and is being used in bad faith.

Accordingly, the Panel finds, on the balance of probabilities, that the disputed domain name was registered and is being used in bad faith. Accordingly, the requirement of paragraph 4(a)(iii) of the Policy is satisfied.

4. Decision

For the reasons mentioned above and according to the provisions in Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Panel orders the transfer of the disputed domain name to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **bandqshop.com**: Transferred

PANELLISTS

Name	**Rodolfo Rivas Rea**

DATE OF PANEL DECISION 2026-04-20

Publish the Decision