Decision for dispute CAC-UDRP-108639

Case number	CAC-UDRP-108639
Time of filing	2026-05-20 08:54:55
Domain names	qcygroup.com

Case administrator

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

Complainant

Organization	Hong Kong Hele Electronics Limited
Organization	Dongguan hele electronics Co., Ltd.

Complainant representative

Organization	Chofn Intellectual Property

Respondent

Name	tomas tesla

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

Dongguan Hele Electronics Co., Ltd. (Complainant 2), is the owner of several QCY trademark registrations worldwide, including, but not limited to, the following:

- EU Trademark QCY No. 015609001, registered on October 24, 2016, in Class 35;
- Chinese Trademark QCY No. 7556908, registered on February 14, 2011, in Class 9.

FACTUAL BACKGROUND

The Complainants are Hong Kong Hele Electronics Limited (Complainant 1) and Dongguan Hele Electronics Co., Ltd. (Complainant 2)(collectively, the "Complainant" or "QCY"). Complainant 1, established in Hong Kong in 2019, is a subsidiary of Complainant 2 and is responsible for warehousing, logistics, and supply-chain operations. Complainant 2, founded in China in 2009, is engaged in the research, development, manufacture, and sale of wireless audio and smart electronic products.

The Complainant states that it developed and owns the QCY brand, which focuses on wireless audio products, including true wireless stereo ("TWS") earphones. According to the Complaint, QCY has established a presence in the global consumer electronics market through the sale of affordable wireless audio products and has achieved significant sales and market recognition in multiple jurisdictions. The Complaint further cites market research reports indicating that QCY ranked among the leading global TWS brands by market share during the first half of 2019 and that approximately 2.5 million QCY units were shipped during the first quarter of 2020.

The Complainant submits that the QCY mark had acquired substantial public recognition prior to the registration of the disputed domain name. In support of this contention, the Complaint refers to historical Google Trends data indicating worldwide search activity for the term "QCY" and to several industry recognitions received before the registration of the disputed domain name, including the QCY Crossky GTR open-back headphones receiving a Gold Award at the 2022 MUSE Creative Awards and the QCY T17S earphones being recommended by international technology media at CES 2022.

The Respondent appears to be an individual located in the United Kingdom.

The disputed domain name was registered on 6 April 2026.

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).

The Complainant asserts rights in the QCY mark based on its trademark registrations. Registration of a trademark is sufficient to establish rights in a mark for the purposes of paragraph 4(a)(i) of the Policy. See Avast Software s.r.o. v. Milen Radumilo, 102384 (CAC 2019-03-12). The Panel finds that the Complainant has rights in the QCY mark under paragraph 4(a)(i) of the Policy.

The Complainant further argues that the disputed domain name incorporates the QCY trademark in its entirety. The addition of the term "group", a descriptive term commonly used to refer to an organization or business entity, does not prevent a finding of confusing similarity.

Upon a side-by-side comparison, the Panel finds that the additional term "group" and the ".com" generic Top-Level Domain ("gTLD") do not negate the similarity between the disputed domain name and the Complainant's trademark. See LyondellBasell Industries Holdings B.V. v. Zara Narang, 108230 (CAC 2026-01-26)("The disputed domain name is confusingly similar to the Complainant's mark since the addition of the descriptive element "group“ does not have a relevant influence on the similarity of signs, which remain phonetically highly similar."). Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's QCY trademark.

For the foregoing reasons, the Panel finds that the Complainant has satisfied 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). More specifically, the Complainant must first make a prima facie case that the Respondent lacks rights and legitimate interests in the disputed domain name, and the burden of proof then shifts to the Respondent to show it does have rights or legitimate interests. See PepsiCo, Inc. v Smith power production, 102378, (CAC 2019-03-08) ("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 out 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 name.").

The Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complaint, the Respondent is neither a distributor, partner, nor authorized user of the QCY trademark, and the disputed domain name falsely suggests an affiliation with the Complainant. The content of the website associated with the disputed domain name reinforces this misleading impression and does not constitute a bona fide offering of goods or services. The Complainant further submits that trademark searches revealed no registrations for "QCY" in the name of the Respondent, identified as "tomas tesla", and that there is no evidence indicating any legitimate interest in the QCY mark.

The Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The burden therefore shifts to the Respondent to demonstrate rights or legitimate interests in the disputed domain name. However, the Respondent failed to submit a Response and has not otherwise rebutted the Complainant's assertions.

For the foregoing reasons, the Panel finds that the Complainant has satisfied 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).

The Complainant reiterates that, since its founding in 2009, QCY has rapidly expanded its global presence through the sale of high-value TWS earphones. Products such as the QCY T1 series became best-selling models and ranked among the top five worldwide in 2019. Owing to its strong product performance and supply-chain capabilities, QCY has received multiple international recognitions and has become widely known among consumers.

The Complainant submits that the disputed domain name resolves to a website closely associated with the Complainant's business, leaving no plausible explanation for the Respondent's selection of the disputed domain name other than knowledge of the Complainant's QCY trademark. The Complainant further contends that the Respondent's website reproduces content associated with the Complainant, demonstrating that the Respondent knew, or should have known, of the Complainant's prior rights when registering the disputed domain name.

The Complainant further alleges that the Respondent has not disclosed any relationship with the Complainant, yet uses the QCY mark and related commercial content in a manner likely to mislead Internet users. According to the Complainant, such conduct was intended to attract Internet users for commercial gain.

Having reviewed the Complaint and its annexes, including screenshots of the website to which the disputed domain name resolves, and taking into account the absence of any Response, the Panel finds that the Respondent was aware of the Complainant's QCY trademark at the time of registration of the disputed domain name. The Panel further finds that the Respondent intentionally attempted to attract Internet users, for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website associated with the disputed domain name.

Accordingly, the Panel finds that the Respondent's conduct falls within paragraph 4(b)(iv) of the Policy. See Sony Interactive Entertainment LLC, Sony Interactive Entertainment Inc and Sony Interactive Entertainment Europe Ltd v. panen grup and Shenzhen Yunnuotaifeng Tech Co., Ltd., 107313 (CAC 2025-05-05) ("As previously noted, the Respondent’s website prominently displays the Complainant’s Trademark (as such and on various products / merchandise). The Panel finds that Respondent’s use of the disputed domain names disrupts Complainant’s business by misleading consumers and falsely suggesting an affiliation with the Complainants. This conduct serves to redirect Internet users to the Respondent’s website, thereby exploiting the Complainant’s goodwill.").

For the foregoing reasons, the Panel finds the Complainant has satisfied 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

Having established all three elements required under the UDRP Policy, the Panel concludes that the disputed domain name should be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **qcygroup.com**: Transferred

PANELLISTS

Name	Mr Paddy TAM

DATE OF PANEL DECISION 2026-06-19

Publish the Decision