

Decision for dispute CAC-UDRP-108841

Case number	CAC-UDRP-108841
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Domain names	1688.ai

Case administrator

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

Organization	Alibaba Innovation Private Limited
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Complainant representative

Organization	Convey srl
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Respondent

Name	XIAOJIAN DONG
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OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings in respect of the domain name <1688.ai> (the "disputed domain name").

IDENTIFICATION OF RIGHTS

The Complainant, Alibaba Innovation Private Limited, owns numerous registered trade marks for 1688, including:

- Chinese trade mark registration no. 8035960, registered on 28 February 2011;
- European Union trade mark registration no. 016958605, registered on 27 November 2017;
- Hong Kong trade mark registration no. 304198979, registered on 6 July 2017;
- United States trade mark registration no. 5766635, registered on 4 June 2019.

FACTUAL BACKGROUND

A. Complainant's Factual Allegations

The Complainant is a Singapore company forming part of the Alibaba Group corporate structure.

The Alibaba Group operates the 1688 business-to-business online marketplace, which was launched in China in 1999 and operates principally through the domain name <1688.com>. The Complainant submits that, through longstanding use and promotion, the 1688 trade mark has acquired substantial goodwill and recognition, particularly in China.

The Alibaba Group also conducts activities in the fields of technology and artificial intelligence.

B. Respondent's Factual Allegations

The Respondent is Xiaojian Dong. The Respondent states that he registered the disputed domain name for an artificial intelligence project. He explains that he selected the number "1688" because of what he regards as auspicious Chinese numeric wordplay conveying continuing prosperity, and selected the <.ai> Top-Level Domain (the "TLD") because of its association with artificial intelligence and, ultimately, artificial general intelligence ("AGI").

The Respondent has produced materials relating to an AI training and commercial application project under the name "QiaPi AI". The source-file information submitted with those materials records a creation and last-modified date of 19 September 2023. The Respondent has also produced interface designs for an AI chatbot project whose source-file information records a creation and last-modified date of 13 October 2023.

The Respondent does not contend that those materials were published through the disputed domain name. He relies upon them as contemporaneous evidence of his independent involvement in AI-related projects shortly after registering the disputed domain name.

C. Disputed Domain Name

The disputed domain name <1688.ai> was registered on 11 July 2023.

The evidence indicates that, by 2 April 2025, the disputed domain name resolved to a webpage entitled "The Way to AGI", containing a general contact form. That archived webpage did not display the Complainant's name or logo, refer to its 1688 marketplace, offer e-commerce products or competing services, display advertising or pay-per-click links, or contain any notice offering the disputed domain name for sale.

The evidence submitted by the Complainant further shows that the disputed domain name was subsequently offered for sale through GoDaddy for USD 168,888.

PARTIES CONTENTIONS

A. Complainant

A.1 The disputed domain name is identical or confusingly similar to a trade mark in which the Complainant has rights

The Complainant submits that the disputed domain name is identical to its registered 1688 trade mark. It contends that the <.ai> TLD is to be disregarded for the purposes of the comparison under paragraph 4(a)(i) of the UDRP Policy.

A.2 The Respondent has no rights or legitimate interests in respect of the disputed domain name

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that the Respondent has never been authorised to use the 1688 trade mark, is not commonly known by the disputed domain name, and that there is no evidence that he holds any independent rights in the designation "1688".

The Complainant notes that the disputed domain name was offered for sale for USD 168,888 and, at the time of the Complaint, directed Internet users to an Afternic sale-inquiry page. It contends that such use does not constitute a bona fide offering of goods or services or legitimate non-commercial or fair use.

The Complainant further submits that the disputed domain name carries a high risk of implied affiliation because it consists entirely of the Complainant's 1688 trade mark together with the <.ai> TLD.

A.3 The disputed domain name was registered and is being used in bad faith

The Complainant submits that the disputed domain name was registered and is being used in bad faith.

The Complainant refers to the longstanding use and reputation of the 1688 trade mark and its registrations in numerous jurisdictions, including Hong Kong, where the Respondent is based. The Complainant contends that the Respondent could not reasonably have been unaware of the Complainant and its rights when registering the disputed domain name. The Complainant further submits that the <.ai> TLD reinforces the association with the Complainant because the Alibaba Group conducts substantial activities in the fields of technology and artificial intelligence.

The Complainant places particular reliance upon the offering of the disputed domain name for sale for USD 168,888. It contends that this amount substantially exceeds the Respondent's out-of-pocket registration costs and demonstrates that the disputed domain name was registered primarily for the purpose of resale for valuable consideration within the circumstances contemplated

by paragraph 4(b)(i) of the UDRP Policy.

The Complainant also points to the Respondent's use of a privacy service and the absence of any response to a cease-and-desist communication sent on the Complainant's behalf to the anonymised proxy email address associated with the disputed domain name.

A.4 Relief sought

The Complainant requests that the disputed domain name <1688.ai> be transferred to it in accordance with paragraph 4(i) of the UDRP Policy.

B. Respondent

B.1 Identical or confusingly similar

The Respondent does not contest, for the purposes of this proceeding, that the disputed domain name is identical to the Complainant's trade mark under paragraph 4(a)(i) of the UDRP Policy.

B.2 Rights or legitimate interests

The Respondent submits that he has rights or legitimate interests in the disputed domain name arising from its intended and actual use in connection with independent artificial-intelligence activities.

The Respondent states that he selected "1688" because of what he regards as auspicious Chinese numeric wordplay conveying continuing prosperity and combined that number with the <.ai> TLD because the intended project concerned artificial intelligence and AGI.

In support of that explanation, the Respondent has produced AI training and commercial application materials dated September 2023 and AI chatbot interface designs dated October 2023, shortly after registration of the disputed domain name. The Respondent acknowledges that those materials were not themselves published through <1688.ai>, but contends that they corroborate his independent involvement in AI-related project development at the relevant time.

The Respondent further points to an Internet Archive capture showing that, by April 2025 and before notice of the proceeding, the disputed domain name was being used for a webpage entitled "The Way to AGI". The Respondent emphasises that the webpage contained no reference to the Complainant, Alibaba, the 1688 marketplace or e-commerce activities, and displayed neither advertising nor an offer to sell the disputed domain name.

The Respondent submits that this contemporaneous and pre-dispute evidence rebuts the Complainant's prima facie case and demonstrates use or preparations for use within the circumstances contemplated by paragraph 4(c)(i) of the UDRP Policy.

B.3 Registered and used in bad faith

The Respondent denies that he registered the disputed domain name to target the Complainant or its 1688 trade mark. He submits that the decisive question is his intention when registering the disputed domain name in July 2023 and that his contemporaneous AI activities, followed by the actual AGI-related use of the disputed domain name, provide an independent explanation for the registration.

The Respondent accepts that the disputed domain name was subsequently listed for sale for USD 168,888 but submits that the listing occurred almost three years after registration. He states that he never approached the Complainant or any of its competitors to solicit a sale and contends that the subsequent marketplace listing cannot retrospectively establish that resale to the Complainant or a competitor was his primary purpose when registering the disputed domain name.

The Respondent further submits that the Afternic page relied upon by the Complainant was a sale-inquiry page rather than a pay-per-click parking page and that the earlier archived AGI webpage contained no advertising or sale notice.

The Respondent also states that his use of GoDaddy's privacy and domain-protection service was ordinary account protection and denies receiving the cease-and-desist communication sent to the anonymised proxy address. The Respondent further submits that the renewal of the disputed domain name in 2025 did not constitute a new registration or acquisition and that he has maintained continuous control of the disputed domain name since July 2023.

The Respondent requests that the Complaint be denied.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical to a trade mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has failed to establish, to the satisfaction of the Panel, that the Respondent has no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the UDRP Policy).

BAD FAITH

The Complainant has failed to establish, to the satisfaction of the Panel, that the disputed domain name was registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under the UDRP Policy, the UDRP Rules and the CAC Supplemental Rules have been met. The dispute is properly before the Panel.

PRINCIPAL REASONS FOR THE DECISION

A. Applicable Legal Framework

Under paragraph 4(a) of the UDRP Policy, the Complainant must establish, on the balance of probabilities, that:

- (i) the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

These requirements are cumulative, and the failure to establish any one of them is fatal to the Complaint.

B. Identical or Confusingly Similar

The Panel is satisfied that the Complainant has established registered rights in the trade mark 1688.

The second-level portion of the disputed domain name consists exclusively of the Complainant's 1688 trade mark. The <.ai> TLD is ordinarily disregarded for the purposes of comparison under paragraph 4(a)(i) of the UDRP Policy.

The Respondent does not contest this element.

The Panel therefore finds that the disputed domain name is identical to a trade mark in which the Complainant has rights. The first requirement of paragraph 4(a) of the UDRP Policy is satisfied.

C. Rights or Legitimate Interests

The Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not been authorised to use the Complainant's 1688 trade mark and is not commonly known by the disputed domain name.

The Respondent has, however, produced evidence which materially rebuts the prima facie case. According to the Respondent, "1688" was selected for what he regards as auspicious Chinese numeric wordplay conveying continuing prosperity, while the <.ai> TLD was chosen because the intended project concerned artificial intelligence and AGI. The Panel does not regard that explanation, standing alone, as sufficient; its significance lies in whether it is supported by the contemporaneous evidence.

The Respondent has produced AI training and commercial application materials whose source-file information records a creation and last-modified date of 19 September 2023, approximately two months after registration, and AI chatbot interface designs dated 13 October 2023.

The Panel recognises that neither set of materials refers to <1688.ai>, and the Respondent does not contend that they were published through the disputed domain name. Although they do not establish a direct connection between the QiaPi project and the disputed domain name, they provide contemporaneous evidence of the Respondent's involvement in AI-related activities shortly after registration.

More significantly, an Internet Archive capture dated 2 April 2025 shows <1688.ai> resolving to a webpage entitled "The Way to AGI". The webpage contained a general contact form but no reference to the Complainant, Alibaba or the 1688 marketplace; no e-commerce or competing services; no advertising or pay-per-click links; and no notice offering the disputed domain name for sale.

Although the webpage itself was relatively limited, its timing and content are material. It predates both the present proceeding and the later sale evidence and is objectively consistent with the Respondent's asserted artificial-intelligence purpose.

Taken together, those circumstances provide substantial support for the Respondent's claimed independent AI-related purpose.

On the balance of probabilities, the Panel finds that this evidence is sufficient to rebut the Complainant's prima facie case. The Complainant has therefore failed to establish the second requirement of paragraph 4(a) of the UDRP Policy.

D. Registered and Used in Bad Faith

Given the Panel's finding under paragraph 4(a)(ii) of the UDRP Policy, it is not strictly necessary to determine bad faith. Nevertheless, given the Parties' detailed submissions and the circumstances of this case, the Panel considers it appropriate to address the third element for completeness.

The Complainant's rights in 1688 substantially predate the disputed domain name. The Panel also accepts that the 1688 marketplace had acquired significant commercial recognition before July 2023 and takes into account the Respondent's location in Hong Kong. Those circumstances do not, however, relieve the Complainant of the burden of establishing bad-faith registration. The central question is the Respondent's purpose when registering <1688.ai> on 11 July 2023.

The disputed domain name consists of the four-digit number "1688" combined with the <.ai> TLD. Although the <.ai> extension is disregarded under the first element, its widely understood association with artificial intelligence may be relevant when assessing the Respondent's explanation for the registration under the second and third elements.

The Respondent's explanation for his choice of the number is not, by itself, determinative. However, his broader explanation for an AI-related registration is supported by the chronology: AI-related materials date from September and October 2023, shortly after registration, and the disputed domain name itself was subsequently used, before the present proceeding, for a webpage expressly referring to AGI.

That evidence weighs against the Complainant's contention that the Respondent registered the disputed domain name to exploit the goodwill attaching to its 1688 trade mark. There is no evidence that the Respondent used the disputed domain name to imitate the Complainant's marketplace, displayed Alibaba or 1688 branding, offered competing e-commerce services, diverted transactions, or otherwise used the website to create an association with the Complainant.

The Panel has separately considered the USD 168,888 sale listing. The Complainant's evidence confirms that the disputed domain name was offered through GoDaddy as a "Premium Domain Purchase" for a one-time price of USD 168,888. A separate DomainTools record likewise identified the disputed domain name as being for sale for that amount. The amount is substantial and understandably forms an important part of the Complainant's case.

Paragraph 4(b)(i) of the UDRP Policy, however, concerns circumstances indicating that a domain name was registered or acquired primarily for the purpose of selling, renting or otherwise transferring it to the complainant or a competitor for valuable consideration in excess of documented out-of-pocket costs. The sale evidence dates from almost three years after registration. There is no evidence that the Respondent approached the Complainant or any competitor to solicit a sale, that the disputed domain name was offered for sale when registered, or that the Respondent otherwise identified the Complainant as an intended purchaser. Nor was the period between registration and the later sale listing one of simple inactivity. During that period, the Respondent undertook documented AI-related project development and used the disputed domain name for an AGI-related webpage containing neither an offer for sale nor any reference to the Complainant.

In those circumstances, the later marketplace listing, even at a substantial price, is insufficient to establish on the balance of probabilities that the Respondent's primary purpose when registering the disputed domain name in July 2023 was to sell it to the Complainant or a competitor within the meaning of paragraph 4(b)(i) of the UDRP Policy.

The remaining circumstances relied upon by the Complainant do not materially alter that conclusion. The Panel gives limited weight to the Respondent's use of a registrar privacy service. In the absence of additional evidence of concealment or false registration information, the use of such a service does not materially establish the Respondent's intention at the time of registration.

The Panel likewise does not consider the alleged failure to respond to the Complainant's cease-and-desist communication determinative. The evidence shows that the communication was sent on 16 June 2026 to an anonymised Domains By Proxy e-mail address. The Respondent denies receiving it, and the evidence does not establish that it was personally received or read by him. In any event, any failure to respond to correspondence sent almost three years after registration cannot substitute for evidence of bad-faith intent at registration.

The 2025 renewal likewise does not alter the relevant registration date. The evidence includes a GoDaddy receipt dated 1 July 2025 recording payment for a two-year renewal of <1688.ai>. In light of the established registration date of 11 July 2023, the evidence supports the conclusion that the 2025 transaction was a renewal rather than a new acquisition. Accordingly, the operative registration date remains 11 July 2023.

Ultimately, the Panel need not determine that the Respondent's explanation is the only conceivable explanation for the registration of <1688.ai>, nor that the Respondent was necessarily unaware of the Complainant or its 1688 business. Knowledge of a trade mark does not, without more, establish registration in bad faith. The question is whether the Complainant has proved, on the balance of probabilities, that the Respondent registered the disputed domain name with the intention of targeting its trade mark.

Considering the record as a whole, particularly the Respondent's contemporaneous AI-related activities, the pre-dispute AGI-related use of the disputed domain name, the absence of website content targeting the Complainant and the substantially later sale listing, the Panel is not satisfied that the Complainant has discharged that burden.

The Complainant has therefore failed to establish that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the UDRP Policy.

E. Decision

For the foregoing reasons, the Panel finds that, although the disputed domain name is identical to the Complainant's 1688 trade mark, the Complainant has failed to establish the cumulative requirements of paragraph 4(a) of the UDRP Policy.

The Complaint is denied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Rejected

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

- 1. 1688.ai: Remaining with the Respondent

PANELLISTS

Name	Gustavo Moser
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DATE OF PANEL DECISION 2026-08-28

Publish the Decision