Decision for dispute CAC-UDRP-108960

Case number	CAC-UDRP-108960
Time of filing	2026-08-26 17:14:12
Domain names	xiaomiproductosperu.com

Case administrator

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

Complainant

Organization	Xiaomi Inc

Complainant representative

Organization	CSC Digital Brand Services Group AB

Respondent

Name	Mr. Renzo Cruz

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 (the "Domain Name").

IDENTIFICATION OF RIGHTS

The Complainant is the owner of various registered trade marks that comprise or incorporate the terms XIAOMI or MI. These include:

- International trade mark registration no. 1177611 for XIAOMI in stylised text, registered on 28 November 2012 in classes 9, 35, 38 and 42, and which has proceeded to registration in over 50 jurisdictions;
- International trade mark registration no. 1313041 for XIAOMI in stylised text, registered on 14 April 2016 in classes 7, 11 and 18, and which has proceeded to registration in over 50 jurisdictions;
- International trade mark registration no. 1173649 for a figurative mark comprising the letters MI in stylised form, registered on 28 November 2012 in classes 9, 35, 38 and 42, and which has proceeded to registration in over 50 jurisdictions; and
- Peruvian trade mark registration no. S00089018 for XIAOMI as a word mark, filed on 29 April 2015 and registered on 23 July 2015 in class 38.

FACTUAL BACKGROUND

FACTS CLAIMED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT

The Complainant was founded in April 2010 and was listed on the Main Board of the Hong Kong Stock Exchange on 9 July 2018. It is a consumer electronics and smart manufacturing company with smartphones and smart hardware connected by an Internet of Things platform at its core. It has grown to become one of the leading providers of innovative technology worldwide.

The Complainant's range of products includes phones, smart home devices including vacuums or kitchen appliances, and lifestyle goods such as smart watches or electric scooters. It is ranked number 3 by global market share in smartphones. Its global user base exceeds 594 million, with an estimated 1,079.2 million IoT connected devices. In the first quarter of Fiscal Year 2026, the Complainant achieved revenue of RMB 99.1 billion and an adjusted net profit of RMB 6.1 billion.

The Complainant's main website is located at its primary domain name, <mi.com>, which it gained control of on 21 April 2014. SimilarWeb has ranked that website the 990th most popular website globally, and the 129th in China, with an estimated 43.4 million individual visitors in June 2026 alone. The Complainant also gained control of the domain name <xiaomi.com> on 11 March 2013. The Complainant has 16 million Facebook followers and likes, 4.3 million Twitter followers and 5 million Instagram followers. The Complainant has marketed and sold its goods and services using its XIAOMI and MI marks since 2010, and has made significant investment to advertise and promote those marks worldwide in media and on the internet.

The Domain Name was registered on 1 October 2023. It resolves to a website that displays the Complainant's XIAOMI and MI logos, including a variant of its favicon, in relation to the sale of XIAOMI branded goods. The Respondent is also listing products that compete with the Complainant's offerings, including VSG, Segway and Sperax. The Respondent is not an authorised reseller of the Complainant's products. There is no visible disclaimer on the website, including in its "About Us" section, clarifying that the website is not endorsed or sponsored by the Complainant. Instead, the Respondent describes its business on the website as "a business dedicated to the import, distribution and sale of Xiaomi products" (in the original Spanish: "Nosotros somos Xiaomi Tienda Perú una empresa dedicada a la importación, distribución y venta de productos Xiaomi").

In Xiaomi Inc. v. Renzo Cruz, WIPO Case No. D2023-3045, a decision dated 11 September 2023, the panel in that case ordered the transfer to the Complainant of the domain name <xiaomitiendaperu.com>. That domain name resolved to a website identical to that of the Domain Name, displaying the same physical address and telephone number.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the 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 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 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 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

The Complainant has demonstrated that it has registered trade mark rights in the term XIAOMI. The Domain Name can only sensibly be read as the term XIAOMI combined with the Spanish word "productos" (i.e. "products"), the name of the country "Peru" and the ".com" gTLD. Accordingly, the Complainant's trade mark is clearly recognisable in the Domain Name. This is sufficient for a finding of confusing similarity under the Policy (see section 1.7 of the WIPO Overview 3.1). The Complainant has, therefore, satisfied the requirements of paragraph 4(a)(i) of the Policy.

The Panel is also satisfied that the Domain Name has been used for a website that falsely represents that it is operated or authorised by the Complainant. The website trades under the name "Xiaomi Tienda Perú", which is displayed together with the Complainant's MI logo, and uses that logo as part of its favicon. Its "About Us" section begins "Nosotros somos Xiaomi Tienda Perú" (i.e. "We are Xiaomi Peru Store") and there is no obvious disclaimer or other statement of the absence of any relationship with the Complainant. There is no right or legitimate interest in registering and using a domain name for a website that falsely represents that it is operated or authorised by a trade mark holder, and the registration and use of a domain name for such a purpose is in bad faith. It also falls within the scope of paragraph 4(b)(iv) of the Policy.

Further, and in any event, the Respondent cannot claim a legitimate interest as a reseller of the Complainant's goods under the principles set out in Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903 (see section 2.8 of the WIPO Overview 3.1). The website also offers third party products and, so far as the evidence shows, it does not identify the person or entity operating it (other than by the name "Xiaomi Tienda Perú"), let alone disclose that that person or entity is unconnected with the Complainant.

The Panel also notes that the registrant of the Domain Name disclosed by the Registrar is Renzo Cruz, the same name as the respondent in Xiaomi Inc. v. Renzo Cruz, WIPO Case No. D2023-3045, which concerned an identical website displaying the same address and telephone number. The Domain Name was registered less than three weeks after the decision in that case. The Panel infers that the Domain Name was registered in order to continue the activity found to be abusive in that case.

The Complainant has, therefore, satisfied the requirements of paragraphs 4(a)(ii) and (iii) of the Policy.

In coming to this conclusion, the Panel has not needed to take into account the Complainant's contentions as to the Respondent's use of a privacy service and declines to do so.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **xiaomiproductosperu.com**: Transferred

PANELLISTS

Name	**Matthew Harris**

DATE OF PANEL DECISION 2026-10-01

Publish the Decision