

Decision for dispute CAC-UDRP-108926

Case number CAC-UDRP-108926

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Domain names geekbarg.com

Case administrator

Name Olga Slanařová (Case admin)

Complainant

Organization Guangdong Qisitech CO., LTD.

Complainant representative

Organization Chofn Intellectual Property

Respondent

Name jing yin

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 is the owner of the following trademark registrations for GEEK BAR (the “GEEK BAR trademark”):

- the European Union trademark GEEK BAR (word) with registration No. 018225081, registered on August 26, 2020, for goods in International Class 34;
- the United States trademark GEEK BAR (word) with registration No. 6275589 registered on February 23, 2021, for goods in International Class 34; and
- the International trademark GEEK BAR (combined) with registration No. 1846001, registered on December 11, 2024 for goods in International Class 34.

FACTUAL BACKGROUND

The Complainant was established in 2016 and is engaged in the research and development, manufacture, and global distribution of disposable e-cigarette products under the brand GEEK BAR. The official website for the Complainant's GEEK BAR e-cigarette products is located at the domain name <geekbar.com>.

The disputed domain name was registered on June 6, 2025. It resolves to a website that prominently displays the Complainant's GEEK BAR trademark and promotes their products. This website copies the design and content of the Complainant's official website and includes the copyright notice "Copyright © 2025 GEEK BAR. All rights reserved."

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant states that the disputed domain name is confusingly similar to the GEEK BAR trademark, because it reproduces this trademark in its entirety with the addition of the letter "g", which carries no independent meaning and does not change the overall appearance of the disputed domain name, where the GEEK BAR trademark remains clearly recognisable. According to the Complainant, the disputed domain name represents a deliberate misspelling of the Complainant's trademark and was specifically selected to trade off on its goodwill, rather than being a coincidental or independent choice.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it has never authorised the Respondent to use the GEEK BAR trademark and there is no relationship between the Parties. The Complainant adds that the Respondent has no relevant trademark rights and is not commonly known by the disputed domain name.

The Complainant points out that the website at the disputed domain name reproduces the GEEK BAR trademark and logo, together with the Complainant's promotional imagery in a manner that presents the website as the Complainant's official website, rather than as an independent third-party operation. The Complainant points out that the Respondent does not disclose that it is not affiliated with the Complainant and does not comply with the requirement of the Oki Data test (Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903), that its website must prominently and accurately disclose its relationship with the trademark holder.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. According to it, the registration of the disputed domain name was a deliberate and targeted act, and not a coincidence. The Complainant notes that the disputed domain name was registered on June 6, 2025, well after the Complainant's earliest GEEK BAR trademark registration and at a time when the GEEK BAR brand had already achieved substantial global recognition in the disposable vape market. According to the Complainant, the Respondent selecting a domain name incorporating the GEEK BAR trademark with the addition of the single, meaningless letter "g," cannot plausibly claim ignorance of the Complainant or its rights. Rather, the Respondent has engaged in typosquatting, calculated to capture Internet users who mistype or misremember the Complainant's trademark, and this is confirmed by the content of the website at the disputed domain name, which replicates the Complainant's trademark and product presentation and asserts copyright ownership in the name "GEEK BAR" in the website's footer, with no disclaimer or qualification disclosing the Respondent's unaffiliated status. The Complainant points out that the website at the disputed domain name presents itself as the Complainant's own official website, including a dedicated "Wholesale" channel, which indicates an intent to extract commercial gain not only from individual consumers but also from business purchasers seeking to source GEEK BAR-branded inventory, amplifying the potential scope of harm to the Complainant's brand, supply chain integrity, and consumer safety, particularly given the regulated nature of nicotine-containing products.

RESPONDENT:

The Respondent did not submit a Response in this proceeding.

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

Pursuant to the Policy, paragraph 4(a), a complainant must prove each of the following to justify the transfer of a domain name:

- (i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the domain name; and
- (iii) the respondent has registered and is using the domain name in bad faith.

Identical or confusingly similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of the GEEK BAR trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel notes that a common practice has emerged under the Policy to disregard in appropriate circumstances the general Top-Level Domain ("gTLD") section of domain names for the purposes of the comparison under the Policy, paragraph 4(a)(i). The Panel sees no reason not to follow the same approach here, so it will disregard the ".com" gTLD section of the disputed domain name.

The disputed domain name incorporates the GEEK BAR trademark with the addition of the single letter "g" at the end. This difference has a low effect on the overall impression made by the disputed domain name, where the Complainant's trademark is easily recognisable, and the disputed domain name appears as an intentional variation of the trademark.

As discussed in section 1.9 of the WIPO Overview 3.1, a domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognisable aspects of the relevant mark. Under the second and third elements, panels will normally find that employing a misspelling in this way signals an intention on the part of the respondent (typically corroborated by infringing website content) to confuse users seeking or expecting the complainant.

The Panel therefore finds that the disputed domain name is confusingly similar to the GEEK BAR trademark in which the Complainant has rights.

Rights and legitimate interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognised that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

Having reviewed the available record, the Panel finds 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 rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

As summarised in section 2.8.1 of WIPO Overview 3.0, panels under the Policy have recognised that resellers and distributors using a domain name containing the complainant's trademark to undertake sales of the complainant's goods may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name, if they comply with certain cumulative requirements, among which is the requirement that the reseller's or distributor's website must accurately and prominently disclose its relationship with the trademark holder. This requirement has not been complied with in the present case.

The disputed domain name is a misspelled version of the GEEK BAR trademark and of the Complainant's domain name <geekbar.com>, and Internet users may regard them as referring to an online location of the Complainant for its GEEK BAR products. The disputed domain name resolves to a website that promotes the Complainant's GEEK BAR products, displays the GEEK BAR trademark and product images without identifying the supplier of the offered goods and without disclosing the lack of

relationship between the parties. The copyright notice on the website falsely claims the copyright in its content without mentioning the Complainant.

In view of the above and in the absence of any denial by the Respondent of it, the Panel is satisfied that it is more likely than not that the Respondent, being aware of the goodwill of the Complainant’s GEEK BAR trademark, has registered and used the disputed domain name in an attempt to exploit the trademark’s goodwill to attract Internet users to the Respondent’s website which offers the Complainant’s products by misleading them that this website belongs to the Complainant. To the Panel, such conduct does not appear to be legitimate and does not give rise to rights or legitimate interests of the Respondent in the disputed domain name.

The Panel therefore finds that the second element of the Policy has been established.

Bad faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

As discussed above, the disputed domain name is a misspelled version of the GEEK BAR trademark and resolves to a website that promotes the Complainant’s GEEK BAR products and displays the GEEK BAR trademark and product images, claiming the copyright in the website without disclosing the lack of relationship with the Complainant.

Taking the above into account, the Panel accepts that it is more likely than not that the Respondent has registered the disputed domain name with knowledge of the Complainant and targeting the GEEK BAR trademark in an attempt to attract traffic to the disputed domain name by confusing Internet users that they are reaching an official online location of the Complainant, and has used the disputed domain name to promote the Complainant’s products for commercial gain.

Taking the above into account, the Panel finds that the disputed domain name was registered and is being used in bad faith, and that the Complainant has established the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. **geekbarg.com**: Transferred

PANELLISTS

Name	Assen Alexiev
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DATE OF PANEL DECISION 2026-10-05

Publish the Decision