



Asian Domain Name Dispute Resolution Centre

seoul

(Seoul Office)

ADMINISTRATIVE PANEL DECISION

Case No. KR-2200236

Complainant: CJ Corporation

(Authorized Representative for Complainant: Y.P. Lee, Mock & Partners)

Respondent: Jane Dew

Disputed Domain Name(s): cjcj-app.com

1. The Parties and the Contested Domain Name

The Complainant is CJ Corporation, 12, Sowol-ro 2-gil, Jung-gu, Seoul, Republic of Korea.

The Respondent is Jane Dew, 233 Markey Street, Camana Bay, Grand Cayman KY1-9006, KY.

The domain name at issue is “cjcj-app.com,” which is registered on DropCatch.com, 381 LLC.

2. Procedural History

The Complaint was filed with the Seoul Office of the Asian Domain Name Dispute Resolution Center (ADNDRC; referred to hereafter as the “Center”) on March 22, 2022, in pursuit of a transfer of the domain name in dispute.

On March 24, 2022, the Center sent an email to the Registrar of DropCatch.com, 381 LLC, asking for detailed data on the domain name registrant. Later that same day, March 24, 2022, DropCatch.com, 381 LLC, transmitted by email to the Center its verification response, saying

that the Respondent is listed as the domain name registrant and providing the Respondent's contact details.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (referred to hereafter as the "Policy"), the Rules for the Uniform Domain Name Dispute Resolution Policy (referred to hereafter as the "Rules"), and the Center's Supplemental Rules for the Uniform Domain Name Dispute Resolution Policy (referred to hereafter as the "Supplemental Rules").


In accordance with the Rules, the Center formally notified the Respondent of the Complaint. The proceedings commenced on March 29, 2022, and the deadline for the Response was April 18, 2022. No Response was filed by the deadline.

On April 26, 2022, the Center, in accordance with Paragraph 7 of the Rules, organized the Panel for this case in a legitimate way, appointed Mr. Doug Jay Lee as the Sole Panelist, and obtained his consent to the appointment and his declaration and confirmation of his impartiality and independence in the administrative proceeding.

3. Factual background

A. Complainant

The Complainant is a holding company of CJ Group, which was founded in 1994 on the basis of Cheil Jedang Industrial Co., Ltd., which was established in 1953, and is one of the representative conglomerates of the Republic of Korea. The Complainant has long used "CJ" as its trade name and trademark. The Complainant owns hundreds of registrations for the trademarks "CJ,"



 "CJ," "CJ," and "CJ" for various goods and services in countries around the world, including the Republic of Korea, the People's Republic of China, and the United States.

B. Respondent

Access to the disputed domain name, which is not an active website, is transferred to "ww12.cj-cj-app.com". In addition, a search for the disputed domain name on Google produced

various websites containing “CJ,” including “CJ COOKIT,” “CJ ONE,” “CJ ONSTYLE,” “CJ THE MARKET,” and “CJ Onstyle.”

4. Parties’ Contentions


1) The Complainant has registered the trademarks “CJ,” “,” “,” and the like in countries around the world, including the Republic of Korea, the People’s Republic of China, and the United States. The Complainant’s “CJ” marks are famous worldwide. The disputed domain name is very similar to the Complainant’s registered trademarks and trade name.



2) The Respondent lacks the right to and legitimate interest in the disputed domain name. The Respondent has no relationship with the Complainant. The Complainant has never given its consent or permission to the Respondent to use the disputed domain name.

3) The Respondent has registered and used the disputed domain name in bad faith to intentionally lure Internet users to the Respondent’s website and cause confusion between the disputed domain name and the Complainant’s mark, mainly for the purpose of obstructing the Complainant’s business and/or earning commercial profits.

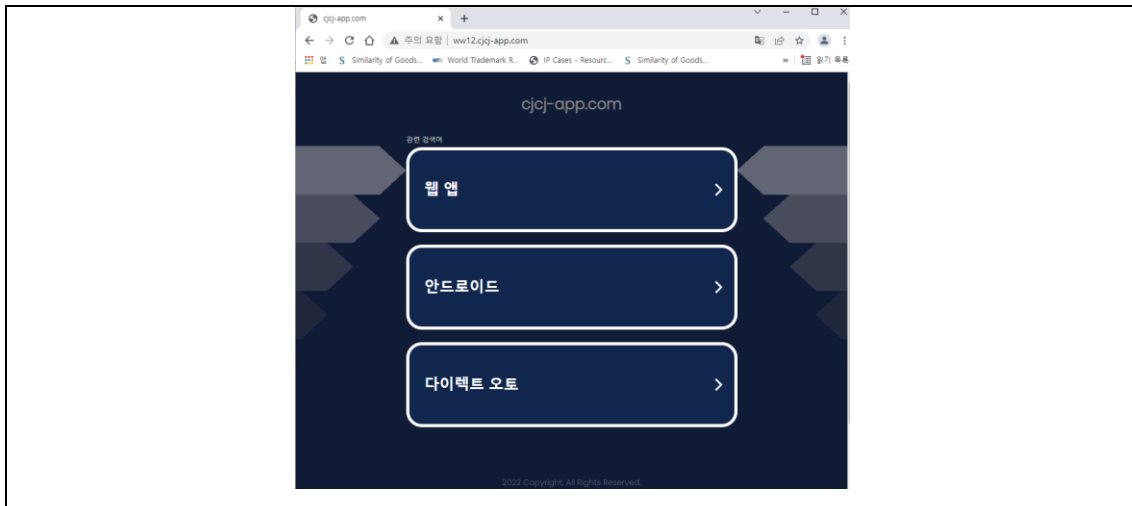
5. Findings

1) The disputed domain name was registered on February 26, 2022.

2) The Complainant has established rights to the mark “” through its registration with the Korean Intellectual Property Office (Reg. No. 41-94358, registered on December 10, 2003),

the mark “” (Reg. No. 41-94352, registered on December 10, 2003), and the mark “” (Reg. No. 45-43734, registered on February 22, 2013), among others.

3) Access to the disputed domain name is transferred to “ww12.cjcj-app.com” hereunder.



In addition, a search for the disputed domain name on Google produced various websites containing “CJ,” including “CJ COOKIT,” “CJ ONE,” “CJ ONSTYLE,” “CJ THE MARKET,” and “CJ Onstyle.”

6. Discussion




Paragraph 15(a) of the Rules instructs this Panel to “decide a Complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable.”

Paragraph 4(a) of the Policy requires the Complainant to prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- (1) the domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (2) the Respondent has no right to or legitimate interest in the domain name; and
- (3) the domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a response, the Panel will decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to Paragraphs 5(f), 14(a), and 15(a) of the Rules and draw the inferences it considers appropriate pursuant to Paragraph 14(b) of the Rules. The Panel is permitted to accept all reasonable allegations set forth in a Complaint; however, the Panel can deny relief if a Complaint contains mere conclusory or unsubstantiated arguments.

A) Identical / Confusingly Similar

The Complainant contends that it has rights to the mark “” (Reg. No. 41-94358, registered on December 10, 2003), the mark “” (Reg. No. 41-94352, registered on December 10, 2003), and the mark “” (Reg. No. 45-43734, registered on February 22, 2013), among others, through its registration with the Korean Intellectual Property Office. The registration of a mark with the national trademark authority is a valid demonstration of the right to a mark. Since the Complainant has provided the Panel with evidence of its trademark registrations, the Panel finds that the Complainant has established its rights to the relevant marks under Paragraph 4(a)(i) of the Policy.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademarks and trade name because the word “app” in the disputed domain name “cjcj-app.com” is a descriptive term that is frequently used as an abbreviation for the word “application” and the dominant portion of the disputed domain name is “cjcj,” which is a simple repetition of the Complainant's “CJ” trademark.

B) Rights and Legitimate Interests

The Complainant must first make a *prima facie* case that the Respondent lacks the right to and legitimate interest in the disputed domain name in accordance with Paragraph 4(a)(ii) of the Policy, and then the burden shifts to the Respondent to demonstrate that it does have the right to or a legitimate interest in the disputed domain name.

The Complainant contends that the Respondent has no relationship with the Complainant, and the Complainant never gave its permission to the Respondent nor entered into an agreement with the Respondent to register or use the disputed domain name.

The Panel finds that the Complainant has made a *prima facie* case that arises from the considerations above. All of these matters affirm the *prima facie* case made 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 to nor legitimate interests in the disputed domain name.

C) Bad Faith

The Complainant contends that the Respondent is misappropriating the goodwill of the Complainant's marks and its subsidiaries' marks in bad faith. The Complainant's goodwill and reputation among consumers around the world is evidenced by the following facts: a) the Complainant's brand value of 6 trillion Korean won and 635 billion Korean won was the highest among the holding companies listed on the Korean stock market in 2015; b) the Complainant was ranked 367th on the Brand Finance Global 500 list in 2021 and 460th in 2022; and c) the mark "CJ" is widely known among general consumers as a trademark of a specific person and therefore has distinctiveness in accordance with the Examination Guidelines of the Korean Intellectual Property Office.

The Complainant's famous trademarks predate the registration of the disputed domain name and the Respondent has never been authorized by the Complainant to register the disputed domain name.

A search for the disputed domain name on Google produces websites that appear to be related to the Complainant and its subsidiaries, including "CJ COOKIT," "CJ ONE," "CJ ONSTYLE," and "CJ THE MARKET." In addition, a search for "CJ Onstyle," which is a trademark of the Complainant and its subsidiaries, produces a link to www.scam-detector.com, which is a validator site that shows whether a website is legitimate or a scam.

In particular, the trademarks "CJ" and "CJ ONSTYLE," which are the trademarks of the Complainant and its subsidiaries, were used without the Complainant's permission but appear to be operated by the Complainant and its subsidiaries.

In addition, the Complainant's Customer Center reported an allegation of a fraudulent website submitted by a customer. An excerpt from the report is listed below (Annex 14: Complainant's Customer Center Report).

Complainant's Customer Center Report (excerpt)

접수내역

[고객][문의][연락불필요]

안녕하세요.

해외에서 <https://cjcj-app.com/> 이란 사이트가 입소문이 돌고 있는데, 아무리 봐도 CJ Onstyle을 사칭하는 사기성 사이트인것 같아 제보합니다.

[이미지1]

<http://image.cjonstyle.net/cfs/counsel/public/confirm/assets/counsel/202201/14/counsel/4662d7cfd7a29ad08fbeb8c3660bad7b7a772f16.png>

[이미지2]

<http://image.cjonstyle.net/cfs/counsel/public/confirm/assets/counsel/202201/14/counsel/a1d56219acf1f7199aa0387f5568d5b08bac2602.png>

[이미지3]

<http://image.cjonstyle.net/cfs/counsel/public/confirm/assets/counsel/202201/14/counsel/ac33453bccdb150db2bb2d9503370d369378d8b2.png>

CJ 이름은 물론 송중기 씨의 이미지도 그냥 도용해서 쓴 게 아닌가 의심스럽습니다.

Translation:

[Customer] [Question] [No response required]

Hello!

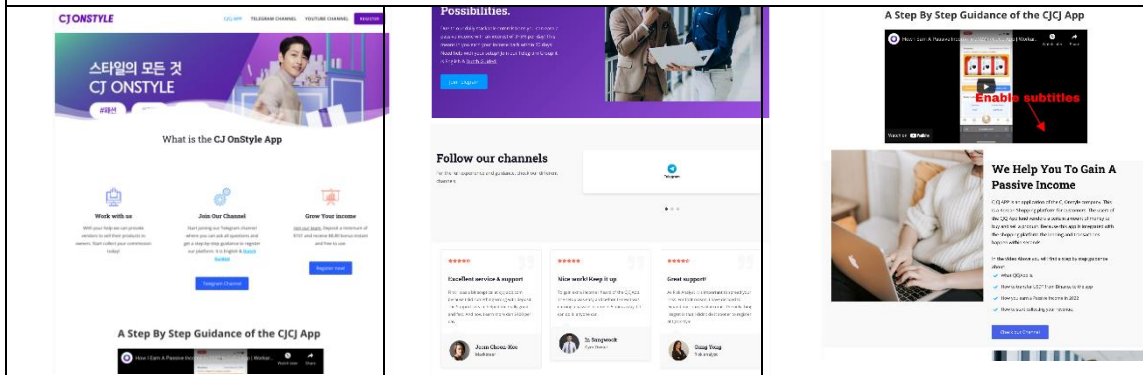
I'm reporting a website, <https://cjcj-app.com/>, that is known overseas and seems like a fraudulent site that appropriates CJ Onstyle.

[Image 1]

[Image 2]

[Image 3]

I suspect that the website is illegally using both the name "CJ" and pictures of the actor Song, Jung-gi.



According to the customer report, the disputed domain name uses the trademark and images of the online shopping mall of the Complainant and its subsidiaries without permission and appears to relate the trademark and images to the Complainant.

Therefore, the Panel finds that the Respondent registered and used the disputed domain name in bad faith.

7. Decision

The Panel orders that the disputed domain name “cjcj-app.com” be transferred to the Complainant for the reasons outlined in this document and in accordance with Paragraph 4(a) of the Policy and Paragraph 15 of the Rules.



Doug Jay Lee

Sole Panelist

Date: May 10, 2022