



(Hong Kong Office)
ADMINISTRATIVE PANEL DECISION

Case No.	HK-2201672
Complainant:	Chow Tai Fook Jewellery Co., Ltd
Respondent:	liu liya / KDkj
Disputed Domain Names:	(1) <chowtaifook-e.shop> (2) <chowtaifook-hk.shop>

1. The Parties and Contested Domain Names

The Complainant is Chow Tai Fook Jewellery Co., Ltd of 38/F, New World Tower, 16-18 Queen's Road Central, Hong Kong. The Complainant is represented in these administrative proceedings by Dorsey & Whitney, whose address is Room 2802, 28/F, Alexandra House, 18 Chater Road, Hong Kong.

The Respondent is liu liya, of KDkj, xujiahui 86524, shanghai 85014, CN, with email address of cgx965733533@gmail.com.

The domain names at issue are <chowtaifook-e.shop> and <chowtaifook-hk.shop>, registered by the Respondent with NAMESILO, IANA ID: 1479.

2. Procedural History

On 30 September 2022, the Complainant submitted a complaint in English to the Hong Kong Office of the Asian Domain Name Dispute Resolution Centre ("the ADNDRC-HK") and elected this case to be dealt with by a one-person panel, in accordance with the Uniform Domain Name Dispute Resolution Policy ("the Policy") approved by the Internet Corporation for Assigned Names and Numbers ("ICANN"), the Rules for Uniform Domain Name Dispute Resolution Policy ("the Rules") and the ADNDRC Supplemental Rules for Uniform Domain Name Dispute Resolution Policy ("the ADNDRC Supplemental Rules").

Upon receipt of the complaint, the ADNDRC-HK sent to the Complainant by email an acknowledgement of the receipt of the complaint and reviewed the format of the complaint for compliance with the Policy, the Rules and the ADNDRC Supplemental Rules. On the same day, upon request by the ADNDRC-HK, the Registrar transmitted by email to the ADNDRC-HK its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

On 3 October 2022, the ADNDRC-HK notified the Complainant that the information of the Respondent in the Complaint was different from the WHOIS information provided by

the Registrar and asked the Complainant to update the information of the Respondent in the Complaint by 8 October 2022.

On 3 October 2022, the Complainant amended the Complaint form. Upon receipt of the same, the ADNDRC-HK confirmed that the Complaint was in administrative compliance of the Policy and the Rules. Accordingly, on 5 October 2022, the ADNDRC-HK notified the Respondent about the commencement of the proceedings and the due date for the Respondent to file a response, being 20 days from 5 October 2022, i.e. on or before 25 October 2022.

The Respondent did not file any response within the stipulated time. On 26 October 2022, the ADNDRC-HK sent out notice noting that no response had been received and the complaint was to proceed to a decision by the Panel to be appointed.

On 26 October 2022, the ADNDRC-HK sent to Mr. Gary Soo a notification for the selection of a single-member panel to proceed to render the decision. Having received a declaration of impartiality and independence and a statement of acceptance from Mr. Gary Soo, the ADNDRC-HK notified the parties, on 27 October 2022, that the Panel in this case had been appointed, with Mr. Gary Soo acting as the sole panelist. On the same day, the Panel received the file by email from the ADNDRC-HK and was requested to render the Decision on or before 10 November 2022.

In the circumstances, the Panel proceeds in accordance with the Policy, the Rules and the Supplemental Rules to determine the matters in these Administrative Proceedings. For avoidance of doubts, the Panel notes that there is as yet no Response in accordance with the Policy, the Rules and the Supplemental Rules and the Panel proceeds with the determination on the basis of all the materials before the Panel, notwithstanding that individual matters may not have been referred to expressly in the below.

Language of Proceedings

Pursuant to Paragraph 11 (a) of the Rules, unless otherwise agreed by the Parties, or specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceedings.

The language of the current Disputed Domain Names registration agreement is English and, there being no otherwise agreement, the Panel determines English as the language of the proceedings.

3. Factual background

The Complainant

The Complainant is Chow Tai Fook Jewellery Co., Ltd of 38/F, New World Tower, 16-18 Queen's Road Central, Hong Kong. The Complainant is represented in these administrative

proceedings by Dorsey & Whitney, whose address is Room 2802, 28/F, Alexandra House, 18 Chater Road, Hong Kong.

The Respondent

The Respondent is liu liya / KDKJ, xujiahui 86524, shanghai 85014, CN, with email address of cgx965733533@gmail.com.

4. Parties' Contentions

A. The Complainant

The Complainant is the owner of over 420 trademark registrations and applications for "CHOW TAI FOOK" and/or "周大福" (collectively, "**the Complainant's Marks**") covering a wide range of goods and services in 33 jurisdictions around the world.

In Hong Kong, Mainland China, Taiwan and the United States, the Complainant has over 40 trademark registrations for the Complainant's Marks covering goods and services in, among other classes, Class 14 (jewellery; precious stones, etc.), Class 35 (retail and wholesale services for jewellery, precious stones; online retail store services featuring jewellery, precious stones, etc.) and Class 42 (computer services provided online; rental of web services, etc.) as provided in the table below. All of such marks were registered before 9 September 2022, i.e. the registration date of the Disputed Domain Names.

	Jurisdiction	Trade Mark	Reg. No.	Reg. Date	Class No.
1.	Hong Kong	CHOW TAI FOOK	199710362	February 10, 1992	14
2.	Hong Kong	CHOW TAI FOOK	199602721AA	March 2, 1992	35, 37, 40
3.	Hong Kong	CHOW TAI FOOK	302801051	November 13, 2013	35
4.	Hong Kong	CHOW TAI FOOK	303288934	January 30, 2015	36, 42
5.	Hong Kong	CHOW TAI FOOK	303812823	June 20, 2016	9, 42
6.	Hong Kong	周大福	199712161	February 10, 1992	14
7.	Hong Kong	周大福	302801042	November 13, 2013	35
8.	Hong Kong	周大福	199602725AA	March 2, 1992	35, 40
9.	Hong Kong	周大福	303288925	January 29, 2015	36, 42

	Jurisdiction	Trade Mark	Reg. No.	Reg. Date	Class No.
10.	Hong Kong	周大福	303812832	June 20, 2016	9, 42
11.	Hong Kong	周大福	304359178	December 6, 2017	14,35,36, 41, 43
12.	Hong Kong	周大福	304986523AB	July 9, 2019	9, 35, 37, 38, 41, 42
13.	Hong Kong		301625689	May 28, 2010	14,16, 35, 37, 40, 42
14.	Mainland China	CHOW TAI FOOK	632073	February 28, 2013	14
15.	Mainland China	CHOW TAI FOOK	1715502	February 14, 2012	35
16.	Mainland China	CHOW TAI FOOK	13417465	February 28, 2015	42
17.	Mainland China	周大福	632070	February 28, 2013	14
18.	Mainland China	周大福	1715501	February 14, 2022	35
19.	Mainland China	周大福	28526781	January 21, 2019	35
20.	Mainland China	周大福	13417347	February 28, 2015	42
21.	Mainland China	周大福	28526780	January 21, 2019	42
22.	Mainland China		12415157	September 21, 2014	14
23.	Mainland China		7788122	December 28, 2010	14
24.	Mainland China		12415155	September 21, 2014	35
25.	Mainland China		7791286	October 7, 2012	35
26.	Mainland China		12415152	September 21, 2014	42
27.	Mainland China		7789323	January 28, 2011	42
28.	Taiwan	CHOW TAI FOOK	01050757	August 16, 2003	14
29.	Taiwan	CHOW TAI FOOK	01283706	October 16, 2007	14
30.	Taiwan	CHOW TAI FOOK	00181144	June 16, 2003	35
31.	Taiwan	CHOW TAI FOOK	01284321	October 16, 2007	35
32.	Taiwan	CHOW TAI FOOK	01284465	October 16, 2007	42
33.	Taiwan	周大福	01050756	August 16, 2003	14
34.	Taiwan	周大福	01283705	October 16, 2007	14
35.	Taiwan	周大福	00181143	June 16, 2003	35

	Jurisdiction	Trade Mark	Reg. No.	Reg. Date	Class No.
36.	Taiwan	周大福	01284320	October 16, 2007	35
37.	Taiwan	周大福	01284464	October 16, 2007	42
38.	Taiwan		01532948	August 16, 2012	14, 16, 35, 37, 40, 42
39.	US	CHOW TAI FOOK	4635442	November 11, 2014	14, 35
40.	US	周大福	4635441	November 11, 2014	14, 35
41.	US		4352803	June 18, 2013	14
42.	US		6397307	June 21, 2022	35

Among others, the Complainant has a valid and subsisting trademark registration for “CHOW TAI FOOK” in Class 14 as a standalone mark in the Hong Kong with the date of registration as early as 10 February 1992.

The Complainant submits and provides documentary records in relation to the Complainant’s Marks.

The Complainant further submits as follows and provides documentary proof for the same:

- i. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant have rights.

The Complainant, Chow Tai Fook Jewellery Co. Ltd (周大福珠寶金行有限公司), was incorporated in Hong Kong in 1961. It is one of the companies within the Chow Tai Fook group, the Hong Kong-based privately-owned conglomerate founded as early as 1929 with holdings in the jewellery, property development, hotel, department store, energy, transportation and other businesses. The group has been partially listed on the Hong Kong Stock Exchange since 1972 via an associate company New World Development Company Limited (SEHK: 17) and since 2011 via subsidiary Chow Tai Fook Jewellery Group Limited (SEHK: 1929).

Since as early as 1929, the Chow Tai Fook group has been continuously and extensively using the English and Chinese trade names and house marks “CHOW TAI FOOK” and “周大福” in identifying itself and/or its goods and services, including its jewellery products. “Chow Tai Fook” is one of the largest jewellery brands in Hong Kong which is widely recognized for its trustworthiness and authenticity and is renowned for its product design, quality and value.

To date, there are over 5,000 retail outlets selling the Chow Tai Fook branded products in Hong Kong, Mainland China, Macau, Taiwan, South Korea, Singapore, Malaysia, United States and across Southeast Asia such as Singapore, Malaysia, Cambodia, the Philippines, Thailand and Vietnam. The Complainant's Marks are widely recognized worldwide, which can be evident from the results of various Internet searches – literally all results are directed to the Chow Tai Fook Group and/or its products / services.

The Complainant provides the relevant printouts of Internet searches against “Chow Tai Fook” on Google.

In addition to the trademark registrations for the Complainant's Marks set out in the above, the Complainant and its affiliates within the Chow Tai Fook group own a number of domain name registrations, including but not limited to <chowtaifook.com>, <ctfeshop.com.hk> and <ctfeshop.com>. The Complainant has been using the domain name <chowtaifook.com> to operate as its official website since 1996 and the domain name <ctfeshop.com.hk> to operate as its online store since 2011 and has been actively promoting and selling its goods and services under the Complainant's Marks online and offline.

<u>Domain Name</u>	<u>Date of Registration</u>
chowtaifook.com	July 29, 1996
ctfeshop.com.hk	January 12, 2011
ctfeshop.com	January 12, 2011

The Complainant provides the relevant printouts of Internet searches against “Chow Tai Fook” on Google, as well as screenshots of WHOIS records evidencing the Chow Tai Fook group's ownership of the domain names <chowtaifook.com>, <ctfeshop.com.hk> and <ctfeshop.com>; selected printouts of the website associated with <chowtaifook.com> (i.e. <https://www.chowtaifook.com/en/>) with the Complainant's Marks being annotated in red square brackets; and selected printouts of the website associated with <ctfeshop.com.hk> (i.e. <https://www.ctfeshop.com.hk/>) with the Complainant's Marks being annotated in red square brackets.

Through the long-term, continuous and widespread advertising, promotion and use of the Complainant's Marks by the Complainant's group, online and offline, the Complainant's Marks have become so well-known that the general public would immediately recognize goods and services bearing the Complainant's Marks as originating from the Complainant.

In sum, there can be no doubt that the Complainant enjoys prior rights in the Complainant's Marks.

In this case, the Disputed Domain Names <chowtaifook-e.shop> and <chowtaifook-hk.shop> are identical with or confusingly similar to the Complainant's Marks. Each of them incorporates the Complainant's well-known English trade name and house mark “CHOW TAI FOOK” in its entirety which is the most distinctive element of the respective Disputed Domain

Names, resulting in these domain names that are identical or confusingly similar to the Complainant's Marks of the Complainant.

The remaining portions in the respective Disputed Domain Names, "-hk" / "-e" and gTLD ".shop", do not and could not draw a reasonable Internet user's attention away from the fact that "chowtaifook" is the principal element of the Disputed Domain Names. Given that the Complainant is a renowned Hong Kong-based jewellery brand which has also been promoting and selling its jewellery products online via the websites <www.chowtaifook.com> and <www.ctfeshop.com.hk>, the said generic remaining portions in the respective Disputed Domain Names (i.e. "-hk" and "-e" and the gTLD ".shop") could only reinforce a reasonable Internet user's likelihood of confusion that the respective Disputed Domain Names are the Hong Kong shop or the online shop / eShop of the Complainant which is not the case.

In fact, the Respondent has already been using the Disputed Domain Names to set up two online shopping websites targeted at Chinese customers ("Respondent's Websites"). While there is no product available for sale in the website associated with <chowtaifook-hk.shop> yet, the one associated <chowtaifook-e.shop> is now in operation featuring the Complainant's Marks and selling jewellery products at a substantially reduced price. This suggests that Registrant intended the Disputed Domain Names to be confusingly similar to the Complainant's Marks as a means of furthering consumer confusion.

In this regard, a prior panel held that the addition of ".shop" as a top-level domain suffix generally cannot help to differentiate a disputed domain name. Nonetheless, the suffix may even add to the confusion by suggesting that the disputed domain name or its associated website is being used as a shop or online shop (similar to the situation in this case) and hence the first requirement stipulated under Paragraph 4(a) of the Policy is satisfied.

The Complainant provides printouts of the Respondent's Websites showing that they are set up as online shopping websites targeted at Chinese consumers, one of which has already been in operation selling Chow Tai Fook- branded jewellery products; and copy of the administrative panel decision of ADNDRC (Hong Kong Office) relating to case no. HK-2101530 for *Shenzhen Relx Technology Co., Ltd v Charles Lee*.

In sum, given that the Complainant is the owner of the Complainant's Marks which has become world renowned due to widespread and long-term use, and the fact that each of the Disputed Domain Names incorporates the Chow Tai Fook Mark in its entirety and that the Respondent's Websites are selling jewellery products featuring the Complainant's Marks, the Disputed Domain Names are therefore identical with or confusingly similar to the Complainant's Marks and infringes upon the Complainant's prior legal rights. Therefore, the Complainant satisfies the first requirement stipulated under Paragraph 4(a) of the Policy.

- ii. The Respondent has no rights or legitimate interests in respect of the domain name.

The most distinctive element in the Disputed Domain Names is “Chow Tai Fook”, which is a widely known indicia of the Complainant. In contrast, the Respondent does not have any rights or legitimate interests in respect of the Disputed Domain Names. Noting the difficulty of proving a negative, prior panels have found that a complainant’s burden of proof on this element is light.

The Complainant provides copy of the decision *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, D2003-0455 (WIPO, August 21, 2003).

As above, the Respondent is using the Disputed Domain Names to set up online shopping websites featuring the Complainant’s Marks and selling jewellery products at a substantially reduced price. The Complainant confirms that none of the companies within the Chow Tai Fook group has any relationship with the Respondent and the Respondent has never been authorized or licensed to use the Complainant’s Marks, to use the Disputed Domain Names or to operate any online shops selling the jewelry products.

The illegal use of the Disputed Domain Names constitutes blatant infringement of the Complainant’s trademarks and cannot be considered as a bona fide offering of goods or services.

Also, given that the Disputed Domain Names were only registered in less than one month on 9 September 2022, the Respondent is not and could not have been commonly known by the Disputed Domain Names.

Based on the foregoing, there is prima facie evidence to prove that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names. The Complainant satisfies the second requirement stipulated under Paragraph 4(a) of the Policy, and the Respondent bears the burden of proofing that it has such rights or legitimate interests.

- iii. The disputed domain name has been registered and is being used in bad faith.

As mentioned above, the Complainant is a company within the Hong Kong-based renowned conglomerate with over nearly a century of history and the distinctive Complainant’s Marks have become very well-known due to its long term and extensive use. On the other hand, the Respondent does not appear to have any rights or legitimate interest in registering and/or using the Disputed Domain Names. The Disputed Domain Names were only registered on 9 September 2022 and each contains the “CHOW TAI FOOK” mark in its entirety. Given the fame and reputation of the Complainant and the Complainant’s Marks globally, it is virtually impossible for the Respondent to have selected the Disputed Domain Names without knowing same. The Respondent should have been well aware of the Complainant and the Complainant’s Marks prior to registration, and the Disputed Domain Names have clearly been registered and are being used in bad faith.

As mentioned above, the Respondent's Website features Complainant's Marks and sells jewellery products at substantially reduced price. Such acts constitutes blatant infringement of the Complainant's trademark and other legal rights, which would tarnish the Complainant's goodwill, accumulated in the Complainant's Marks, among other things. Such use of the Disputed Domain Names by the Respondent also constitutes a breach of Clause 3(b)(ii) of the Registration Agreement as entered into with the registrar, pursuant to which the Respondent has warranted that the registration and use of the Disputed Domain Names does not infringe the intellectual property rights of anyone else.

Furthermore, by registering and using the Disputed Domain Names, the Respondent has prevented the Complainant from using its marks in the corresponding domain names, and disrupted the business of the Complainant which would further increase the likelihood of confusion and lead Internet users into believing that the Disputed Domain Names and/or the Respondent's websites and the merchandised products, or that the Respondent's use of the Disputed Domain Names, are authorized by the Complainant, taking advantage of the Complainant's fame and popularity.

The Complainant provides copies of two (2) decisions, namely: *Victoria's Secret et al v. Sherry Hardin*, Case No. FA 96694 (NAF, March 31, 2001) and *America Online, Inc. v. Anson Chan*, D2001-0004 (WIPO, February 22, 2001) which show that it has been widely held by previous panels that evidence of bad faith registration "includes actual or constructive knowledge of a commonly known mark at the time of registration"; and Registration Agreement relating to the Disputed Domain Names.

In sum, the Respondent's registration and use of the Disputed Domain Names are clearly acts done in bad faith described in Paragraph 4(b) of the Policy, and satisfy the third requirement stipulated under Paragraph 4(a) of the Policy. Therefore, the registration for the Disputed Domain Names should be transferred to the Complainant.

The Complainant requests that the disputed domain names be transferred to the Complainant.

B. Respondent

The Respondent is liu liya / KDkj, xujiahui 86524, shanghai 85014, CN, with email address of cgx965733533@gmail.com. The Respondent registered the Disputed Domain Names on 9 September 2022.

The Respondent has not submitted a response within the stipulated time.

5. Findings

Paragraph 14 of the Rules provides that, in the event that a Party, in the absence of exceptional circumstances, does not comply with any of the time periods established by the Rules or the Panel, the Panel shall proceed to a decision on the complaint; and that, if a Party, in the absence of exceptional circumstances, does not comply with any provision of,

or requirement under, the Rules or any request from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate.

Paragraph 15(a) of the Rules instructs the Panel as to the principles that the Panel is to use in determining the dispute, stating that the Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

The ICANN Uniform Domain Name Dispute Resolution Policy provides, at Paragraph 4(a), that each of three findings must be made in order for a Complainant to prevail:

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

A) Identical / Confusingly Similar

The Complainant was and is the holder of the various trademark registrations for the trademarks incorporating "Chow Tai Fook", i.e. the Complainant's Marks and the registrations were with various jurisdictions and of dates earlier than the registration of the Disputed Domain Names in issue by the Respondent. From the documents and evidence supplied, the Complainant is of wide scale operation with the Complainant's Marks, at places including Hong Kong. To all these, the Panel accepts and finds that the Complainant has the necessary legal rights and interests over the Complainant's Marks for the purpose of the Complaint.

The Panel finds it clear that the Disputed Domain Names <chowtaifook-e.shop> and <chowtaifook-hk.shop> both incorporate the "chowtaifook" part. The parts "e.shop" and "-hk.shop" are generic in nature and substance. The Panel accepts that the key distinctive identifications are the "chowtaifook" in the Disputed Domain Names. To some internet users, these are confusing with "Chow Tai Fook", i.e. the Complainant's Marks and/or their related websites with the "chowtaifook" part in the domain names. Both "chowtaifook" parts in the Disputed Domain Names are identical and/confusingly similar to the "Chow Tai Fook" marks and/or the Complainant's Marks. The Panel believes that they being the lower-case versions do not change these findings. Thus, in the circumstances, the Panel also believes that the use of the Respondent of the Disputed Domain Names adds on to such confusions. In this case, the Respondent created a likelihood of confusion with the Complainant and its trademark by using the "Chow Tai Fook" brand and name throughout the website.

Accordingly, the Panel finds that the Complainant has succeeded in proving the elements in Paragraph 4(a)(i) of the Policy as regards the Disputed Domain Names <chowtaifook-e.shop> and <chowtaifook-hk.shop> .

B) Rights and Legitimate Interests

In the present case the Complainant alleges that Respondent has no rights or legitimate interests in respect of the domain names. Also, there is nothing from the Respondent

showing that that the Complainant and the Respondent have any prior connection, and the latter has in any way been authorized by the former to use its mark in the Disputed Domain Names. As per the above, the Complainant's Marks have acquired significant recognition regionally and in places like Hong Kong and other places, prior to the registration of the Disputed Domain Names. The Panel also notes that the registered address of the Respondent is in Mainland China, where the Complainant's Marks are registered and used.

Furthermore, the Panel accepts that the part "chowtaifook" is not a term commonly used in the English language or any language and there is also no evidence that the Respondent has been commonly known by the Disputed Domain Names or has in any way has any rights or justified association to the name of "chowtaifook". The Panel also agrees that there is no other evidence, except for the Respondent's name in the WHOIS, which suggests that the Respondent is commonly known by the Disputed Domain Names. Thus, the Panel finds that the Respondent cannot be regarded as having acquired rights to or legitimate interests in the Disputed Domain Names.

The Respondent does not respond to the Complainant's submissions to disagree or to submit contrary evidence. There is no application from the Respondent to serve any response to explain or to rebut the Complainant's contentions.

Thus, in these circumstances, given the rights of the Complainant over the Complainant's Marks in places, including Hong Kong and Mainland China, which is the registered address of the Respondent according to the WHOIS information, the Panel finds that the Complainant has succeeded in proving the elements in Paragraph 4(a)(ii) of the Policy as regards the Disputed Domain Names <chowtaifook-e.shop> and <chowtaifook-hk.shop>.

C) Bad Faith

Under Paragraph 4(b) of the Policy, the following are relevant examples a Panel may take as evidence of registration and use in bad faith:

- (i) Circumstances indicating that the Respondent has registered or acquired the domain name primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) The Respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or
- (iii) The Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) By using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, internet users to its website or other on-line location, by creating a likelihood of confusion with the Complainant's Marks as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

The Complainant contends that it is clear that the Disputed Domain Names have been registered and are being used in bad faith. The Complainant highlights that the Complainant obtained its registration for the Complainant's Marks for years and had become widely known among internet users and the relevant public in the sectors and various regions. The Complainant submits that, from the print-outs and other evidence, the Respondent was clearly aware of and was targeting the Complainant and/or the Complainant's Marks and the associated goodwill in registering / using the Disputed Domain Names. The Complainant submits that the use of the Respondent of the Disputed Domain Names also points to bad faith. To all these, the Respondent does not respond to disagree or to submit contrary evidence.

The Panel accepts these as factual findings and agrees with the Complainant that the Respondent registers the domain names in issue knowing the rights and interests of the Complainant over the Complainant's Marks. The Panel particularly notices that the Complainant's Marks had been registered as trademarks in Hong Kong, which one of the Disputed Domain Names seemingly refers to by the "-hk" part therein, and in Mainland China, which is the same as the registered address of the Respondent according to the WHOIS information. Accordingly, the Panel finds that all these do constitute bad faith on the part of the Respondent in the use and registration of the Disputed Domain Names.

Therefore, the Panel also finds that the Complainant has succeeded in proving the elements in Paragraph 4(a)(iii) of the Policy as regards the Disputed Domain Names <chowtaifook-e.shop> and <chowtaifook-hk.shop>.

6. Decision

Having established all three elements required under the Policy in respect of the Disputed Domain Names <chowtaifook-e.shop> and <chowtaifook-hk.shop>, the Panel concludes that relief should be granted in favour of the Complainant. Accordingly, the Panel decides and orders that the Disputed Domain Names <chowtaifook-e.shop> and <chowtaifook-hk.shop> shall be transferred from the Respondent to the Complainant.



Gary Soo
Sole Panelist

8 November 2022