

## ADMINISTRATIVE PANEL DECISION

Paradise International General Trading LLC v. 杨帅 (yang shuai)  
Case No. D2024-4318

### 1. The Parties

The Complainant is Paradise International General Trading LLC, United Arab Emirates, represented by Abou Naja Intellectual Property, United Arab Emirates.

The Respondent is 杨帅 (yang shuai), China.

### 2. The Domain Name and Registrar

The disputed domain name <greenwealthn.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the "Registrar").

### 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on October 19, 2024. On October 21, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 22, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (NA) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 22, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed amended Complaints in English on October 23 and 24, 2024.

On October 22, 2024, the Center informed the parties in Chinese and English, that the language of the registration agreement for the disputed domain name is Chinese. On October 29, 2024, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

The Center verified that the Complaint together with the amended Complaints satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").




In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent in Chinese and English of the Complaint, and the proceedings commenced on October 29, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 19, 2024.



The Center appointed Linda Chang as the sole panelist in this matter on November 21, 2024. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### 4. Factual Background

The Complainant, founded in 1989, claims to be a well-known United Arab Emirates company and a pioneer in the field of manufacturing and marketing of cosmetics, essential oils, hair oils, soaps, shampoos, and hair lotions including perfumes and hair lotions based on mint.

The Complainant is the owner of a number of GREEN WEALTH and GREEN WEALTH NEO HAIR LOTION trademarks, including:

- The United Arab Emirates trademark  Registration No.332472, registered on October 5, 2020, in Class 3;
- The United Kingdom trademark  Registration No. UK00003595408, registered on February 15, 2021, in Class 3;
- The European Union trademark GREEN WEALTH Registration No.018449325, registered on July 29, 2021, in Class 3;
- The Singapore trademark GREEN WEALTH Registration No.40202112202U, filing on May 27, 2021, in Class 3;
- The Hong Kong, China trademark GREEN WEALTH Registration No.305701211, registered on July 28, 2021, in Classes 3, and 5;
- The United States of America trademark GREEN WEALTH Registration No. 6764102, registered on June 21, 2022, in Class 3;
- The United States of America trademark  Registration No. 6748454, registered on May 31, 2022, in Class 5.
- The European Union trademark of GREEN WEALTH NEO HAIR LOTION Registration No. 018656439, registered on June 3, 2022, in Classes 3 and 5.

The disputed domain name was registered on August 3, 2024. Presently, the disputed domain name resolves to inactive website. According to the case files, the disputed domain name previously resolved to a website displaying the Complainant's  trademark, purportedly offering "Green Wealth Neo Hair Lotion" products that bear the Complainant's  trademark and displaying "© 2024 Paradise International General Trading LLC, All Rights Reserved." at the bottom of the webpage.

#### 5. Parties' Contentions

##### A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that:

i) the disputed domain name reproduces the Complainant's GREEN WEALTH trademark and is confusingly similar to the GREEN WEALTH trademark;

ii) the Respondent has no rights or legitimate interests to the disputed domain name;

iii) the Respondent has not used the disputed domain name in connection with a bona fide offering of goods or services, or a legitimate, noncommercial or fair use.

iv) by using the disputed domain name, the Respondent intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's GREEN WEALTH trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location, or of a product or service on the Respondent's website.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **6.1 Language of the Proceeding**

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English, for the reason that the disputed domain name and its website are in English.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

### **6.2 Substantive Issues**

#### **A. 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 3.0](#), section 1.7.

Based on the available records, the Complainant has shown rights in respect of the GREEN WEALTH

trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name comprises of “greenwealthn” and “.com”. The generic Top-Level Domain (“gTLD”) suffix “.com” as a standard registration requirement should be disregarded in the assessment of confusing similarity under the Policy.

The dominant part of the disputed domain name is “greenwealthn”, which reproduces the GREEN WEALTH trademark. The additional letter “n” at the end of the GREEN WEALTH trademark does not prevent recognition of the GREEN WEALTH trademark in the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the GREEN WEALTH trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.9.



The Panel finds the first element of the Policy has been established.

## **B. Rights or 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 recognized that proving 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 3.0](#), section 2.1.

The information in the case files show that:



- the disputed domain name resolved to a website displaying the Complainant's  trademark, purportedly offering “Green Wealth Neo Hair Lotion” products that bear the Complainant's  trademark and displaying “© 2024 Paradise International General Trading LLC, All Rights Reserved.” at the bottom of the webpage. Such use of the disputed domain name indicates the Respondent's intention to divert Internet traffic to its own website through confusing the relationship between its own website and the Complainant, which cannot be deemed as a bona fide offering of goods or services or a legitimate noncommercial or fair use;
- there is no evidence proving that the Respondent has been commonly known by the disputed domain name; and
- the nature of the disputed domain name, incorporating the Complainant's GREEN WEALTH trademark in its entirety with an additional letter “n”, which is adjacent to the letter “h” on a QWERTY keyboard, is inherently misleading, as the Internet users will not easily notice the difference between such misspelling and the Complainant's trademark; and
- no other factors demonstrate the rights or legitimate interests of the Respondent in the disputed domain name.

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.


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

### **C. Registered and Used in 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.

In the present case, the Panel notes that the registration date of the Complainant's GREEN WEALTH trademark predates the registration date of the disputed domain name. The Respondent registered the disputed domain name that fully incorporates the Complainant's GREEN WEALTH trademark and directed it to a website displaying the Complainant's  trademark, purportedly offering "Green Wealth Neo Hair Lotion" products that bear the Complainant's  trademark and displaying "© 2024 Paradise International General Trading LLC, All Rights Reserved." at the bottom of the webpage. The Panel determines that the Respondent had actual knowledge of the Complainant and the GREEN WEALTH trademark at the time of registering the disputed domain name, and bad faith is found.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The disputed domain name is inactive at the moment but was once used to host a website that displayed the Complainant's  trademark, in the manner as described in the above paragraph. The Panel holds that by selecting disputed domain name confusingly similar to the Complainant's GREEN WEALTH trademark, and using it in the manner as described, the Respondent obviously intended to attract, for commercial gain, Internet users to the disputed domain name and the associated website by creating a likelihood of confusion with the Complainant's GREEN WEALTH trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. The current non-use of the disputed domain name does not prevent the Panel's finding of the Respondent's bad faith. [WIPO Overview 3.0](#), section 3.3.

The Panel finds that the Complainant has established the third element of the Policy.

### **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <greenwealthn.com> be transferred to the Complainant.

*/Linda Chang/*

**Linda Chang**

Sole Panelist

Date: December 5, 2024