

ADMINISTRATIVE PANEL DECISION

Expanscience v. 陶玉良 (tao yu liang)

Case No. D2025-1635

1. The Parties

The Complainant is Expanscience, France, represented by Nameshield, France.

The Respondent is 陶玉良 (tao yu liang), China.

2. The Domain Name and Registrar

The disputed domain name <expanscience.asia> 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 April 23, 2025. On April 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 25, 2025, 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 (REDACTED) and contact information in the Complaint. The Center sent an email communication in Chinese and English to the Complainant on April 30, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint in English on May 2, 2025.

On April 30, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On May 2, 2025, the Complainant confirmed its request that English 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 Complaint 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 May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 1, 2025.

The Center appointed C. K. Kwong as the sole panelist in this matter on June 6, 2025. 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 is the registered owner of trademarks consisting of or embodying the expression “Expanscience”. As claimed in the amended Complaint and referred to in Annex 4 of the amended Complaint, these registrations include:

Jurisdiction	Registration No.	International Classification of goods/services
International Registration	Registration No. 282517 for EXPANSCIENCE, registered on April 17, 1964	1, 3, 5, 10, and 21

The Complainant develops and manufactures innovative osteoarthritis and skincare products. It operates an official website at “www.expanscience.com” (Annex 5 to the amended Complaint). The disputed domain name was registered on April 9, 2025, and at the time of filing of the Complaint, did not resolve to any active website.

Other than the particulars shown in the printout of the database searches conducted by the Complainant on the WhoIs Database (Annex 1 to the amended Complaint), and the MX record connected to the disputed domain name (Annex 7 to the amended Complaint), there is no evidence concerning the background, businesses or activities of the Respondent.

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.

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

This Complainant is a pharmaceutical and dermo-cosmetics laboratory, established for more than 70 years. It develops and manufactures innovative osteoarthritis and skincare products with 13 subsidiaries operating in over 100 countries. In 2024, over 78% of the company’s turnover is generated by international business. The Complainant owns several trademarks comprising the term “expanscience”.

The disputed domain name <expanscience.asia> was registered on April 9, 2025 and resolves to an inactive website.

The disputed domain name incorporates entirely the Complainant’s registered trademark EXPANSCIENCE.

The addition of the generic Top-Level Domain (“gTLD”) suffix “.asia” does not change the overall impression or prevent the likelihood of confusion between the disputed domain name and the Complainant’s trademark.

The Respondent is not commonly known as the disputed domain name as recorded in the WhoIs database and has not acquired trademarks mark rights on EXPANSCIENCE.

The Respondent has no rights or legitimate interests in respect of the disputed domain name <expanscience.asia>. The Complainant has not licensed or authorized the Respondent to use its trademarks. The Respondent has no relationship with the Complainant.

There is no evidence that the Respondent is commonly known by the disputed domain name or owns any registered trademarks embodying the term “expanscience”. The Respondent has not used the disputed domain name.

The registration of the Complainant’s trademark EXPANSCIENCE predates the registration of the disputed domain name.

Most results from searches of the term “expanscience” on search engines refer to the Complainant. Given the distinctiveness of the Complainant’s trademarks and reputation, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant’s trademark.

It is not possible to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate.

The disputed domain name has been set up with MX records which suggests that it may be actively used for email purposes.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issues

A. Service of Documents

Having considered the records in the case file, the Panel is satisfied that the Center has discharged its responsibility under paragraph 2(a) of the Rules to employ reasonably available means calculated to achieve actual notice to the Respondent of the Complaint.

In this connection, it is noted that on May 6, 2025, the Center forwarded the notification of Complaint and commencement of administrative proceedings according to the contact details of the Respondent, including those found in the amended Complaint, WhoIs, and Registrar verification. The said notification was sent by email and courier as per the contact particulars provided in such contact details, with copies to the Registrar. According to the courier service delivery records contained in the case file, the Written Notice was “Delivered” on May 12, 2025.

B. 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 following reasons:

- English is the language most widely used in international relations;
- The disputed domain name is formed by words in Roman characters (ASCII) and not in Chinese script;
- To proceed in Chinese, the Complainant would have had to retain specialized translation services at a cost likely to be higher than the overall cost of these proceedings; and
- The Center will inform the Respondent in Chinese and affords the Respondent the opportunity to do all of the above in Chinese.

The Respondent did not make any specific submissions with respect to the Complainant's request for the language of the proceeding be in English.

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: The Three Elements

In rendering its decision, the Panel must adjudicate the dispute in accordance with paragraph 15(a) of the Rules which provides that, "[the] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 14(b) of the Rules further provides that, "[i]f a Party, in the absence of exceptional circumstances, does not comply with any provisions of, or requirement under, these Rules or any request from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate".

The said three elements are considered below.

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.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark EXPANSCIENCE is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

It is well-established practice to disregard the gTLD, in this case ".asia".

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.

Further, the Panel notes that the name of the Respondent does not correspond in any way with the disputed domain name. From the evidence available to the Panel, the Respondent does not appear to be commonly known as “expanscience”. There is also no evidence available to demonstrate any legitimate noncommercial or fair use of the disputed domain name by the Respondent.

There is no plausible explanation on the record as to why it was necessary for the Respondent to adopt the term “expanscience” in its domain name.

The Complainant has also confirmed that it has not licensed or authorized the Respondent to use its trademark EXPANSCIENCE in any way.

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 case 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.

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 Complainant registered its EXPANSCIENCE trademark as detailed in Section 4 of this Decision above at least 60 years before the registration of the disputed domain name by the Respondent in 2025.

The incorporation of the EXPANSCIENCE trademark entirely letter by letter as part of the disputed domain name without any explanation, and the Complainant’s prior substantial and extensive use of the trademarks to promote and conduct its business through its official website at “www.expanscience.com” since 1997 for over 28 years using the Complainant’s EXPANSCIENCE mark, as well as the frequent references to the Complainant and its trademark on Internet searches using the term “expanscience” lead to the conclusion that the Respondent was aware of or should have been aware of the existence of the Complainant and its trademark EXPANSCIENCE at the time of the registration of the disputed domain name.

Although the disputed domain name resolves to an inactive website, as discussed in [WIPO Overview 3.0](#), section 3.3, it does not prevent a finding of bad faith under the circumstances of this case. On the other hand, there is potential use of the disputed domain name for email purpose (Annex 7 to the amended Complaint).

Based on the available record, the Panel cannot conceive of any use by the Respondent of the disputed domain name that would not be a bad-faith use. Some degree of deception or confusion would seem to be inevitable in any use by the Respondent of the disputed domain name. The use of the term “expanscience” in the disputed domain name is likely to create confusion with the Complainant’s mark.

The Panel finds that the disputed domain name has been registered and used in bad faith under paragraph 4(a)(iii) of the Policy.

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 <expanscience.asia> be transferred to the Complainant.

/C. K. Kwong/

C. K. Kwong

Sole Panelist

Date: June 20, 2025