ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Reve AI, Inc. v. James Gavin and gavin guang, yilingdata
Case No. D2025-5311

1. The Parties

Complainant is Reve AI, Inc., United States of America (the "United States"), represented by Waterman Legal, United States.

Respondents are James Gavin, United States and gavin guang, yilingdata, China.

2. The Domain Names and Registrars

The disputed domain name <reveai.art> is registered with NameCheap, Inc. and the disputed domain name <reveimage.net> is registered with CloudFlare, Inc. (collectively the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 18, 2025. On December 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 19 and 22, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Privacy Service Prvided by Withheld for Privacy ehf) and contact information in the Complaint.

The Center sent an email communication to Complainant on December 25, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on January 5, 2026 addressing the Center's request.

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 Respondent of the Complaint, and the proceedings commenced on January 30, 2026 In accordance with the Rules, paragraph 5, the due date for Response was February 19, 2026. The Center received email communications on December 27, and 30, 2025, and January 3, 5, 7, and 8, 2026, from Complainant and registrants relating to nine of the eleven disputed domain names identified in the initial Complaint that were removed prior to the commencement of the current proceedings either due to a request from Complainant to split the case and withdraw seven disputed domain names in order to file complaints separately from this proceeding and/or due to the fact that the parties reached settlement agreements for two disputed domain names which resulted in partial dismissal with respect to two domain names as of January 28, 2026. However, the Center has not received any formal Response from Respondent identified as the registrant of each of the remaining two disputed domain names at issue in these proceedings. Accordingly, the Center notified the commencement of the panel appointment process on February 25, 2026.

The Center appointed Scott R. Austin as the sole panelist in this matter on March 5, 2026. 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 following facts appear from the Complaint (as amended) and its attached Annexes, which have not been contested by Respondent, and provide evidence sufficient to support:

Complainant, a Delaware corporation headquartered in Palo Alto, California, is a software company that provides innovative and advanced artificial intelligence ("AI") powered downloadable and non-downloadable software tools that allow users to create and edit high-quality images from text prompts and image-to-image generation sold under the trademark REVE (the "REVE Mark") since at least as early as February 5, 2025.

Complainant also shows it incorporates the REVE Mark into its official domain names <reve.com> and <reve.art> both of which are used to access Complainant's official websites ("Official Websites") where Complainant offers and advertises its software and AI tools and services to its customers under the REVE Mark.

Complainant claims common law rights in the REVE Mark based on use since February 5, 2025, inherent distinctiveness as "an invented fanciful trademark with no meaning in the English language," and substantial and accelerated media attention and recognition since its founding in February 2025 supported by online evidence submitted in the Annexes to its Complaint.

Complainant shows statutory rights in the REVE Mark based on its ownership of trademark registrations comprising or containing the REVE Mark, including the following:

U.S. Registration No. 7,994,787, REVE, registered October 21, 2025, covering software as a service (saas) services featuring software for generating images from text in International Class 42; and

International Registration No. 1883716, REVE, registered September 19, 2025, covering a range of downloadable computer software products for generating images, video, and audio, including "downloadable computer software for using artificial intelligence for generating images, video, and audio" in International Class 9 and related services "providing on-line non-downloadable software for using artificial intelligence for generating images, video, and audio" in International Class 42.

Complainant has also submitted evidence of pending applications in a number of jurisdictions worldwide, including, but not limited to, the United States, Mexico, Australia, New Zealand, Brazil, Canada, India, the United Kingdom, and the European Union in the Annexes to its Complaint.

The WhoIs record shows that Respondents registered the respective disputed domain names on the same day, March 21, 2025, and each resolves to a website offering AI-powered image generation tools similar to those provided by Complainant, which are essentially identical to each other down to the sample digital images featured; both Respondents' websites display the REVE Mark, purportedly offering "Reve Image Tools" featured among the links for its AI image editing software, under the terms "World's First Unlimited Free AI Image Generator" without any accurate or prominent disclaimer.

5. Parties' Contentions

A. Complainant

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

Notably, Complainant contends: 1) that each disputed domain name is confusingly similar to Complainant's REVE Mark because each is configured to contain the REVE Mark in its entirety, followed by a generic term that relates to Complainant's software, such as "AI" in the disputed domain name <reveai.art>, and "image" in the disputed domain name <reveimage.net>, appended to a generic Top-Level Domain ("gTLD") ".art" and ".net", respectively, which does not prevent a finding of confusing similarity; 2) that each Respondent has no rights or legitimate interests in their respective disputed domain name because Complainant has not authorized either Respondent to register a domain name containing the REVE Mark, nor has either Respondent ever been commonly known by their disputed domain name; and 3) that each disputed domain name was registered and is used in bad faith because each Respondent used their respective disputed domain name to impersonate Complainant.

B. Respondent

Neither Respondent replied to Complainant's contentions.

6. Discussion and Findings

There are no exceptional circumstances within paragraph 5(e) of the Rules to prevent this Panel from determining the present dispute based upon the Complaint (as amended), notwithstanding the failure of any person to lodge a substantive formal Response in compliance with the Rules. Under paragraph 14 of the Rules, where a party does not comply with any provision of the Rules, the Panel shall "draw such inferences therefrom as it considers appropriate".

Where no substantive Response is filed, however, Complainant must still make out its case in all respects under paragraph 4(a) of the Policy. To succeed, Complainant must demonstrate that the requirements for each of the elements listed in paragraph 4(a) of the Policy have been satisfied.

The Panel will address its findings on each of these elements in more detail below.

The standard of proof under the Policy is often expressed as the "balance of the probabilities" or "preponderance of the evidence" standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.2.

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

Neither Respondent commented on Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview 3.1, section 4.11.2.

As regards common control, the Panel notes that both disputed domain names were filed on the same day, are similar in their configuration, incorporate the REVE Mark in its entirety and add terms that relate to Complainant's business such as "AI" and "image"; both resolve to nearly pixel perfect copies of each other, including the sample "AI edited" images featured at each site. This Panel finds such evidence amounts to a textbook example of common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel orders the consolidation of the disputes regarding the nominally different disputed domain name registrants (referred to hereafter collectively as "Respondent") in a single proceeding.

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 Complainant's trademark and the disputed domain name. WIPO Overview 3.1, section 1.7.

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. WIPO Overview 3.1, section 1.2.1. The Panel finds Complainant has demonstrated its trademark rights because it has shown that it is the holder of multiple valid and subsisting trademark registrations for the REVE Mark, internationally and especially in the United States, where one of Respondent is purportedly located. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. D2014-0657.

Considering the REVE Mark registration dates are subsequent to the registration dates of each disputed domain name, the Panel notes that for the purposes of the first element assessment, it is not necessary that a complainant's trademark rights predate the registration of the domain name concerned. All that is required is that such rights are in existence at the time the complaint is filed. WIPO Overview 3.1, section 1.1.3.

Complainant claims common law rights and shows that a combination of factors demonstrates that as of the filing of the Complaint common law rights in the REVE Mark were established through acquired distinctiveness. Based on the nature of its mark as an invented or coined term, evidence of widespread and accelerated recognition of the REVE Mark through awards and advertising in relevant trade media and recognition by consumers relevant to its industry shown in social media evidence common law trademark rights in the REVE mark are present. Prior UDRP panels have found common law rights based on these factors. See, e.g., *Imperial College v. Christophe Dessimoz,* WIPO Case No. D2004-0322.

With Complainant's rights in the REVE Mark established, the remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to Complainant's REVE Mark.

Prior UDRP panels have held that the incorporation of the entirety of a trademark in a domain name is sufficient to establish identity or confusing similarity for purposes of the Policy. See WIPO Overview 3.1, sections 1.7 and 1.8 ("Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element"); see also *United Talent Agency, LLC v.*

Lianxin Zhou, WIPO Case No. D2024-1160*;* and *Carrefour SA v. yuri eros, יינות ביתן בע"מ* , WIPO Case No. D2022-1277.

The disputed domain names each incorporate Complainant's REVE Mark in its entirety and adds only the terms "ai" in the disputed domain name <reveai.art>, and "image" in the disputed domain name <reveimage.net> followed by their respective gTLD ".art" and ".net". The addition of each gTLD is irrelevant in determining whether the disputed domain name is confusingly similar to the mark. WIPO Overview 3.1, section 1.11. See also, *Philip Morris Products S.A. v. Stanislav Severin,* WIPO Case No. D2020-1546.

Complainant also asserts the use of generic terms that are related to Complainant's software products and services, here "art", "ai", and "image" in the disputed domain names, increases the similarity between Complainant's trademark and the disputed domain names. The Panel notes this aspect of each disputed domain name's configuration is more appropriate for consideration for purposes of the second and third elements of the Policy.

This Panel finds confusing similarity between each disputed domain name and Complainant's REVE Mark, which remains fully recognizable as incorporated in its entirety into each disputed domain name. WIPO Overview 3.1, section 1.7.

Accordingly, the Panel finds that Complainant has satisfied paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which 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 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. See also, *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. D2008-1393.

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

First, based on the available record, it is clear Complainant has no business relationship with Respondent, nor have they authorized, licensed, or otherwise permitted Respondent to use the REVE Mark. Complainant also contends that Respondent is not commonly known by either disputed domain name or by any similar name because each Respondent identified by their respective Registrar, whether "James Gavin" or "gavin guang, yilingdata", clearly bears no resemblance to the term "reve", the REVE Mark, or either disputed domain name. The Panel finds that Respondent is not commonly known by the disputed domain name for purposes of the Policy. Prior UDRP panels have held where no evidence, including the Whols record for the disputed domain name, suggests that a respondent is commonly known by the disputed domain name, then the respondent cannot be regarded as having acquired rights to or legitimate interests in the disputed domain name within the meaning of Policy paragraph 4(c)(ii). See *Moncler S.p.A. v. Bestinfo,* WIPO Case No. D2004-1049.

Most importantly Complainant contends that Respondent has not used either disputed domain name in connection with a bona fide offering of goods and services because each is configured employing Complainant's REVE Mark coupled with a term that represents a feature or quality of its software (e.g., "AI", "image", "art") used solely to exploit the goodwill and success of the REVE Mark in order to drive consumers to each Respondent's website under the guise that the software advertised on each Respondent's website is associated with or approved by Complainant, when that is not the case.

The Panel notes that the evidence submitted persuasively supports Complainant's argument because it shows each Respondent's website prominently features the unauthorized use of the REVE Mark on the landing page, displaying the REVE Mark and referencing Respondent's competing image editing software as "Reve Image Tools" to attract users to each Respondent's websites for their commercial benefit.

Respondent's activities therefore undermine any claim of rights and legitimate interests because Respondent is using the disputed domain names to confuse Internet users, suggest an affiliation with or sponsorship by Complainant to attract users to Respondent's website for its commercial gain. Based on these facts the Panel finds Respondent's actions are clearly not legitimate and clearly are misleading. Respondent, therefore, cannot claim rights or legitimate interests in the disputed domain names or noncommercial or fair use of the disputed domain names pursuant to paragraph 4(c)(iii) of the Policy. See *Six Continents Hotels Inc. v. "m on"*, WIPO Case No. D2012-2525; see also *Frankie Shop LLC v. Jie Wen*, WIPO Case No. D2022-4197.

It is a well-established principle according to a consensus of UDRP panels that the use of a domain name for "illegal activity[,] [such as] […] impersonation/passing off, or other types of fraud[,] can never confer rights or legitimate interests on a respondent." WIPO Overview 3.1, section 2.13.1. See also *The Frankie Shop LLC v. Domain Protection Services, Inc. / My Mo,* WIPO Case No. D2022-0825.

Having reviewed the record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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 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 also be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

Based on the detailed account above of Respondent's websites and competing image editing software sold on them, Complainant contends that Respondent's configuration of the disputed domain names demonstrates a knowledge of and familiarity with Complainant's well publicized brand and software by registering a domain name that incorporates the REVE Mark in its entirety with the addition of the term "AI" and "image" appended after Complainant's mark. Complainant contends such configuration also shows Respondent's intent to create a false association in the minds of consumers between Respondent's offered image editing software and Complainant's image software products under the REVE Mark because it is implausible that Respondent was not aware of Complainant's REVE Mark and its association with AI Image editing software, given the brand's fast growing renown - both generally, and in the AI image editing software business in which Respondent's websites purport to operate. The Panel notes there can be no doubt of Respondent's knowledge of Complainant's mark since Complainant shows that Respondent actually offer (or at least, claims to offer) AI Image editing software under the REVE Mark on its websites. Respondent has thereby intentionally created disputed domain names for registration that are confusingly similar to Complainant's trademark, as well as its official domain names. Prior UDRP panels have found a domain name was registered in bad faith where the respondent registered a domain name for the purpose of

intentionally attempting to impersonate or mislead in order to commit fraud. See, e.g., *Houghton Mifflin Co. v. The Weathermen, Inc.*, WIPO Case No. D2001-0211; *Hachette Filipacchi Presse v. Domains by Proxy, LLC / Al-Rahim International,* WIPO Case No. D2014-1635; *Accor v. Jiangdeyun,* WIPO Case No. D2011-2277.

Prior UDRP panels have also held where the disputed domain name is configured in a manner to wholly incorporate a complainant's mark, as Complainant's Mark is incorporated here, with an added terms, "ai" and "image", related to Complainant's AI image editing software industry, the disputed domain name can only sensibly refer to Complainant; thus, there is no obvious possible justification for Respondent's selection of the disputed domain names other than registration in bad faith. See *Frankie Shop LLC v. Bgeew Aferg,* WIPO Case No. D2022-3619.

Where a respondent registers a domain name before the complainant's trademark rights accrue, panels will not normally find bad faith on the part of the respondent. WIPO Overview 3.1, section 3.8.1. However, in certain limited circumstances where the facts of the case establish that the respondent's intent in registering the domain name was to unfairly capitalize on the complainant's nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith. WIPO Overview 3.1, Section 3.8.2. The panel notes in this instance that while Complainant's REVE Mark and software received considerable recognition at its product launch, it is not clear from the record whether the level of common law rights had reached acquired distinctiveness only a month and a half after Complainant began using its Mark. It is clear to the Panel, however, that the recognition Complainant and its REVE Mark received was sufficient for Respondent to notice and capitalize on the REVE Mark's early state of visibility and Complainant's nascent, unregistered trademark rights; indeed, the record provides no other plausible explanation for the registration of the disputed domain names.

As the record shows, when Complainant announced its AI image editing software under the REVE Mark on February 5, 2025, it garnered significant, immediate media "buzz" and attention. A little over a month and a half later Respondent registered both disputed domain names on March 21, 2025. Prior panels have found such timing of registration of a disputed domain name to unfairly capitalize on Complainant's nascent trademark registration following Complainant's sudden success and media recognition upon its launch to constitute bad faith registration of the domain name, notwithstanding the disputed domain names being registered a few days prior to Complainant filing its application for a United States trademark registration on March 27, 2025. Based on this timing and Respondent's websites clearly attempting to pass themselves off as associated with Complainant there is no doubt Respondent targeted Complainant and its REVE Mark and registered the disputed domain names in bad faith to unfairly capitalize on Complainant's nascent unregistered trademark rights because the disputed domain names were registered shortly after REVE received significant media attention upon the launch and release of the software under the REVE Mark. The Panel finds the disputed domain names were registered in bad faith by Respondent with knowledge of Complainant's REVE Mark and with the intention of taking advantage of the reputation that had or would attach to that Mark by reason of that use. WIPO Overview 3.1, Section 3.8.2. See, e.g., *BML Group Limited v. Rikard Beach, Proxy My Whois AB,* WIPO Case No. D2015-1897 *(citing St Andrews Links Ltd v. Refresh Design,* WIPO Case No. D2009-0601*).*

Based on detailed discussion in above section 6.B. on Respondent's websites used to offer its competing AI image editing software products, Respondent is also using the disputed domain names in bad faith. Prior UDRP panels have held that the use of a domain name for the illegitimate activity here, namely, impersonation/passing off, constitutes bad faith use. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain names constitute bad faith under the Policy.

The Panel finds that 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 names <reveai.art> and <reveimage.net> be transferred to Complainant.

/Scott R. Austin/
Scott R. Austin
Sole Panelist
Date: April 2, 2026