

ADMINISTRATIVE PANEL DECISION

Poshpod, LLC v. Mark Golden
Case No. D2026-0171

1. The Parties

The Complainant is Poshpod, LLC, United States of America (“United States”), represented internally.

The Respondent is Mark Golden, China.

2. The Domain Name and Registrar

The disputed domain name <poshpod.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 15, 2026. On January 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 16, 2026, 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 (Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 19, 2026, 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 amendment to the Complaint on January 19, 2026.

The Center verified that the Complaint together with the amendment to the 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 of the Complaint, and the proceedings commenced on January 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 9, 2026.

On February 9, 2026, the Respondent sent an email communication to the Center with attached documents. On the same day, the Respondent confirmed that these attached documents represented its Response.

The Center appointed Assen Alexiev as the sole panelist in this matter on February 18, 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 Complainant operates an aesthetic medical and wellness business under the brand POSHPOD.

It is the owner of the United States trademark POSHPOD with registration No. 8067488, applied for on May 10, 2025 and registered on December 16, 2025 for services in International Class 44, with claimed date of first use in February 2024.

The Complainant operates its official website at the domain name <posh-pod.com>, registered on January 3, 2024.

Both Parties have submitted evidence that there are many trademark registrations for in China, registered on February 7, 2020 for goods or services in various International Classes, owned by a Chinese physical person. The Respondent claims to have rights in these trademarks and has submitted the marriage certificate of their owner, issued in 2018.

On February 3, 2024, the Parties started an email correspondence regarding a potential sale of the disputed domain name, which correspondence was initiated by the owner of the Complainant. The negotiations were unsuccessful. On January 14, 2026, the Complainant sent by email a demand for the transfer of the disputed domain name. The Respondent replied the next day from a different email address, rejecting the demand and explaining its position. Its reply was sent to all email addresses that were used for the communications between the Parties in 2024-2025 and to the email address of the Respondent indicated by the Registrar. Copies of these email exchanges have been submitted in this proceeding by both Parties.

The disputed domain name was registered on April 18, 2013. According to a message from the Registrar, submitted in this proceeding by the Respondent, it acquired the disputed domain name on March 17, 2019. The disputed domain name is currently inactive and is configured with name servers whose addresses include "domain-for-sale" and "forsale".

5. Parties' Contentions

A. Complainant

The Complainant states that the disputed domain name is identical to its POSHPOD trademark.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant notes that it has continuously used the POSHPOD trademark in commerce in connection with its aesthetic medical and wellness business, including through its website and social media presence. The Complainant submits that the Respondent has never been authorised to use the POSHPOD trademark and has no relationship with the Complainant that would give rise to any rights in the disputed domain name. The Complainant also submits that the Respondent is not commonly known by the name "Poshpod" and has not made any legitimate noncommercial or fair use of the disputed domain name. The Complainant notes that the disputed domain name resolves to a domain name sales landing page operated by HugeDomains, Inc., which offers it for sale for a substantial price. According to the Complainant, the Respondent attempts to profit from the Complainant's trademark by offering the disputed domain name for sale to the Complainant and to the public at prices far exceeding its out-of-pocket registration costs.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It states that the disputed domain name resolves to a commercial domain name sales landing page operated by HugeDomains, Inc., where it is offered for sale for a price far exceeding any reasonable out-of-pocket registration costs. The Complainant submits that it has been directly contacted by the underlying registrant, who demanded substantial sums of money in exchange for the transfer of the disputed domain name. According to the Complainant, these communications show that the Respondent has registered and is holding the disputed domain name with the intent to extract payment from the Complainant based on the Complainant's POSHPOD trademark.

The Complainant states that the Respondent has also attempted to justify its conduct by claiming ownership of numerous Chinese trademark registrations for "POSH POD" in many unrelated classes of goods and services. According to the Complainant, this conduct reflects a pattern of trademark warehousing designed to block legitimate brand owners and to seek payments from them, rather than any bona fide use of the mark. The Complainant concludes that, by offering the disputed domain name for sale, concealing its identity through a privacy service, and attempting to sell the disputed domain name to the Complainant for amounts far exceeding the registration costs, the Respondent has intentionally attempted to profit from the Complainant's POSHPOD trademark and to prevent the Complainant from reflecting its trademark in a corresponding domain name.

B. Respondent

The Respondent did not submit a formal Response in this proceeding, but submitted a number of documents, including several Chinese trademark registration certificates, a marriage certificate, correspondence from the Registrar showing that the Respondent acquired the disputed domain name in 2019, pre-Complaint correspondence with the Complainant, etc.

One of these documents included the following statement by the Respondent (sic):

"Our Poshpod brand had a big name in China biggest social media platform, poshpod had over one thousand and six-hundred followers and subscribers, poshpod is always delivering latest trendy outfit and accessories. By the way, our poshpod.com website is under construction... Below design artwork is our poshpod website sources, please check."

According to the evidence submitted by the Complainant, with its reply of January 15, 2026, to the Complainant's demand letter of January 14, 2026, the Respondent made a number of statements, including the following:

"[...] The domain name poshpod.com was originally registered on April 18, 2013. This registration predates any of your claimed rights by over a decade. [...] We hold registered trademark rights for "POSHPOD" in China since 2019, alongside copyright protections, demonstrating our long-standing commercial use and investment in this brand. [...]"

The chronology of your actions reveals a strategy aimed at wrongfully appropriating our established asset:

1. Unsolicited Offer (2024): You contacted us in 2024, offering to purchase the poshpod.com domain for \$100 USD, which we rightfully declined.
2. Subsequent Mimicry: After your offer was rejected, you proceeded to: (a) register the similar domain posh-pod.com, and (b) file for a U.S. trademark for "POSHPOD" in 2024.
3. Baseless Legal Threat: You then asserted rights over our pre-existing domain based on your later-acquired trademark.

This pattern is a textbook example of bad faith. Your attempt to acquire the domain commercially, followed by the creation of intellectual property rights to weaponize against its legitimate owner, is viewed with extreme disfavor under both the UDRP and ACPA. [...]"

6. Discussion and Findings

6.1. Factual issue - entities involved in the dispute

Both Parties have submitted email correspondence that they claim was exchanged between them prior to the submission of the Complaint. The correspondence exchanged in 2024-2025 was between the email account of the owner of the Complainant and an email address that is different from the email address of the Respondent provided by the Registrar. The last message in this chain of emails - the reply to the Complainant's demand letter - was sent on behalf of the Respondent from another email address that is also different from the email address of the Respondent provided by the Registrar. Since this message was copied to the initial email address that was used in these exchanges and to the email address of the Respondent provided by the Registrar, and since the Parties claim that the correspondence was exchanged between them, the Panel accepts that this is so and that there are no other parties involved in this dispute.

Both Parties have also submitted documents for the registration of a number of trademarks in China and claim that these registrations have been made by the Respondent. The documents however indicate a third party as the owner of the trademarks. The Respondent has submitted a copy of a marriage certificate of the owner of these trademarks (which is evident from the identical ID number indicated on it and on the trademark registration documents), but has not explained its relationship with this person. Considering this, the Panel accepts that the owner of these trademarks is an alter ego of the Respondent.

In view of the above, the Panel accepts that the only parties involved in the dispute are the Complainant and the Respondent.

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 of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant is the owner of the POSHPOD trademark which was registered in the United States in 2025, so it has shown that it has rights in respect a trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The fact that the disputed domain name was registered before the Complainant acquired trademark rights does not by itself preclude the Complainant's standing to file the Complaint, nor the Panel's finding of identity or confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.1.3.

The entirety of the POSHPOD trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the POSHPOD trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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

B. Rights or Legitimate Interests

Since the Complainant has failed to establish that the disputed domain name was registered and is being used in bad faith, there is no need to address this element.

C. Registered and Used in Bad Faith

The Panel finds that the Respondent did not register the disputed domain name in bad faith targeting the Complainant or its trademark rights because the Complainant had no trademark rights at the time that the Respondent acquired the disputed domain name. [WIPO Overview 3.1](#), section 3.8.1.

The disputed domain name was initially registered on April 18, 2013, and the Respondent acquired it on March 17, 2019. The Complainant is based in the United States and the Respondent is based in China. The initial contact between the Parties took place in February 2024 at the initiative of the Complainant, which attempted to buy the disputed domain name. The Complainant filed the application for its POSHPOD trademark and obtained its registration in the United States only in 2025. The trademark claims a date of first use in February 2024.

Considering these circumstances, there is nothing to support a conclusion that the Respondent might have had any information about the Complainant and its trademark before 2024 or that it may have targeted the then non-existent Complainant and its non-existent trademark in 2019, when it acquired the disputed domain name. There is therefore no basis for a finding that the disputed domain name was registered in bad faith.

As mentioned above, the contact between the Parties was initiated by the Complainant rather than by the Respondent, and it was the Complainant who attempted to purchase the disputed domain name rather than the Respondent trying to sell it. There is no evidence that the disputed domain name has resolved to a website or that the Respondent has targeted the Complainant in any way with the use of the disputed domain name or through its offering for sale. The case file contains evidence that the Respondent has registered a significant number of POSHPOD trademarks in China years before the Complainant and its trademark came into existence.

In these circumstances, without any evidence of targeting of the Complainant, the fact that the Respondent has indicated a price at which it is prepared to sell the disputed domain name does not as such show bad faith use of the disputed domain name.

The Panel therefore finds the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking (RDNH)

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the panel finds that the Complaint was brought in bad faith, for example in an attempt at RDNH or to harass the domain-name holder, the panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding.

As discussed in section 4.16 of the [WIPO Overview 3.1](#), reasons articulated by panels for finding RDNH include: (i) facts which demonstrate that the complainant knew it could not succeed as to any of the required three elements – such as the complainant’s lack of relevant trademark rights, clear knowledge of respondent rights or legitimate interests, or clear knowledge of a lack of respondent bad faith (see generally section 3.8) such as registration of the disputed domain name well before the complainant acquired trademark rights, (ii) facts which demonstrate that the complainant clearly ought to have known it could not succeed under any fair interpretation of facts reasonably available prior to the filing of the complaint, including relevant facts on the website at the disputed domain name or readily available public sources such as the WhoIs [RDAP] database, (iii) unreasonably ignoring established Policy precedent notably as captured in this WIPO Overview – except in limited circumstances which prima facie justify advancing an alternative legal argument, (iv) the provision of false evidence, or otherwise attempting to mislead the panel, (v) the provision of intentionally incomplete material evidence – often clarified by the respondent, (vi) the complainant’s failure to disclose that a case is a UDRP refiling, (vii) filing the complaint after an unsuccessful attempt to acquire the disputed domain name from the respondent without a plausible legal basis, (viii) basing a complaint on only the barest of allegations without any supporting evidence.

The Complainant's conduct falls within three of the above scenarios.

The Complainant has attempted to mislead the Panel that it was the Respondent who initiated the contact between the Parties and who "demanded substantial sums of money in exchange for the transfer of the disputed domain name" to the Complainant. However, the evidence submitted by the Complainant itself shows that the contact between the Parties was initiated by the Complainant and that the Respondent only indicated a price in reply to the Complainant's offer to buy the disputed domain name.

When the Parties started negotiating a possible sale of the disputed domain name in February 2024, the Complainant had not yet started using its POSHPOD trademark or filed the application for its registration. It filed its trademark application in 2025 and waited it to proceed to registration, and only then sent its demand letter to the Respondent. This sequence of events and its interpretation under the Policy was pointed out to the Complainant by the Respondent with its reply to the Complainant's demand letter, both of which were exchanged shortly before the filing of the Complaint. The Complainant must therefore have very well understood that it could not establish bad faith registration of the disputed domain name. It nevertheless filed the Complaint.

It is also evident from the above sequence of events that the Complainant filed the Complaint after an unsuccessful attempt to acquire the disputed domain name from the Respondent without a plausible legal basis, in furtherance of a classical "Plan B".

Such conduct justifies and necessitates a finding of RDNH.

7. Decision

For the foregoing reasons, the Complaint is denied.

The Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: March 4, 2026