ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Consumer Reports, Inc. v. Ze Duan
Case No. D2026-2313

1. The Parties

The Complainant is Consumer Reports, Inc., United States of America ("United States"), represented by Cozen O'Connor, United States.

The Respondent is Ze Duan, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <consumertestreports.org> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 28, 2026. On May 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 29, 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 (Withheld for Privacy ehf, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 1, 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 amended Complaint on June 1, 2026.

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 of the Complaint, and the proceedings commenced on June 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 28, 2026. The Response was filed with the Center on June 9, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on June 23, 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.

On July 16, 2026, the Panel issued Procedural Order No. 1, inviting both Parties to file supplemental submissions to clarify certain aspects of their pleaded case, and giving each of the Parties an opportunity to reply to the other's further submissions. The Complainant responded to the Procedural Order on July 21, 2026. The Respondent did not reply to the Procedural Order or to the Complainant's further submissions.

4. Factual Background

The Complainant is a non-profit organization, located in the United States, which offers a range of print and digital publications relating to consumer product testing and reviews, provided under the name and trademark CONSUMER REPORTS.

The Complainant is the owner of several United States trademark registrations for the mark CONSUMER REPORTS, including, for example:

- United States trademark registration number 672849 for the word mark CONSUMER REPORTS, registered on January 20, 1959, in International Class 16, recording a first use date in commerce of June 1, 1942; and

- United States trademark registration number 5064394 for the word mark CONSUMER REPORTS, registered on October 18, 2016, in International Classes 9, 35, and 41.

The Complainant operates a website at "www.consumerreports.org".

The disputed domain name was registered on June 21, 2025.

The disputed domain name has resolved to a website headed "Consumer Test Reports", which appears to have offered test reports relating to various contact grills, treadmills and washing machines. The website states: "The Consumer Test Reports team tests a wide range of consumer goods and ultimately helps consumers with their purchasing decisions."

5. Parties' Contentions

The Parties' contentions as summarized below include the contents of each of the Parties' original pleadings, together with the supplemental submissions and evidence provided by the Complainant in response to Procedural Order No. 1.

A. Complainant

The Complainant submits that it (including under a former name) has used the CONSUMER REPORTS trademark since at least 1942, providing unbiased product testing and ratings, research, journalism, public education and advocacy.

The Complainant submits that more than eight million people visit its website each month, while more than two million individuals receive its magazine. It states that it had in excess of five million members in 2025 across platforms including print, digital, and a health newsletter. It submits that its annual revenue for 2025 exceeded USD 244 million, with advertising and promotional expenditure of approximately USD 56 million in that year.

The Complainant provides evidence of numerous industry awards which it has won for, in particular, journalism and investigative reporting. It also claims a substantial social media presence, including one million followers on Facebook, 746,000 followers on Instagram, 700,000 on TikTok and 575,000 on its YouTube channel.

The Complainant submits that, while its subscribers are primarily based in the United States, it has 6,000 members in territories outside the United States and Canada and has spent approximately USD 1.6 million on projects outside the United States.

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 submits that the disputed domain name is virtually identical to its CONSUMER REPORTS trademark, and includes that mark in its entirety. It contends that the inclusion of the word "test" in the disputed domain name has little distinctive value, and does nothing to reduce the likelihood of consumer confusion between the disputed domain name and the Complainant's trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its CONSUMER REPORTS trademark, that the Respondent has not commonly been known by the disputed domain name, and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name. With regard to the Respondent's website, the Complainant contends that, while the Respondent purports to test products, its website does not contain any actual test results, and there is no basis to conclude that the Respondent actually tests anything. It states that links on that website to purported test results are in fact broken.

The Complainant submits that the disputed domain name has been registered and is being used in bad faith. It states that the Respondent's website "uses identical representations of the Complainant's marks". It contends that the Respondent is seeking to duplicate the Complainant's review and evaluation business, and that the Respondent is attempting to divert Internet users looking for the Complainant to its own website. The Complainant submits that, while it is not clear exactly how the Respondent generates revenue, it appears to do so by generating clicks on its website. It therefore asserts that, by using the disputed domain name, the Respondent is attempting to attract Internet users to its website by creating a likelihood of confusion between the disputed domain name and the Complainant's CONSUMER REPORTS trademark.

The Complainant refers to at least 13 previous cases which it has successfully brought under the UDRP (against other respondents) on the basis of its CONSUMER REPORTS trademark. It relies in particular on *Consumer Reports, Inc. v. Isaac Cheung, noveland*, WIPO Case No. D2025-0893 (although incorrectly referenced in the Complaint), concerning the domain name <consumertestedreports.com>, in which it claims the facts to be essentially identical to those in issue in the present proceeding.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent contends that the disputed domain name was registered and has been used for the purpose of an independent product comparison and consumer information website, without intent to impersonate the Complainant, mislead Internet users, or trade off the Complainant's reputation.

The Respondent disputes that the disputed domain name is identical or confusingly similar to the Complainant's CONSUMER REPORTS trademark. It asserts that the inclusion of the term "test" is effective to distinguish the disputed domain name, which in any event is comprised of a descriptive three-word phrase.

The Respondent submits that it has rights or legitimate interests in respect of the disputed domain name, by virtue of having used the disputed domain name in connection with a bona fide product comparison and consumer information website before receiving notice of this dispute (paragraph 4(c)(i) of the Policy). The Respondent states that its website contains product categories, ranked products, product descriptions, product images and affiliate links, and that affiliate-based buying guides are a common business model online. It adds that the website forms part of the Respondent's broader business activities of operating product comparison and related websites (although no further details are provided).

The Respondent exhibits website screenshots, which include a variety of contact grills, treadmills, and washing machines with rankings, product information, images and, in the case of each "winner", a product link to Amazon.com.

The Respondent exhibits what it claims to be its Amazon affiliate earnings statement for the relevant website for March 2026, showing revenue of EUR 326.15. However, the statement appears to be a translation of a German language document issued by Amazon.de, makes no reference to the website located at the disputed domain name, and is addressed to an Amazon.de user ID that has no apparent connection with the name of the Respondent. The Respondent provides no further explanation of these matters.

The Respondent further exhibits what is stated to be an analytics data report from "WP Engine" relating to its website linked to the disputed domain name. The report appears to show a total of 194,989 "billable visits" to the website between April 7 and May 7, 2026, and an average of 6,289 daily visits in the same period. Any further interrogation of this information appears to require an account login.

Concerning the Complainant's challenges to the bona fides of its business, the Respondent submits that any incomplete pages, broken links, template issues or technical errors form part of ordinary website management issues, and do not affect the legitimacy of its business.

The Respondent denies having registered or used the disputed domain name in bad faith. It states that it selected the disputed domain name because it comprised descriptive words related to its intended subject matter, and that the Complainant cannot monopolize the field of consumer testing and reports. The Respondent states that the Complainant uses the domain name <consumerreports.org>, that the disputed domain name is different, and that it comprises three dictionary terms.

The Respondent submits that it has never used a stylized "CR" mark as used by the Complainant, nor has it copied the Complainant's magazine design, website layout or trade dress. It contends that its website does not state that it is the Complainant's, or that it is sponsored or endorsed by the Complainant.

The Respondent states that it did not register the disputed domain name to sell to the Complainant, to disrupt the Complainant's business, or to mislead Internet users. It submits that using the disputed domain name for the purpose of affiliate monetization does not establish bad faith, and that such sites are common online. It adds that website issues such as broken links, incomplete pages or technical issues also do not establish bad faith.

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

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 has shown rights in respect of the trademark CONSUMER REPORTS for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The two terms "consumer" and "reports" comprising the Complainant's mark are both present within the disputed domain name, notwithstanding the interposition of the dictionary term "test". The addition of that term does not prevent the Complainant's trademark from being recognizable within the disputed domain name, and the Panel therefore finds that the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Panel finds that 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.

The Respondent's case is that it registered and has used the disputed domain name for the purpose of a legitimate product comparison website, without intent to target the Complainant's trademark rights.

A respondent may be able to establish rights or legitimate interests in respect of a disputed domain name where it can show: "before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services". Policy, paragraph 4(c)(i).

Key to the above provision is that the respondent's offering must be bona fide. That requirement is interpreted by panels under the UDRP as requiring that the respondent's business is genuine in nature, and that it has not been created as a sham or pretext for taking unfair advantage of third-party trademark rights.

It is clear in this case, even on the Respondent's own evidence that its website suffers from a number of significant deficiencies. Its content is limited to a small number of product categories, it is basic and generic in its design, and it does not appear to be in dispute that it has suffered from broken links, incomplete pages, and other technical issues.

The Panel also has difficulty with various aspects of the Response. For example:

- while the Respondent claims that its website forms part of its broader business activities, it provides no further information or evidence in that regard;

- the Respondent does not directly address the Complainant's assertion that it does not itself test any products, and the Panel finds there to be no evidence that it does so;

- while it provides evidence of supposed affiliate earnings, these do not identify the Respondent or the relevant website, and appear to relate, without any explanation, only to business on Amazon.de; and

- the Panel finds the Respondent's claimed statistics as to website visits to be highly unlikely in the case of a newly-established website having the characteristics of the Respondent's website.

These observations notwithstanding, the fact that a website may be of poor commercial or technical quality does not mean that it does not represent a genuine business venture. In this regard, the Panel accepts the Respondent's submission that there are numerous websites on the Internet which claim to offer product comparisons, rankings, or recommendations. Many of these websites are, in reality, no more than a vehicle for the website owner to obtain revenue by way of affiliate links to the products in question, and whether any such website could be regarded as a bona fide commercial venture within the meaning of the Policy would depend upon the facts of each individual case.

The Panel finds the Respondent's failure to reply to Procedural Order No. 1 to be significant in this case. Such failure leaves unexplained the particular evidential deficiencies identified above, including the absence of evidence of actual product testing, the unexplained affiliate documentation, the lack of evidence concerning any broader business activities, and the claimed website statistics. The fact that it has chosen not to respond therefore casts significant doubt upon its claims to be operating a bona fide business venture.

The Panel finds in the circumstances that the Respondent has failed to rebut the Complainant's prima facie case, and that the second element under the Policy is established.

C. Registered and Used in Bad Faith

In order to establish the third element under the Policy, it is incumbent upon the Complainant to demonstrate, on the balance of probabilities, that the Respondent knew, or should be taken to have known, of the Complainant's trademark rights at the time it registered the disputed domain name, and that it did so for the purpose of taking unfair advantage of those trademark rights.

The Complainant's trademark comprises two dictionary terms, "consumer" and "reports", while the disputed domain name comprises the same two terms, but separated by a third dictionary term, "test". The Panel does not therefore find the disputed domain name to be identical to the Complainant's trademark, nor does the Panel find that the Respondent's website "uses identical representations of the Complainant's marks" as the Complainant contends. Based on the Complainant's exhibit, the website used the term "Consumer Test Reports" exclusively.

Furthermore, concerning the Complainant's reliance on previous decisions under the UDRP, the Panel observes that every case must be pleaded, and falls to be decided, on its own merits. While, in the interests of consistency, parties may expect similar results in cases that involve genuinely similar facts (WIPO Overview 3.1, section 4.1), an examination of those facts is required in each respective case. While the Complainant relies, in particular, on *Consumer Reports, Inc. v. Isaac Cheung, noveland*, WIPO Case No. D2025-0893, the facts of that case differ from those in the present case in two significant respects:

- in that case, although the disputed domain name was <consumertestedreports.com>, the respondent in fact offered product reviews under the name "Consumer Reports", being identical to the Complainant's trademark; and

- following notification of the complaint in that case, the disputed domain name was redirected to a different URL having no connection with the complainant's trademark, which the panel viewed as an attempt to evade responsibility under the UDRP.

These observations notwithstanding, the Panel finds that the Complainant's CONSUMER REPORTS trademark is widely known in the United States. While the evidence of reputation is strongest in the United States, the Panel also accepts, given the Complainant's longstanding online presence and the global accessibility of its website, that the mark is likely to be known beyond the United States, at least among Internet users interested in consumer product reviews. Furthermore, while the name CONSUMER REPORTS comprises two dictionary words, the Panel does not find that phrase to be commonplace, even in the product testing sector, and accepts therefore that the mark has become distinctive of the Complainant's products and services.

As observed in WIPO Overview 3.1, section 3.2.2, noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known, including in its sector, it may be difficult for a respondent credibly to claim to have been unaware of the mark. In this case, the Panel has regard to the facts that:

- the Respondent is operating a website in the same sector as the Complainant;

- the Complainant's trademark is distinctive of the Complainant and widely known in its sector;

- the disputed domain name contains both verbal elements of the Complainant's trademark, with the related term "test" interposed between them;

- the disputed domain name uses the generic Top-Level Domain ("gTLD") ".org", as does the Complainant's website;

- the dubious nature of the Respondent's website, including in particular its claim that it tests products, which appears to be untrue, and the Respondent's failure to address those matters, along with other evidential deficiencies, in any response to Procedural Order No. 1.

The Panel does not regard the Respondent's use of affiliate links, or the operation of a product-comparison website as such, as matters indicative in themselves of bad faith. Nor does the Panel consider that the Complainant is entitled to object to all descriptive combinations of the words "consumer" and "reports", particularly when in conjunction with other elements. The difficulty for the Respondent in this case is rather the cumulative effect of the particular formulation of the disputed domain name, its use in the same field as the Complainant, the adoption of the ".org" gTLD corresponding to the Complainant's own website, the absence of evidence of genuine product testing, and the Respondent's failure to explain those matters when invited to do so.

Based on the cumulative impression created by these matters, the Panel infers, on the balance of probabilities, that the Respondent registered and has used the disputed domain name in the knowledge of the Complainant's CONSUMER REPORTS trademark, and with the intention of obtaining an unfair commercial benefit from the goodwill attached to that trademark. Specifically, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel therefore finds that the third element under the Policy has been established.

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 <consumertestreports.org> be transferred to the Complainant.

/Steven A. Maier/
Steven A. Maier
Sole Panelist
Date: July 28, 2026