

ADMINISTRATIVE PANEL DECISION

CC Network Limited v. Zhichao Yang, Zhichao Yang
Case No. D2024-4013

1. The Parties

The Complainant is CC Network Limited, United States of America, represented by Walters Law Group, United States of America.

The Respondent is Zhichao Yang, Zhichao Yang, China.

2. The Domain Names and Registrars

The Disputed Domain Names <camccontacts.com>, <camcontactst.com>, <camcontactts.com>, <camecontacts.com>, <camontacts.com>, <camscontacts.com>, and <wwwcamcontacts.com> are registered with Dynadot Inc and the Disputed Domain Name <camcontracts.com> is registered with Cosmotown, Inc. (together the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 30, 2024. On October 1, 2024, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Disputed Domain Names. On October 2 and 4, 2024, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the Disputed Domain Names which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 4, 2024, providing the registrant and contact information disclosed by the Registrars, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on October 7, 2024.

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 October 8, 2024. In accordance with the Rules, paragraph 5, the due date for Response was October 28, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 30, 2024.

The Center appointed Christos A. Theodoulou as the sole panelist in this matter on November 4, 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 is a company offering video teleconferencing and audio teleconferencing and entertainment services including adult themes.

According to the uncontested allegation of the Complainant, the latter owns and operates the website located at the domain <camcontacts.com> and has used its domain name for more than two decades in connection with the provision of a network of adult webcams.

In the United States of America, the Complainant has registered the CAMCONTACTS word mark, with registration number 4124572, in International Classes 38 and 41 since April 10, 2012, and has extensive use of the mark all over the world since at least November 1, 2000, according to the uncontested allegations of the Complainant.

The trademark predates the registration of the Disputed Domain Names which took place on July 23, 2024, (<camcontacts.com>, <camcontactst.com>, <camecontacts.com>, <camontacts.com>, <camscontacts.com>, <wwwcamcontacts.com>), August 5, 2024, (<camcontactts.com>) and August 13, 2024, (<camcontracts.com>). The Disputed Domain Names redirect to a competing website.

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 Names.

Notably, the Complainant contends that the Disputed Domain Names are identical or confusingly similar to the trademark in which the Complainant has rights, that the Respondent lacks any rights or legitimate interests in respect of the Disputed Domain Names, and that the Respondent's fraudulent use of the Disputed Domain Names amounts to bad faith. As to the generic Top-Level Domain ("gTLD") ".com", the Complainant suggests that it should be disregarded, as per the usual practice.

The Complainant states that the Disputed Domain Names are identical to the CAMCONTACTS word mark in which the Complainant has rights. It is mentioned by the Complainant that the Disputed Domain Names include the entirety of the Complainant's CAMCONTACTS mark and there was typo squatting as is mentioned below.

Moreover, the Complainant contends that the Disputed Domain Names resolve to webpages where services, purportedly of the Complainant, are offered for sale, without the Complainant's authorization. The Complainant further alleges that the Respondent has no rights or legitimate interests in the Disputed Domain Names and has not received any license from the Complainant to use any domain names featuring the CAMCONTACTS trademark.

Lastly, according to the Complainant, there is no indication that the Respondent is commonly known by any terms used in the Disputed Domain Names. Further, the Complainant asserts that the Respondent has registered and is using the Disputed Domain Names intentionally to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's CAMCONTACTS mark as to the source, affiliation or endorsement of the website, contrary to paragraph 4(b)(iv) of the Policy.

B. Respondent

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

6. Discussion and Findings

The Panel shall now proceed to the analysis of the evidence in this case and shall decide if the Complainant has satisfied the three elements of paragraph 4(a) of the Policy.

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 Names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#), section 1.7).

The Complainant has presented evidence to demonstrate that it owns registered trademark rights to the CAMCONTACTS trademark. Therefore, 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 mark of the Complainant remains recognizable in the Disputed Domain Names, and this is by itself sufficient to establish the criterion of confusing similarity for purposes of the Policy, as many previous UDRP panels have found. [WIPO Overview 3.0](#), section 1.7.

Further, the Disputed Domain Names (except for the Disputed Domain Name <wwwcamcontacts.com> which incorporates the mark in its entirety) are typosquatted versions of the Complainant's CAMCONTACTS mark, as they add letters "C", "T", "R", "E", or "S"/switch the order of the letters "S" and "T" or lack the letter "C" in the mark (see *Stemcor Holdings 2 Limited v. Contact Privacy Inc. Customer 1245631495 / Joe Melo*, WIPO Case No. [D2019-2856](#), *Atlassian Pty Ltd. v. Domain Admin, Private Registrations Aktien Gesellschaft / Domain Admin / Privacy Protection Service INC d/b/a PrivacyProtect.org*, WIPO Case No. [D2016-0626](#)). [WIPO Overview 3.0](#), section 1.9.

As far as the generic Top-Level Domain ("gTLD") ".com" is concerned, it is generally recognized that a TLD is viewed as a standard registration requirement and as such is disregarded under the confusing similarity test of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.0](#), section 1.11.1.

In view of the above, the Panel finds that the Complainant has discharged its burden of proof on this point and holds that the Disputed Domain Names are confusingly similar to the Complainant's trademark CAMCONTACTS for the purposes of the Policy.

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 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.

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 Names. 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 Names such as those enumerated in the Policy or otherwise.

In particular, the Panel finds that the Respondent has not used the Disputed Domain Names (nor have they made demonstrable plans for such use) with a bona fide offering of goods or services; that the Respondent is not commonly known by the Disputed Domain Names; and that the Respondent has not made legitimate noncommercial or fair use of the Disputed Domain Names. The Respondent’s use of the confusingly similar Disputed Domain Names for redirecting to websites offering services in direct competition with the services offered by the Complainant does not amount to use for a bona fide offering of goods and services.

As a conclusion on this point, the Panel finds the second element of the Policy has been established and that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names and has thus satisfied paragraph 4(a)(ii) of the Policy.

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 Respondent’s Disputed Domain Names were only registered on July 23, 2024 <camcontacts.com>, <camcontactst.com>, <camecontacts.com>, <camontacts.com>, <camscontacts.com>, <wwwcamcontacts.com>, August 5, 2024, <camcontactts.com>, and August 13, 2024 <camcontracts.com>, while the Complainant’s CAMCONTACTS mark had been registered many years earlier (April 10, 2012) and had had extensive use since November 1, 2000. The Complainant has also demonstrated that its businesses are well known globally. From the undisputed evidence submitted by the Complainant, the Panel thus finds that the Respondent, when registering the Disputed Domain Names, was well aware of the Complainant’s trademarks. The Respondent’s awareness of the Complainant’s trademark rights at the time of registration suggests bad faith (see *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#), *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#), *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#)).

Further 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.

Moreover, except for one, all the Disputed Domain Names are a typosquatted aspect of the Complainant’s CAMCONTACTS mark. According to panels, typosquatting of a famous trademark by itself is evidence of bad faith registration (see *ESPN, Inc. v. XC2*, WIPO Case No. [D2005-0444](#)). In addition, the Respondent seems to have registered the Disputed Domain Names to profit from the trademark of the Complainant. The Respondent clearly registered the Disputed Domain Names to divert Internet traffic from the Complainant’s site to a website offering competing live adult web shows. This is bad faith (see *Guardant, Inc. v. Jeff Park*,

WIPO Case No. [D2009-0631](#)).

Hence, having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Names constitutes bad faith under the Policy.

In light of the above, the Panel finds that the Respondent has registered and is using the Disputed Domain Names in bad faith. Thus, 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 Names <camccontacts.com>, <camcontactst.com>, <camcontactts.com>, <camecontacts.com>, <camontacts.com>, <camscontacts.com>, <wwwcamcontacts.com>, and <camcontracts.com> be transferred to the Complainant.

/Christos A. Theodoulou/

Christos A. Theodoulou

Sole Panelist

Date: November 12, 2024