

ADMINISTRATIVE PANEL DECISION

Ant Group Co. Ltd. and Advanced New Technologies Co., Ltd v. lin caishen
Case No. D2024-4780

1. The Parties

The Complainants are Ant Group Co. Ltd., China (the “First Complainant”); and Advanced New Technologies Co., Ltd, Cayman Islands (the “Second Complainant”), represented by ELLALAN, Hong Kong, China.

The Respondent is lin caishen, Cambodia.

2. The Domain Name and Registrar

The disputed domain name <ant-int.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 20, 2024. On November 20, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 21, 2024, 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 (The Owner of the Disputed Domain Name) and contact information in the Complaint. The Center sent an email communication to the Complainants on November 22, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on November 27, 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 December 2, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 22, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 23, 2024.

The Center appointed John Swinson as the sole panelist in this matter on January 2, 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 First Complainant is the owner of the Alipay payment and lifestyle platform. The Second Complainant is an affiliate of the First Complainant. (In this decision, the Panel will refer to both Complainants as the Complainant unless explicitly stated otherwise.) The Alipay platform was established in 2004 and provides services to over 1.2 billion annual active users in more than 55 countries and regions.

In 2014, the First Complainant changed its name to “浙江螞蟻小微金融服務集團有限公司” (Zhejiang Ant Small and Micro Financial Services Group Co., Ltd). In 2020, the First Complainant was rebranded under the Chinese name “螞蟻科技集團股份有限公司” and the English name “Ant Group Co.” The Complainant operates several businesses under the brand name “Ant” such as Ant International and Ant Check Later. Ant International consists of the businesses of Alipay+, Antom, WorldFirst, ANEXT Bank, and bettr.

The Complainant’s Ant International operates a website at <antglobal.com>. Ant International’s LinkedIn account has 73,000 followers.

The Second Complainant owns a portfolio of trademark registrations, including Australian Trademark Registration No. 993623 for ANT, registered on March 16, 2004, and various registrations in Cambodia for ANT FINANCIAL and ANT (e.g., Registration Nos. KH/2017/65594 for ANT FINANCIAL, applied for December 11, 2014 and registered on October 30, 2017, and KH/2022/87439 for ANT, registered on March 29, 2022). The First Complainant is the exclusive licensee of these trademarks.

The disputed domain name was registered on December 3, 2015.

The Respondent did not file a Response, so little information is known about the Respondent. According to the Registrar’s records, the Respondent has an address in Cambodia.

At one time, the disputed domain name diverted to a website with the title in Chinese translated as AY Lust, that contains explicit pornographic content.

At the present time, the disputed domain name does not resolve to an active 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 name.

Notably, the Complainant contends that given the international nature of the Complainant’s business, the term “int” in the disputed domain name will likely increase the level of confusion on the association between the disputed domain name and the Complainant. The public will easily be confused that the disputed domain name is from, is related to, or associated with, the Complainant’s business or services, when they are not.

The Complainant asserts that searches on Google and in the Global Trademark Database at WIPO do not reveal any trademarks owned by the Respondent, and that searches of the Department of Intellectual Property of Cambodia do not reveal any relevant marks owned by the Respondent.

The Complainant further contends that the display of adult content through the disputed domain name clearly takes an unfair advantage of, abuses, and tarnishes the Complainant's reputation and image, and misleads the public; hence constituting clear bad faith evidence. Furthermore, the use of the disputed domain name in this manner is likely to cause confusion among Internet users, who may mistakenly associate the Complainant with the offensive materials.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

(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.

The onus of proving these elements is on the Complainant.

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 Selected UDRP Questions, Third Edition ("[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 is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "int") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

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 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 Respondent's use of the disputed domain name for a pornography website does not, absent any legitimate explanation, provide the Respondent with rights or legitimate interests in the disputed domain name. See *Genadi Man v. Yinghua Zhao, Tiaoguomaogu*, WIPO Case No. [D2021-3229](#).

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

C. Registered and Used in Bad Faith

Paragraph 4(a)(iii) of the Policy provides that the Complainant must establish that the Respondent registered and subsequently used the disputed domain name 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 disputed domain name was registered by the Respondent many years after the Complainant first registered and used its ANT trademark. The Panel accepts the Complainant's submissions that the Complainant had developed a strong reputation in the ANT trademark. The Panel finds that, most likely, the Respondent was aware of the Complainant when registering the disputed domain name, and that the disputed domain name was registered in bad faith.

In the present case, the Respondent used the disputed domain name to divert users to a website containing pornography. Past panels have elaborated at length about the high risk of tarnishment to a well-known mark arising from such behavior by a respondent irrespective of motivation. See, for example, *But International v. tianlihong (田利红)*, WIPO Case No. [D2023-0267](#).

The Panel finds that the Respondent has attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion as to the source, affiliation, or endorsement of the website. This amounts to evidence of bad faith registration and use under paragraph 4(b)(iv) of the Policy.

The fact that the disputed domain name is not currently being used does not prevent a finding of bad faith under the third element 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 <ant-int.com> be transferred to the Complainant.

/John Swinson/

John Swinson

Sole Panelist

Date: January 6, 2025