

## **ADMINISTRATIVE PANEL DECISION**

Slingmax, LLC v. Jeffrey Wong, Slingmax Sdn. Bhd.  
Case No. D2025-0033

### **1. The Parties**

The Complainant is Slingmax, LLC, United States of America (“United States”), represented by Panitch Schwarze Belisario & Nadel, LLP, United States.

The Respondent is Jeffrey Wong, Slingmax Sdn. Bhd., Brunei Darussalam.

### **2. The Domain Name and Registrar**

The disputed domain name <slingmaxgroup.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 6, 2025. On January 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 7, 2025, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 8, 2025, 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 January 13, 2025.

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 January 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 7, 2025.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on February 7, 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 following facts are undisputed.

The Complainant, a company from the United States, is active in solutions for the heavy lift and material handling market. The Complainant is supplier of advanced synthetic slings and multi-part wire rope slings. It has a physical presence in 12 countries and operates 45 full-service manufacturing locations.

The Complainant promotes and offers its goods and services through its own website, "https://slingmax.com/".

The Complainant has been using the name and trademark SLINGMAX since 1987. The Complainant and/or its affiliates own many trademark registrations for SLINGMAX in various jurisdictions globally, including Brunei Darussalam. The Complainant inter alia owns the United States Registration No. 3147264 with a registration date of September 26, 2006 and registered for goods in class 6.

The disputed domain name was registered on January 4, 2012 and redirects to the website "https://go-liftco.com/", a website which provides information about LiftCo Sdn.Bhd., a purported integrated logistics and material handling service provider in Brunei Darussalam.

#### **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 the following:

The Complainant has not licensed or otherwise permitted the Respondent or anyone else to use the SLINGMAX mark to apply for a domain name incorporating the mark. The Respondent is not commonly known by the disputed domain name and has no valid reason to use the Complainant's mark in the disputed domain name. At the filing of the original Complaint, the Respondent is using a privacy service, which infers a lack of rights and legitimate interest.

The disputed domain name was registered on January 4, 2012, long after the Complainant began using and registered the SLINGMAX mark, which further infers a lack of rights and legitimate interest.

The Respondent appears to be doing business under the name "LiftCo. Sdn Bhd". The Respondent is using the disputed domain name to redirect consumers to the website which promotes and offers goods and services relating to lifting appliances and lifting gears – i.e., the same types of goods and services offered by the Complainant under its SLINGMAX mark.

The fact that the Respondent registered and is using a domain name that fully incorporates the Complainant's registered trademark and is using the disputed domain name to redirect consumers to a website offering competing goods and services supports the conclusion that the Respondent is causing consumer confusion and profits from such confusion, which infers bad faith registration and use of the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 another terms, here, "group", 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.

Panels have held that a respondent's use of a complainant's mark to redirect users (e.g., to a competing site) would not support a claim to rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.3. While the Panel notes that the Respondent has provided a registrant organization of "Slingmax Sdn. Bhd.", there is no evidence before the Panel that the Respondent is commonly known by the disputed domain name for the purposes of the Policy. [WIPO Overview 3.0](#), section 2.3. In this regard, the Panel notes that the Complainant's SLINGMAX mark is distinctive, the Complainant has been operating (including in the Respondent's location) for many years before the registration of the disputed domain name, the Respondent purportedly operates in the same field in which the Complainant is well known, and the Respondent (at least

via the website associated with the disputed domain name) appears to operate under an unrelated name (LiftCo Sdn. Bhd.). In these circumstances, absent arguments and evidence from the Respondent to the contrary, the Panel finds it most likely that the registrant organization was chosen to falsely suggest an association or affiliation with the Complainant.

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

### **C. Registered and Used in Bad Faith**

The Panel refers to its considerations under section 6.B. of the Decision.

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 – certainly lacking a Response – the Respondent has redirected the disputed domain name to a website offering competing products and services and thus intentionally attempts to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. Based on the record before the Panel, the Panel finds that the Respondent on a balance of probabilities must have registered the disputed domain name in bad faith and is also using the disputed domain name in bad faith.

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 <slingmaxgroup.com> be transferred to the Complainant.

*/Willem J. H. Leppink/*

**Willem J. H. Leppink**

Sole Panelist

Date: February 17, 2025