

ADMINISTRATIVE PANEL DECISION

PN II, Inc. v. Quan Zhongjun, Juanita Co.
Case No. D2025-0224

1. The Parties

1.1 The Complainant is PN II, Inc., United States of America, represented by Adams and Reese LLP, United States of America (“United States” and “US”).

1.2 The Respondent is Quan Zhongjun, Juanita Co., China.

2. The Domain Name and Registrar

2.1 The disputed domain name <wwwpulte.com> (the “Domain Name”) is registered with Cosmotown, Inc. (the “Registrar”).

3. Procedural History

3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 21, 2025. At that time, publicly available Whois details did not identify the registrant of the Domain Name.

3.2 On January 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 23, 2025, the Registrar transmitted by email to the Center its verification response disclosing the underlying registrant and contact information for the Domain Name.

3.3 The Center sent an email to the Complainant on January 23, 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 24, 2025.

3.4 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”).

3.5 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 29, 2025. In accordance with the Rules, paragraph

5, the due date for Response was February 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 19, 2025.

3.6 The Center appointed Matthew S. Harris as the sole panelist in this matter on February 20, 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

4.1 The Complainant is a US corporation incorporated in the state of Nevada, with headquarters in Atlanta, Georgia, United States. It is a subsidiary of PulteGroup, Inc. and forms part of the Pulte group of companies.

4.2 PulteGroup, Inc. is one of the largest homebuilding companies in the United States. The group and its predecessors have used the term "PULTE" in respect of its business since at least as early as 1969 and is the owner of various registered trade marks in Canada and the United States that comprise or incorporate the term "Pulte". These include:

- (i) United States registered trade mark no. 1942747 with an application date of January 17, 1995, and a registration date of December 19, 1995, for PULTE as a standard character mark in classes 36 and 37; and
- (ii) United States registered trade mark no. 3676026 with an application date of February 12, 2009, and a registration date of September 1, 2009, for PULTE as a standard character mark in class 36.

4.3 The Pulte group promotes its business through a website operating from the domain names <pulte.com>, <pultehomes.com>, and <pultehomesinc.com>, and has done for a number of years.

4.4 The Domain Name was registered on August 7, 2020. It has been used since registration to display a pay-per-click parking page with links such as "Home Warranty", "Pulte Homes", "New Homes for Sale", "Homebuyers" and "Lennar Homes".

4.5 "Quan Zhongjun", which is the name provided for the registrant of the Domain Name by the Registrar, has been named as a respondent in at least seven previous cases under the UDRP and in particular:

- *Averitt Express, Inc. v Quan Zhongjun, Juanita Co.* WIPO Case No. [D2022-3110](#) (<averittespress.com> and <averittexpeess.com>)
- *Sealed Air Corporation (US) v Quan Zhongjun, Juanita Co.* WIPO Case No. [D2022-3832](#) (<sesledair.com>)
- *Asurion, LLC v quan zhongjun aka zhongjun quan* WIPO Case No. [D2022-4267](#) (<asurionverizon.com> and <callasurion.com>)
- *American Airlines, Inc. v Quan Zhongjun, Juanita Co.* WIPO Case No. [D2023-1253](#) (<enboyair.com> and 17 others)
- *Valvoline Licensing and Intellectual Property LLC and VGP IPCo LLC v Quan Zhongjun* WIPO Case No. [D2023-3376](#) (<dyntrace.com>)
- *Asurion, LLC v Quan Zhongjun, Juanita Co.* WIPO Case No. [D2024-4299](#) (<asurionn.com>)

4.6 In all of these cases, the domain name or domain names involved were ordered to be transferred to the complainant.

4.7 On November 25, 2024, the Complainant's lawyers sent a cease-and-desist letter to the privacy and abuse email addresses of the Registrar requesting that the Domain Name be transferred to the Complainant. There was no response to that letter.

5. Parties' Contentions

A. Complainant

5.1 The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

5.2 In this respect the Complainant contends that this is a case of typosquatting. In particular, it contends in this respect that a proportion of Internet users will, in attempting to visit the website operating from the Complainant's <pulte.com> domain name, "omit the period after the 'www'". It also contends that none of the circumstances provided in paragraph 4(c) of the Policy for demonstrating a respondent's rights to and legitimate interests in a domain name are present in this case.

5.3 The Complainant further contends that given the Complainant's marks, reputation and website, it is "not plausible that [the] at Respondent could have been unaware of Complainant at the time of registration". It also claims that further evidence in this respect is to be found in the form of the pay-per-click use made of the Domain Name after registration.

5.4 The Complainant also claims that the Respondent has demonstrated a pattern of conduct indicative of bad faith registration and use of domain names incorporating the trade marks of others. In this respect it relies upon the UDRP decisions identified in the "Factual Background" section of this decision and contends that a reverse Whois search in respect of the "126.com" email contact used by the Respondent identifies further domain names that incorporate or are similar to the trade marks of others, including <panarebread.com>, <disneycarees.com>, <edwardjjones.com> and <hellofresh.com>. It also refers to the finding that there was such a pattern in one of the previous UDRP decisions involving the Respondent, i.e. *Averitt Express, Inc. v. Quan Zhongjun, Juanita Co.*, WIPO Case No. [D2022-3110](#).

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

6.1 It is generally 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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

6.2 The Complainant has shown rights for the purposes of the Policy in two registered trade marks, comprising the term "Pulte" as a word mark. [WIPO Overview 3.0](#), section 1.2.1.

6.3 The entirety of term "Pulte" and consequentially the entirety of the Complainant's PULTE trade marks are each reproduced within the Domain Name. Accordingly, the Panel finds the mark is recognisable within

the Domain Name and that the Domain Name is confusingly similar to the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

6.4 Although the addition of other terms (in this case, the letters "www") may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

6.5 Accordingly, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

6.6 Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

6.7 The Complainant contends that in the present case none of these circumstances apply and the Panel accepts that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 Domain Name.

6.8 However, dealing with the issue more directly, and for reasons that are set out in the context of its assessment of bad faith, the Panel is satisfied that the Domain Name was registered and held with knowledge of the Complainant's marks and business and with the intention to take advantage of the same, particularly in the case of Internet users who missed out the "full stop" or "period" when intending to type the letters "www.pulte.com" into a search engine or browser, and this is most likely in order to gain some form of financial advantage. There is no right or legitimate interest in holding a domain name for such a purpose and the Panel is of the view that such activity provides positive evidence that no rights or legitimate interests exists.

6.9 Accordingly, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

6.10 The only sensible reading of the Domain Name is of the letters "www" and the term "Pulte" in combination with the ".com" generic top level domain ("TLD"). Further, the letters "www" are most likely to be understood as a reference to the abbreviation for the "world wide web", which is frequently used (albeit increasingly historically) together with a "full stop" or "period" in a URL in order to indicate that the rest of the URL identifies a webpage or website.

6.11 Given this the Panel accepts that the Domain Name has been deliberately registered and held with the intention of taking advantage of those who intended to type the letters "www.pulte.com" into a search engine or browser, in order to access the website operated from that address by the Complainant and the group of companies to which the Complainant belongs, but who mistakenly missed out the "full stop" or "period" when doing so. Further, the Panel accepts that the use made of the Domain Name was in order to redirect those Internet users to a pay-per-click webpage that displayed links associated with the activities of the Complainant, and thereby most likely was intended to generate revenue for the Respondent.

6.12 The Complainant contends that the fame of its business is such that the Respondent must have known of the Complainant prior to registering the Domain Name. That may be so, although for the most part the Complainant's contentions in this respect are somewhat conclusionary. However, it is not necessary to consider this issue further since the Panel is more than satisfied that the Respondent's knowledge and intentions are clear enough from the form of the Domain Name, the fact that the Complainant has previously operated a website from the domain name <pulte.com> and the content of the website operating from the Domain Name.

6.13 It follows that the Respondent's activities fall within the scope of the example of circumstances, indicating bad faith registration and use set out in paragraph 4(b)(iv) of the Policy. Further, the Panel accepts that this is an example of typosquatting (albeit not a typosquatting variant of a trade mark, but instead a typosquatting variant of a common URL that one might expect to be used in connection with a website that uses a domain name that takes the form <[trade mark].[TLD]>), which is also indicative of bad faith (see in this respect the [WIPO Overview 3.0](#), section 3.2.).

6.14 Finally, the Panel also accepts that the number of UDRP cases in which the Respondent has been involved and in which the domain name or domain names were transferred, also indicates a pattern of conduct on the part of the Respondent of seeking to take unfair advantage of the trade marks of others, and that this also supports a finding of bad faith registration and use.

6.15 The Complainant's evidence of domain names associated with the email address used by the Respondent in respect of the Domain Name, which are said to contain the trade marks of others, also to some degree further supports that contention. The Complainant appears to believe in the case of the examples it has chosen, that this use of the trade mark of others is self-evident from the domain names themselves. Perhaps this would be so for a panel comprising a person or persons from the United States, but the Panel in this case is not, and many of the examples offered do not contain trade marks with which it is familiar. Nevertheless, a number of the domain names identified do indeed appear to incorporate trade marks that are known to the Panel (such as "Disney" and "Hello Fresh"). The Panel also notes that there are other domain names that call to mind trade marks that will be very familiar to persons based in the United Kingdom (for example "John Lewis" in the domain name <johnlewisfunnance.com>).

6.16 Accordingly, the Panel finds the third element of the Policy has been established.

7. Decision

7.1 For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <www.pulte.com> be transferred to the Complainant.

/Matthew S. Harris/

Matthew S. Harris

Sole Panelist

Date: February 28, 2025