

ADMINISTRATIVE PANEL DECISION

Discord Inc. v. Aman Boora, Tech Fusion
Case No. D2025-0405

1. The Parties

The Complainant is Discord Inc., United States of America ("US"), represented by Abion GmbH, Switzerland.

The Respondent is Aman Boora, Tech Fusion, India.

2. The Domain Name and Registrar

The disputed domain name <discordarena.com> (the "Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 31, 2025. On February 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 3, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 4, 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 February 6, 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 February 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 5, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on March 17, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant offers a free voice, video, and text chat application under the trademark DISCORD. In 2024, the Complainant had over 563 million registered users and enjoys a strong online presence via its official websites and social media accounts.

The Complainant owns numerous trademark registrations for DISCORD, such as US trademark registration No. 4930980 (registered on April 5, 2016) and International trademark registration No. 1493333 (registered on August 27, 2019). The latter trademark also designates India where the Respondent is situated. The Complainant also owns numerous domain names, for example <discord.com> registered since 2000.

The Domain Name was registered on February 10, 2024. The Domain Name has resolved to a website that purports to offer third-party social media accounts for sale, as well as one of the Complainant's paid products. Subsequently, the Domain Name was set to redirect to a different domain name purporting to offer aged social media accounts for sale.

5. Parties' Contentions

A. Complainant

The Complainant provides evidence of trademark registrations before the Domain Name was registered and argues that the Domain Name is confusingly similar to the Complainant's trademark. With reference to former UDRP decisions, the Complainant argues that its trademark is well-known in the market of messaging and chat services. The Domain Name incorporates the Complainant's registered trademark in its entirety. The addition of the term "arena" does not prevent a finding of confusing similarity.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Respondent is not related to the Complainant in any way and has not been authorized by the Complainant. There is no available information on the Respondent being commonly known by the Domain Name. The Respondent has used the Domain Name for a website that purports to offer third-party social media accounts for sale. Such use of the Domain Name amounts to a commercial activity and cannot amount to a bona fide use within the meaning of paragraph 4(c)(i) the Policy. The Respondent is not using the Domain Name in connection with a bona fide offering of the Complainant's products. The Respondent purports to offer third-party social media accounts for sale, as well as one of the Complainant's paid products. While the Respondent's website does display a disclaimer, it is not placed in a prominent position, as it is placed at the very bottom of the website.

The Complainant believes the Respondent knew of the Complainant's trademark. The Complainant's trademarks predate the Respondent's registration of the Domain Name. The Complainant is widely known in India where the Respondent is situated. Moreover, the composition and use of the Domain Name is evidence that the Respondent knew of the Complainant. The Complainant argues that the Respondent deliberately chose the Domain Name and registered it in bad faith with the Complainant in mind in order to attract, for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's mark. Finally, the Respondent has been trying to conceal its identity behind privacy shield to avoid procedure. This is further evidence of bad faith.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Domain Name. Where a domain name incorporates the entirety of a trademark, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has established that it has rights in the trademark DISCORD. The Domain Name incorporates the Complainant's trademark with the addition of "arena". The addition does not prevent a finding of confusing similarity. See [WIPO Overview 3.0](#), section 1.8. For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain ("gTLD") ".com"; see [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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. While 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 often-impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds 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 showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name. Based on the record, the Respondent is not affiliated or related to the Complainant. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name in connection with a bona fide offering of goods or services. The Respondent's use of the Domain Name is evidence of bad faith, and as such does not confer rights or legitimate interests upon the Respondent. The Respondent offered third-party social media accounts for sale, and the Domain Name subsequently redirected to a different website purporting to offer aged social media accounts for sale. The disclaimer at the bottom of the website does not change this fact.

Based on the available record, the Panel finds the second element of the Policy has been established.

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 to be present, shall be evidence of the registration and use of a domain name in bad faith.

The Respondent knew of the Complainant when the Respondent registered the Domain Name. It follows from the composition and use of the Domain Name, as well as the fame of the Complainant and its prior trademark registrations. The use of the Domain Name reveals the intent of the Respondent to attract, for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's mark. This is clear evidence of bad faith.

For the reasons set out above, the Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy. The third element of 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 the Domain Name <discordarena.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: March 27, 2025