

ADMINISTRATIVE PANEL DECISION

Microwave Vision v. 胡献锋 (Xian Feng Hu)
Case No. D2025-0453

1. The Parties

The Complainant is Microwave Vision, France, represented by Nameshield, France.

The Respondent is 胡献锋 (Xian Feng Hu), China, self-represented.

2. The Domain Name and Registrar

The disputed domain name <mvgworld.com> is registered with Cloud Yuqu LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on February 5, 2025. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 6, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 7, 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 in English on February 11, 2025.

On February 7, 2025, the Center informed the Parties in Chinese and English that the language of the Registration Agreement for the disputed domain name is Chinese. On February 11, 2025, the Complainant requested that English be the language of the proceeding. The Respondent did not comment on the language of the proceeding at that time.

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 in Chinese and English of the Complaint, and the proceedings commenced on February 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 5, 2025. The Response was filed in Chinese with the Center on March 2, 2025 and included a request that the proceeding be conducted in Chinese.

The Center appointed Matthew Kennedy as the sole panelist in this matter on March 13, 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.

The Complainant made an unsolicited supplemental filing in English on March 13, 2025. The Respondent made an unsolicited supplemental filing in Chinese on March 15, 2025.

4. Factual Background

The Complainant is a French company that offers solutions based on near-field, far-field and compact range measurement techniques for antenna, EMC, RCS, Radome testing and RF Safety. The Complainant's solutions support the measurement needs of the aerospace and defense, telecommunications, and automotive industries, as well as academic and research institutes. Its company group has 15 locations in North America, Europe, and Asia. The Complainant holds the following trademark registrations:

- French trademark registration number 4172088 for a black and white MVG MICROWAVE VISION GROUP and device mark, registered on July 31, 2015, specifying goods and services in classes 9, 37, 38, and 42; and
- International trademark registration number 1295712 for a black, white, and colored MVG MICROWAVE VISION GROUP and device mark, registered on September 23, 2015, designating multiple jurisdictions, including China, specifying goods and services in multiple classes.

The above trademark registrations are current. The Complainant also registered the domain name <mvg-world.com> on March 18, 2015 that it uses in connection with a website where it provides information about itself and its solutions. The Complainant's website prominently displays the black, white, and colored MVG MICROWAVE VISION GROUP and device mark. The website homepage is titled "Testing Connectivity for a Wireless World". The Complainant's website's title tag on a Google search engine results page is "MVG World".

The Respondent is an individual based in China.

According to historical Whois records presented by the Respondent, the disputed domain name was first created as early as 2018 and held by different parties until as recently as May 7, 2023.

The disputed domain name was registered by the Respondent on January 1, 2025. According to evidence presented by the Complainant, the disputed domain name subsequently resolved to a webpage offering it for sale for USD 15,000 to "Buy Now". At the time of this Decision, the disputed domain name resolves to a webpage displaying a notice in English that it is "reserved for our Future Project", together with contact details.

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 the disputed domain name is confusingly similar to its trademarks and its domain name. The disputed domain name includes the distinctive and dominant portion of the Complainant's trademarks, namely "MVG", which is an acronym for "Microwave Vision Group" and is commonly used to designate the company name of the Complainant. The disputed domain name adds the term "world", which refers to the Complainant's domain name <mvg-world.com>. Besides, the Complainant uses the terms "MVG World" as the keyword for its website. The distinctiveness of the Complainant's trademark and the sector of its activity are irrelevant to the assessment of likelihood of confusion.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with nor authorized by the Complainant in any way. The Complainant does not carry out any activity for, nor has any business with, the Respondent. None of the evidence provided by the Respondent is dated, and none relates to a relationship with Metaverse Games World. The disputed domain name was offered for sale after the Respondent had taken control of it.

The disputed domain name has been registered and is being used in bad faith. The Complainant is a company operating worldwide and serves around 660 customers a year, including 11 of the top 20 technology companies. The Complainant is present in China, where the Respondent is located. The disputed domain name contains the distinctive and dominant portion of the Complainant's trademark "MVG" with the term "world", which cannot be coincidental as it refers to the Complainant's domain name used for its website and to the keyword for that website. Most results of a Google search for the terms "mvg world" relate to the Complainant. Besides, the first results from a search on the term "mvg" on Baidu refer to the Complainant. The Respondent fails to make active use of the disputed domain name. The Respondent has registered the disputed domain name only to sell it back for out-of-pocket costs. The webpage to which the disputed domain name currently resolves appears to be a template used for many other domain names with the same contact information which, together with the username in the Respondent's email address, strongly suggest that the Respondent is a domainer. As such, the Respondent cannot ignore abusive registrations and should have carried out searches to avoid any risk of confusion.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends that the disputed domain name is not confusingly similar to the Complainant's trademark. The Complainant's company name and core trademarks are "The Microwave Vision Company", and a combination of MVG graphics and "Microwave Vision Group", respectively. Their distinctiveness lies in the complete combination not in the separate abbreviation "MVG" and "world". "World" as a general term has no distinctiveness, and "MVG" as a three-letter general abbreviation has long been widely used in many fields by many third parties. There is no trademark registration for MVGWORLD in China, but there are many trademark registrations for MVG, only a few of which are held by the Complainant. Further, the disputed domain name contains no hyphen, unlike the Complainant's domain name. The disputed domain name contains "world" but this is a common word and has no connection with the Complainant's business (microwave technology). The Respondent plans to register domain names for games and the metaverse, which are significantly different from the Complainant's industry.

The Respondent has rights and legitimate interests in respect of the disputed domain name. When the Respondent registered the disputed domain name, he was interested in the meaning of "Magic Video Games World", "Music Video Games World", and "Metaverse Games World". The Respondent is now planning to design and develop the "Metaverse Games World" project. In support, the Respondent submits a draft business plan, screenshots of some webpage designs, and screenshots of a temporary display page. The Respondent did not publish a price for the disputed domain name. The domain name broker's system retains information regarding a sale unless the new domain name holder asks for it be deleted. The Respondent has now contacted the broker to delete the previous sale information. The Respondent has

never actively contacted the Complainant or its competitors to sell the disputed domain name. Simply putting up a domain name for sale does not necessarily constitute bad faith. Where they do not infringe trademark rights, domain name holders have the right to park their legally-held domain names to sell them.

The Complainant has not demonstrated registration or use of the disputed domain name in bad faith. At the time of registration, the Respondent had no intention to target the Complainant: The Complainant's main business (microwave imaging technology) has no connection with the Respondent's planned project (games/metaverse). The Complainant did not provide evidence to prove that its MVG trademark is well known in the Chinese game/entertainment field. The Respondent is based in China and cannot search with the Google search engine. The Respondent searched for "mvgworld" and "mvg" on the Baidu and 360 search engines. Only a few of the top search results related to the Complainant. In any case, the ownership of a domain name does not depend on the number of search engine results.

The Respondent alleges that the Complainant filed the Complaint in an attempt at reverse domain name hijacking and concealed the following facts: (i) the disputed domain name was previously held by multiple registrants but never by the Complainant. The prior registration expired in February 2024 and was available for registration from April 2024. The Respondent registered the disputed domain name in January 2025 by chance. During a period of about eight months, the Complainant took no action which shows that it did not attach importance to the disputed domain name and intended to hijack the disputed domain name after another party registered it; (ii) the Complainant has not registered its website at the domain name <mvg-world.com> in China and the field in which it operates has no connection to the industry in which the Respondent is engaged, further weakening its claim that the Respondent knew of its trademark when registering the disputed domain name; (iii) the Complainant intentionally misled the Panel because it chose to search for "mvg world" instead of "mvgworld" or "mvg", which lead to different results. Search results are also affected by locations and cookies; and (iv) the other domain names using the same webpage template are not owned by the Respondent and have nothing to do with this case.

6. Discussion and Findings

6.1 Procedural Issues

A. Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint, amended Complaint and supplemental filing were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including that the disputed domain name is formed by words in Roman characters (ASCII) and not in Chinese script; and conducting the proceeding in Chinese would impose a significant burden on the Complainant in terms of cost.

The Response and revised Response to the Complainant's supplemental filing were filed in Chinese. The Respondent requested that the language of the proceeding be Chinese, on the grounds that he is a Chinese person, the Registrar is a Chinese company, and the language of the Registration Agreement is Chinese. The Respondent submits that he used translation software to read the Complainant's submissions and basically understands them.

The Panel notes that certain screenshots of the webpage designs provided by the Respondent are in English, from which it is reasonable to infer that the Respondent understands that language. The Respondent has made detailed submissions which show that he has in fact understood the Complainant's submissions in English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time, and costs. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English, but that the Panel will accept all submissions as filed in their original language, whether Chinese or English, without a translation.

B. Unsolicited Supplemental Filings

The Complainant made an unsolicited supplemental filing on March 13, 2025, on the day on which the Panel was appointed. The Respondent made an unsolicited supplemental filing in the form of a revised Response on March 15, 2025.

Paragraph 10(b) of the Rules provides that "[i]n all cases, the Panel shall ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case" while paragraph 10(d) provides that "[t]he Panel shall determine the admissibility, relevance, materiality and weight of the evidence". Although paragraph 12 of the Rules empowers the Panel, in its sole discretion, to request further statements or documents from either of the Parties, this does not preclude the Panel from accepting unsolicited filings. See *Delikomat Betriebsverpflegung Gesellschaft m.b.H. v. Alexander Lehner*, WIPO Case No. [D2001-1447](#).

In the present case, the Complainant's supplemental filing comments on evidence and arguments presented in the Response regarding the Respondent's plans for the disputed domain name, the recent change in use of the disputed domain name, the prior offer to sell the disputed domain name, and the request for a finding of reverse domain name hijacking. None of this could have been anticipated in the Complaint. Acceptance of the Complainant's supplemental filing will not cause delay in the proceeding. Given that the Respondent has already taken the opportunity to reply to the Complainant's supplemental filing, accepting both supplemental filings will cause no unfairness to either Party.

Therefore, the Panel exercises its discretion to admit both Parties' supplemental filings as part of the record of this proceeding and will take them into account according to their relevance, materiality, and weight.

6.2 Substantive Issues

Paragraph 4(a) of the Policy provides that a complainant must demonstrate each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (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 burden of proof of each element is borne by the Complainant. Failure to prove any one element will result in denial of the Complaint.

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. See [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown registered rights in respect of the MVG MICROWAVE VISION GROUP and device marks for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.2.1. The marks are identical, except for the color of the device.

The Panel notes that the dominant element of the registered marks is the term “MVG”. The other textual elements of the marks appear in small font. The figurative elements cannot be reproduced in a domain name for technical reasons and therefore the Panel will not take them into account in the assessment of confusing similarity for the purposes of the first element of the Policy. See [WIPO Overview 3.0](#), section 1.10.

The disputed domain name reproduces the dominant element of the registered marks (“MVG”) as its initial element. Although it adds the word “world”, the dominant element of the marks remains clearly recognizable in the disputed domain name. The only other element in the disputed domain name is a generic Top-Level Domain (“gTLD”) extension (“.com”) which, as a standard requirement of domain name registration, may be disregarded in the assessment of confusing similarity. This assessment indicates that the disputed domain name is confusingly similar to the Complainant’s marks for the purposes of the Policy. See [WIPO Overview 3.0](#), sections 1.7, 1.8, and 1.11.1.

The Complainant also claims that the disputed domain name is confusingly similar to its domain name <mvg-world.com>. The Respondent replies that the Complainant’s domain name contains a hyphen, which the disputed domain name does not. The Panel notes that the first element of the Policy calls for a comparison between the disputed domain name and a mark, not another domain name, unless that other domain name is used as a mark, which is not the case here.

The Respondent argues that MVG is a three-letter combination with many uses that is the subject of many trademark registrations, and that the term “world” lacks distinctiveness and any connection with the Complainant’s field of business. However, while these considerations may be relevant to the second and third elements of the Policy, they have no bearing on the side-by-side comparison between the disputed domain name and the mark for the purposes of the first element.

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

B. Rights or Legitimate Interests

For the record, the Panel notes that the evidence of the Respondent’s draft business plan, screenshots of some webpage designs, and screenshots of a temporary display page are all undated and submitted in files last modified on the date of filing of the Response. While the Panel doubts whether or not the Respondent has a genuine business plan related to the disputed domain name, given the Panel’s findings on the third element of the Policy in Section 6.2C below, it is unnecessary to consider the second element.

C. Registered and Used in Bad Faith

The Panel notes that the third element of paragraph 4(a) of the Policy contains two requirements that apply conjunctively. A complainant must show both that the disputed domain name has been registered in bad faith and also that it is being used in bad faith. The former requires a demonstration that the Respondent knew or should have known of the Complainant and/or the Complainant’s trademark at the time when it registered or acquired the disputed domain name and that it registered the disputed domain name with a bad faith intention targeting the Complainant and/or its mark.

In the present case, the disputed domain name was registered in 2025, after the registration of the Complainant’s MVG MICROWAVE VISION GROUP and device marks including in China (in the case of the black, white, and colored version), where the Respondent is located.

The disputed domain name incorporates the dominant element of those marks, i.e., “MVG”, but the incorporation of this one element does not indicate a targeting of the Complainant. The letters “MVG” refer to many different businesses, including Münchner Verkehrsgesellschaft, Mobile Vector Graphics, Metaverse Group, and Massive Gaming, as shown in the evidence.

The Complainant provides little evidence of its reputation in China, where the Respondent is located, from which the Panel might infer an awareness of the Complainant. The Complainant’s website lists offices located in Shenzhen and Hong Kong, China. The Respondent does not appear to operate in the same highly specialized sector as the Complainant, or a related sector.

The Complainant submits that the Respondent should have known of the Complainant because the circumstances strongly suggest that he is a domainer who should have conducted searches prior to registration. The evidence shows that the template and contact details on the current webpage at the disputed domain name are also associated with multiple other domain names. The Respondent denies that he is the registrant of the other domain names. The case record does not show that the Respondent is the registrant of those other domain names or that his contact details provided in the Registrar’s verification are associated with their registrations. The Panel cannot rule out that the Respondent may be associated with those other domain names considering the same contact details are shown on the current webpage at the disputed domain name. However, even if the Respondent were behind the registration of those other domain names presented in the Complainant’s evidence, the Panel notes that these domain names are either composed of numbers, e.g., <94400.com>, or short strings of letters, e.g., <egb.cn>, <ffj.cn>, or a combination of both, e.g., <bb2028.com>. Moreover, although the Complainant appears among the top results of Internet searches for “mvgworld”, “mvg world”, and “mvg”, so do many other businesses using the letters “MVG”.

The Complainant submits that it is no coincidence that the disputed domain name combines MVG with “world”. This combination appears in the title tag (or keyword) of the Complainant’s website on a Google search results page and it also appears (with a hyphen) in the domain name associated with the Complainant’s website (<mvg-world.com>). As for the Respondent, he submits that he has no access to Google and registered the disputed domain name by chance. The Panel does not doubt the possibility that the Respondent was aware of the Complainant and its domain name prior to the registration of the disputed domain name. However, the Panel notes that “world” is a common word that can potentially be used as a brand in combination with “MVG” by any number of businesses. Further, even if the Panel were to accept that the Respondent is the registrant of all the domain names associated with the “reserved for our Future Project” webpage template, as the Complainant suggests, the Complainant’s evidence shows that those domain names consist of three letters, or numbers, or a combination of short strings of letters and numbers, from which the Panel does not draw any inference of bad faith registration. Therefore, the Panel finds on balance that the Complainant has not provided sufficient evidence to prove that the Respondent targeted the Complainant and/or its trademark at the time of registering the disputed domain name.

There is no evidence of subsequent targeting of the Complainant and/or its mark through the use of the disputed domain name either. At the time when the Complaint was filed, the disputed domain name resolved to a webpage offering it for sale for USD 15,000. As the domain name holder at that time, the Respondent was responsible for this use of the disputed domain name. The Respondent alleges that this price related to a prior sale but does not substantiate that allegation. In any case, the mere registration of a highly brandable combination of three letters and a common dictionary word as a domain name for resale at a profit does not by itself indicate bad faith. Nor does the Complainant argue that the asking price targets itself or a competitor as opposed to other parties who may wish to use “MVG World” but would not be in a position realistically to pay this price.

On the basis of the record of this proceeding, the Panel is unable to find on the balance of probabilities that the Respondent registered the disputed domain name with a bad faith intention targeting the Complainant and/or its mark.

Therefore, the Panel finds the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. See [WIPO Overview 3.0](#), section 4.16.

The Respondent requests that the Panel make a finding of reverse domain name hijacking. The Complainant asks the Panel to reject that request, given its trademark and domain name rights and the use that the Respondent makes of the disputed domain name.

Although it has not upheld the Complaint, the Panel does not consider that the Complaint was brought in bad faith. The fact that the Complainant had not previously registered the disputed domain name, and its failure to register the disputed domain name when it became available in 2024, are not evidence of bad faith. The Complainant had a reasonable good faith belief that the Respondent knew of its trademark. The Complainant's evidence of screenshots of search results were not misleading as they clearly showed the Internet search terms that it used. The other domain names using the same "reserved for our Future Project" webpage template may indeed be relevant in assessing the case, as discussed above.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: March 27, 2025