

ADMINISTRATIVE PANEL DECISION

Greyson Clothiers, LLC v. Daqiang Yu
Case No. D2025-0918

1. The Parties

The Complainant is Greyson Clothiers, LLC, United States of America (“United States”), represented by Arnold & Porter Kaye Scholer LLP, United States.

The Respondent is Daqiang Yu, China.

2. The Domain Name and Registrar

The disputed domain name <greysonsportswear.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 6, 2025. On March 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 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 (Redacted for Privacy, Super Privacy Service Ltd C/O Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 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 on March 7, 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 March 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 8, 2025.

The Center appointed David Taylor as the sole panelist in this matter on April 14, 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 Complainant is a company engaged in the manufacturing and sale of apparel and other products, including clothing for golfers. The Complainant markets its products throughout the United States and elsewhere. For use in connection with its apparel and other products, the Complainant is the owner of a number of GREYSON trademarks, including:

- United States Trademark Registration No. 5591104, GREYSON, registered on October 23, 2018; and
- United States Trademark Registration No. 5638642, GREYSON (and design),¹ registered on December 25, 2018.

The Complainant is also the registrant of the domain name <greysonclothiers.com> from which it operates a consumer-facing website.

The disputed domain name was registered on June 25, 2024. At the time of submission of the Complaint to the Center, the disputed domain name resolved to a website that purported to offer for sale apparel bearing the Complainant's GREYSON trademark at substantially discounted prices (the "Respondent's website"). The Respondent's website featured the Complainant's logo as a favicon as well as the Complainant's GREYSON trademark in the top-left corner of the website. The Respondent's website did not contain any disclaimer or other statement clarifying its non-affiliation with the Complainant. At the time of this decision, the disputed domain name no longer resolves to an active web page.

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.

The Complainant asserts rights in the GREYSON trademark and submits that the disputed domain name is confusingly similar to its trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant states that it has no relationship with the Respondent and that it has not authorized the Respondent to make use of its trademarks. The Complainant asserts that the Respondent is using the disputed domain name to offer counterfeit goods or is otherwise intending to mislead consumers into purchasing goods from the Respondent's website that the Respondent has no intention of providing. The Complainant states that it attempted to order items from the Respondent's website, which were never delivered. The Complainant submits that even if the Respondent were operating a genuine business, the Respondent's use of the disputed domain name would not be bona fide as the Respondent does not clarify its non-affiliation with the Complainant but is instead effectively impersonating the Complainant.

The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith. The Complainant asserts that the Respondent registered the disputed domain name in order to take advantage of the Complainant's reputation and its trademarks, and to mislead Internet users seeking the

¹ The mark consists of a stylized depiction of a grey wolf's head with grey and blue eyes viewed from the front, with the word "GREYSON" below and off center to the left in grey.

Complainant and the Complainant's products online. The Complainant further submits that by using the disputed domain name, the Respondent has intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the goods offered for sale therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy, notably:

- (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 was registered and is being used in bad faith.

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 the GREYSON trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name comprises the Complainant's GREYSON trademark as its leading element, followed by the term "sportswear", under the generic Top-Level Domain ("gTLD") ".com". The Panel finds that the addition of the term "sportswear" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark, which remains clearly recognizable in the disputed domain name. [WIPO Overview 3.0](#), section 1.8.

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

B. Rights or Legitimate Interests

As noted above, the disputed domain name previously resolved to a website that purported to offer goods bearing the Complainant's GREYSON trademark for sale at substantially discounted prices. The Complainant alleges that the Respondent is offering counterfeit goods and is also making a fraudulent offering in the sense that it is soliciting orders for goods that it has no intention of providing. The Respondent has not come forward to respond to the Complainant's allegations.

Even if the Respondent's offering were genuine, the lack of any disclaimer clarifying the Respondent's non-affiliation with the Complainant strengthens the impression that the Respondent's website is affiliated with or endorsed by the Complainant. See *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#). The Panel finds that by using the disputed domain name in such a manner, the Respondent has sought to

impersonate the Complainant. Prior UDRP panels have held that the use of a domain name for illegitimate activity, such as impersonation, passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds that, in the circumstances of the present case, none of the factors set out in paragraph 4(c) of the Policy that may give rise to rights or legitimate interests in a disputed domain name applies.

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

C. Registered and Used in Bad Faith

It is clear from the nature of the Respondent's website that the Respondent was well aware of the Complainant and its prior rights in the GREYSON trademark when registering the disputed domain name. In light of the Respondent's use of the disputed domain name, as described above, the Panel finds that the Respondent registered the disputed domain name in order to create a misleading impression of association with the Complainant, with a view to deriving commercial gain from unauthorized use of the Complainant's trademark in the disputed domain name and on the Respondent's website, in bad faith.

Based on the evidence and allegations put forward by the Complainant, it is likely that the Respondent has used the disputed domain name to offer counterfeit goods or otherwise in an attempt to mislead Internet users into making payments for goods that the Respondent has no means or intention of providing. Panels have held that the use of a domain name for illegitimate activity such as impersonation, passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

As noted above, even if the Respondent's offering were treated as genuine, the Panel finds that by using the disputed domain name in such a manner, the Respondent has intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the goods offered for sale therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

The fact that the disputed domain name no longer resolves to an active website does not materially affect the Panel's findings above.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <greysonsportswear.com> be transferred to the Complainant.

/David Taylor/

David Taylor

Sole Panelist

Date: May 1, 2025