

ADMINISTRATIVE PANEL DECISION

JConcepts, Inc v. Johnn AAnderso
Case No. D2025-1044

1. The Parties

The Complainant is JConcepts, Inc, United States of America (“United States” or “U.S.”), represented by Upscale Law, LLC, United States.

The Respondent is Johnn AAnderso, United States

2. The Domain Name and Registrar

The disputed domain name <jconceptsparts.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 13, 2025. On March 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 15, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on March 17, 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 19, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 22, 2025.

The Center appointed Angela Fox as the sole panelist in this matter on May 5, 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 United States-based designer and manufacturer of radio control vehicle parts, founded in 2001, and operating continuously since then under the name JConcepts, Inc. The Complainant's radio controlled vehicle bodies, tires, wheels, and accessories are sold to radio control racers around the world. Since at least 2003, all these activities have been carried out under and by reference to the trademark JCONCEPTS.

The Complainant maintains a website at "www.jconcepts.net" where it sells its products under the JConcepts name and mark. The Complainant registered the <jconcepts.net> domain name on August 2, 2001. A current screenshot of the Complainant's webpage was annexed to the Complaint. It shows the Complainant's use of JCONCEPTS, including a prominent logo reading "jconcepts.net" in a distinctive stylized form ("the Complainant's Logo").

The Complainant promotes its JCONCEPTS trademark inter alia by sponsoring a JConcepts Race Team, whose members compete in radio controlled racing events throughout the United States and the world. The Complainant also serves as the title sponsor of several radio controlled racing series and events, including the JConcepts INS13 Indoor National Series, the JConcepts NCT5 National Carpet & Turf Series, the JConcepts Winter Indoor Shootout & Invitational, and Jconcepts Winter Dirt Oval Nationals.

The Complainant owns U.S. Trademark Registration No. 4,022,603 for "JConcepts" in Class 28 for "Toy cars and parts and accessories therefor; Toy trucks and parts and accessories therefor;" registered on September 6, 2011 with a claimed date of first use and first use in commerce of October 1, 2003. A copy of the registration certificate was annexed to the Complaint.

The disputed domain name was registered on December 5, 2024. It is in use for a website offering for sale parts for radio controlled vehicles, of the same kind as those offered by the Complainant. The Complainant's Logo features prominently on the home page of the Respondent's website, even though the domain name appearing in the logo, "jconcepts.net", is not the Respondent's website address. The Complainant submits that the parts offered for sale on the Respondent's website are not official JConcepts parts but are in fact counterfeits. The Respondent's website does not state anywhere that it is not the Complainant and is not affiliated with it.

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 is confusingly similar to its trademark, JCONCEPTS, differing only in the addition of the word "parts" and the Top-Level Domain ".com". The Complainant submits that the presence of the word "parts" increases the likelihood of confusion because it directly describes the Complainant's field of activity.

The Complainant further submits that the Respondent has no rights or legitimate interests in the domain name, as there is no relationship between the Respondent and the Complainant, and the Complainant has not licensed or otherwise permitted the Respondent to use the Complainant's JCONCEPTS mark. Although the Respondent appears to be using the disputed domain name in connection with the offer for sale of parts for radio controlled vehicles, this is done through a website that appears to impersonate the Complainant and the Complainant submits that the goods being offered are counterfeit.

Finally, the Complainant argues that that the Respondent registered and is using the disputed domain name in bad faith, as its use of the Complainant's logo demonstrates that it knew of and was targeting the

Complainant and its business when it registered the disputed domain name. The Complainant submits that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's JCONCEPTS mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website, circumstances which would entitle a panel to find both registration and use in bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions and is in default. No exceptional circumstances explaining the default have been put forward. Therefore, in accordance with paragraphs 14 (a) and (b) of the Rules, the Panel will decide the Complaint and shall draw such inferences as it considers appropriate from the Respondent's default.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant can only succeed in an administrative proceeding under the Policy if the panel finds that:

- (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 the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

All three elements must be present before a complainant can succeed in an administrative proceeding under the Policy.

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.

In this case, the Complainant has shown rights in respect of the trademark JCONCEPTS for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the Complainant's 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.

The additional term "parts" of the disputed domain name does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark. [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.

The Complainant has moreover provided evidence that the Respondent has used the disputed domain name in connection with the offer for sale of radio controlled vehicle parts, on a website which prominently displays the Complainant's Logo and which includes nothing to explain the relationship, or lack of one, with the Complainant.

The Complainant submits that the Respondent is selling counterfeit JCONCEPTS parts, but has not provided any evidence or reasons to support this assertion. Even if the Respondent were to be re-selling the Complainant's own genuine JCONCEPTS products or parts thereof, though, then the applicable criteria for determining whether the Respondent could assert a right or legitimate interest in a domain name which incorporates the Complainant's trademark, and which are set out in *Ok! Data Americas, Inc. v. ASD, Inc.* (WIPO Case No. [D2001-0903](#)), have not been met. In particular, the Respondent's website does not disclose the fact that the website is not linked to the Complainant. There is a distinct risk arising from the Respondent's activities that Internet users will be misled into believing that the website is operated or endorsed by the Complainant.

The Respondent has not attempted to rebut the Complainant's assertions and evidence.

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

Under paragraph 4(b)(iv) of the Policy, such circumstances include that by using the disputed domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

In this case, the Respondent has used the disputed domain name in connection with a website which clearly targets the Complainant and which uses the Complainant's Logo and trademark in order to offer what purport to be and are in any event likely to be taken as the Complainant's products. The Respondent's website does not disclose that it has no relationship with the Complainant. Taking into account the confusing similarity of the disputed domain name and the trademark, and the nature of the Respondent's use which includes the prominent display of the Complainant's Logo, there is a clear likelihood of confusion with the Complainant's business under its JCONCEPTS mark as to the source, affiliation or endorsement of the Respondent's website. The Panel finds that the Respondent has been using the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant.

Taking all of this into account, the Panel finds that the Respondent registered and is using the disputed domain name in bad faith. The Complainant has therefore 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 <jconceptsparts.com> be transferred to the Complainant.

/Angela Fox/

Angela Fox

Sole Panelist

Date: May 30, 2025