

ADMINISTRATIVE PANEL DECISION

Heritage Capital Corporation v. mingliang jin, china
Case No. D2025-1626

1. The Parties

The Complainant is Heritage Capital Corporation, United States of America (“United States” or “U.S.”), represented by Law Offices of Armen R. Vartian, United States.

The Respondent is mingliang jin, china, China, represented by 企发发知识产权服务有限公司, China.

2. The Domain Name and Registrar

The disputed domain name <heritcoin.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 23, 2025. On April 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 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 (HERITCOINCOM-REG/ Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 24, 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 the amended Complaints on April 29, 2025.

The Center verified that the Complaint together with the amended Complaints 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 April 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 20, 2025. The Response was filed with the Center on May 20, 2025.

The Center appointed Karen Fong, Gordon Arnold and Dennis CAI as panelists in this matter on June 18, 2025. The Panel finds that it was properly constituted. Each member of 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, a company based in the United States, is an auction house which started in the 1970s/80s as a coin auction house. As part of its coin auction services, the Complainant also offers appraisals and its own experts' opinions as to the authenticity of the coins as well as sending the coins for third-party authentication prior to auction. The Complainant's services are offered under the name HERITAGE.

The Complainant owns various trade marks for HERITAGE including the following:

- United States Trade Mark No 2486881 for HERITAGE registered on September 11, 2001;
- United States Trade Mark No 2746296 for HERITAGE registered on August 5, 2003;
- United States Trade Mark No 4095545 for HERITAGE registered on February 7, 2012;

(individually and collectively referred to as the "Trade Mark").

The Complainant also owns the following domain names, <heritagecoin.com> and <heritage-coin.com>. The domain name <heritagecoin.com> resolves to the Complainant's website at "www.coins.ha.com".

The Respondent, a Chinese national, registered the disputed domain name on May 13, 2023. The disputed domain name resolves to a website which offers an app which provides Artificial Intelligence ("AI") coin identification services to enhance collectors and hobbyists who own ancient coins to learn more about their collections (the "Website"). The Respondent is a director and shareholder of Open Sky New Media Limited ("Open Sky"), a Hong Kong, China incorporated company as well as Hangzhou Weipaitang Cultural Creative Co. Ltd ("HWCC"), a China incorporated company.

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:

- (1) The disputed domain name is confusingly similar to the Trade Mark and its domain names;
- (2) The Respondent has no rights or legitimate interests with respect to the disputed domain name as it is not associated with the Complainant and has not been licensed or otherwise authorised by the Complainant to use the Trade Mark;
- (3) The disputed domain name was registered and is being used by the Respondent in bad faith.

The disputed domain name was registered some 30 years after the Complainant first used the Trade Mark in 1983. The term "HERIT" within "HERITCOIN" does not relate to anything about either the Respondent or coins and serves no purpose other than to create an apparent connection with the Trade Mark. The Respondent's operating of the Website has been done with the intention to confuse customers and divert the Complainant's customers and potential customers and/or induce customers to trust doing business with the Website owner based on their trust with the Complainant.

The Complainant has been harmed by these activities. Firstly, consumers have confused the Respondent with the Complainant. The Complainant has received complaints from confused customers who either believe that they were contacting the Respondent or believe that the Respondent is a subsidiary of the Complainant. Secondly, the Respondent appears not to be providing the services to the customers from whom they have accepted payment which damages the reputation of the Complainant whose business is reliant on customers entrusting them with their collectibles which are sold pursuant to a consignment agreement.

By using the disputed domain name, the Respondent is intentionally attempting to attract for commercial gain, potential and actual customers of the Complainant to the Website by creating actual confusion with the Trade Mark and the Website to misrepresent the Respondent as the Complainant or associated with the Complainant.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

Notably, the Respondent contends that:

- (1) The disputed domain name is neither identical to nor confusingly similar to the Trade Mark.

The disputed domain name “Heritcoin” is a made up word comprising two parts – “Herit” which means “inheritance” and the English word “coin”. The terms are directly associated with the Respondent’s business of scanning and identifying ancient coins. The word HERIT is in fact registered as a trade mark by HWCC in China (see (2b) below). This is distinguishable from the Trade Mark which is a generic English word meaning “inheritance” as it is not identical to the Trade Mark nor does it incorporate the Trade Mark or its dominant features.

- (2) The Respondent has rights and legitimate interests in respect of the disputed domain name.

- (a) Before any notice of the dispute, the Respondent used the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name was registered on May 13, 2023 and the Website was launched on February 28, 2024 in relation to the business of using AI technology to help users identify and evaluate coins and banknotes. The Website prominently features the word HERITCOIN which corresponds with the disputed domain name.

- (b) The Respondent has legitimate trade mark rights and is commonly known by the disputed domain name. The Respondent and his company HWCC have been operating an antique and artifact business in China since 2014. HWCC’s core business is the trading of antiques and artifacts including jade, handicrafts, Yixing ceramics, coins and stamps. Ancient coins is one of the most important business categories for HWCC. To enhance its business, HWCC partnered with several organisations to offer online coin purchasing and appraisal services.

In 2024, HWCC launched an “AI Coin Identification” tool which uses AI technology to help users identify and evaluate coins and banknotes (the “AI Tool”) on HWCC’s app. At the same time the AI Tool was also launched on the Website and its related app – HERITCOIN (the “App”). In January 2025, HWCC’s AI Tool was chosen as one of the “Outstanding Cases of Digital Economy Development in Zhejiang Province for 2024”.

Open Sky is an overseas subsidiary of HWCC. The Website and the App are an overseas project of HWCC and an extension of its long standing e-commerce business in ancient coins and artifacts in China.

HWCC owns Chinese Trade Mark Registration No. 78213350 for HERIT, filed on April 24, 2024 registered on October 21, 2024. It has also received Notices of Allowances from the United States Patent and Trade Mark office for the following trade marks:

- United States Trade Mark Application No. 98541855 for “heritcoin” – Notice of Allowance date – February 18, 2025;
- United States Trade Mark Application No. 98541860 for “heritcoin” – Notice of Allowance date – February 18, 2025;
- United States Trade Mark Application No. 98541865 for “heritcoin” – Notice of Allowance date – February 18, 2025.

(c) The Respondent has been commonly known by the disputed domain name. The App, HERITCOIN was launched on Apple’s App Store and Google Play in May 2023. On May 15, 2023, HERITCOIN launched its official website through the third-party builder platform, Webflow. At that time the website address was found at <heritcoin.webflow.io>. The Respondent’s team then developed its own independent website, and the Website was launched on February 28, 2024. HERITCOIN is available on numerous other app platforms including Galaxy Store and AppBrain.

The HERITCOIN name is used on the Respondent’s various social media platforms world wide. As of May 13, 2025, HERITCOIN has 119,600 followers on TikTok, 27,400 subscribers on YouTube, 135,000 followers on Facebook and 58,000 followers on Instagram. The Respondent and his companies have also promoted the HERITCOIN business extensively through various advertising and promotional campaigns including collaborating with print media outlets and attending industry exhibitions.

(3) The disputed domain name was never registered or used in bad faith. The Respondent registered and is using the disputed domain name to provide goods and services in good faith. The Complainant has not submitted any evidence showing that the Respondent has acted in bad faith.

6. Discussion and Findings

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 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.

While the Complainant must establish all three elements of the Policy to prevail, panels frequently conclude that it is unnecessary to decide this first element where the complaint clearly fails under either the second or third elements. In the present case, and for the reasons set out below, the Panel has found that the Complainant has not satisfied the requirements of paragraphs 4(a)(ii) and 4(a)(iii). Accordingly, the Panel declines to make a finding in relation to the first element.

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. [WIPO Overview 3.0](#), section 2.1.

In this case, irrespective of whether the Complainant has submitted sufficient evidence to make out a prima facie case, the Panel finds that the Respondent has provided sufficient evidence to demonstrate rights or legitimate interests under paragraph 4(c) of the Policy.

The Respondent registered the disputed domain name in May 2023 and, before any notice of the dispute, through its affiliated companies, launched the Website and App under the name HERITCOIN offering AI-powered coin and banknote identification services. The Respondent has shown consistent use of the HERITCOIN name in connection with a bona fide offering of goods and services, supported by a substantial online presence and promotional activity prior to any notice of the dispute.

The Respondent's affiliated company, HWCC, has operated in the antiques and collectibles sector since 2014, with a long-standing focus on ancient coins. The HERITCOIN platform forms part of HWCC's international expansion. The Respondent holds a registered Chinese trade mark for HERIT and has received Notices of Allowance for multiple U.S. trade mark applications for HERITCOIN prior to the issue of these proceedings. The Respondent has also demonstrated that it is commonly known by the disputed domain name through the App, Website, and related marketing and promotional activities.

The Panel therefore finds that the Complainant has failed to establish the second element of the Policy.

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. The burden lies with the Complainant to establish this element on the balance of probabilities.

The Complainant asserts that the Respondent registered the disputed domain name some thirty years after the Complainant first began using the Trade Mark, and that the term "HERIT" within "HERITCOIN" does not relate to the Respondent or to coins, serving no purpose other than to create an apparent association with the Trade Mark. However, the Complainant has not provided any evidence tying the Respondent's knowledge of the Complainant or the Trade Mark prior to the registration of the disputed domain name. Nor has the Complainant submitted evidence of the level of fame or reputation of its mark in the relevant industry sufficient to imply that the Respondent should have been aware of it.

On the contrary, the Respondent has shown that the term "HERITCOIN" is a coined portmanteau of the words "inheritance" or "heritage" and "coin", and that it directly relates to the Respondent's business of using AI technology to identify and evaluate ancient coins and banknotes. The term also reflects the Respondent's affiliation with HWCC's business of trading in artifacts and ancient coins since 2014. This background supports the conclusion that the disputed domain name was chosen in good faith to reflect the nature of the Respondent's own services, rather than to target or take advantage of the Trade Mark.

The Complainant also asserts that the Respondent's operating of the Website has been done with the intention to confuse customers and divert the Complainant's customers and potential customers and/or induce customers to trust doing business with the Website owner based on their trust with the Complainant. This is a conclusory statement unsupported by evidence. In relation to confusion and the alleged harm caused by the Respondent, the Complainant points to a number of customer complaints and emails allegedly evidencing confusion. However, these submissions, while indicating that a limited number of third parties may have mistakenly contacted the Complainant in relation to the Respondent's services, do not in themselves demonstrate that the Respondent registered or is using the disputed domain name in bad faith.

The Panel notes that although both Parties offer coin-related services, the core nature of their respective businesses remain distinct. The Complainant's website at <heritagecoin.com>, redirecting to <coins.ha.com> functions primarily as an auction and consignment platform for rare coins and other collectibles, as part of its core business. Although the Complainant also provides coin appraisal services, these appear ancillary to its main auction operations. In contrast, the Respondent's business centres on an AI powered tool designed to identify and evaluate coins and banknotes via photo-based recognition, offering instant grading, value estimates, and even integrated buying/selling—functioning outside the context of auction. The difference in method of operation and commercial focus between the Parties' weighs against a finding that the Respondent registered the disputed domain name to disrupt the Complainant's business or to intentionally trade off the Complainant's goodwill.

Moreover, the Respondent has submitted evidence that the disputed domain name corresponds with its own branding and legitimate commercial activity, including the launch of the Website and App, trade mark applications and registration, and extensive promotional use. These actions are consistent with an independent and bona fide business venture, rather than opportunistic or parasitic conduct.

In the absence of persuasive evidence of targeting, exploitation, or an intent to mislead, the Panel finds that the Complainant has not established that the disputed domain name was registered and used in bad faith. Accordingly, the Complaint fails under paragraph 4(a)(iii) of the Policy.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Karen Fong/
Karen Fong
Presiding Panelist

/Gordon Arnold/
Gordon Arnold
Panelist

/Dennis CAI/
Dennis CAI
Panelist
Date: July 3, 2025