

ADMINISTRATIVE PANEL DECISION

Cisco Technology, Inc. v. 钟伟生 (zhong wei sheng)
Case No. D2025-1689

1. The Parties

The Complainant is Cisco Technology, Inc., United States of America, represented by Fenwick & West LLP, United States of America.

The Respondent is 钟伟生 (zhong wei sheng), China.

2. The Domain Name and Registrar

The disputed domain name <ciscoswitchdna.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on April 25, 2025. On April 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 30, 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 (John Doe) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 30, 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 May 2, 2025, and an amendment to the Complaint in English on May 6, 2025.

On April 30, 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 May 2, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any specific comment on the Complainant's submission but filed the Response in English on May 14, 2025.

The Center verified that the Complaint together with the amended Complaint and amendment to the 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 May 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2025. The Response in English was filed with the Center on May 14, 2025. The Respondent sent email communications to the Center on April 30, 2025, May 4, 2025, and May 8, 2025.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on June 4, 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.

On June 4, 2025, the Center received an unsolicited supplemental filing by the Complainant in English.

On June 17, 2025, the Panel issued the Procedural Order No. 1, inviting the Respondent to respond to the Complainant's unsolicited supplemental filing dated June 4, 2025. On June 18, 2025, the Respondent filed its Response to the Complainant's supplemental filing.

4. Factual Background

The Complainant is a worldwide technology company, providing a wide array of products and services ranging from networking and communications equipment and software, including telephone communications systems, network switches, video conferencing systems, and collaboration products and services, to financing services, retail store services, training and certification programs and blogs. The Complainant provides its products and services to a diverse customer base that spans all industries and includes individual consumers, small to medium-sized businesses, enterprises, service providers and governmental entities. The Complainant's affiliate, Cisco Systems, Inc., is a public company traded on NASDAQ and listed in the Dow Jones Industrial Average and has more than 75,000 employees in countries throughout the world.

The Complainant owns a large international trademark portfolio of trademark registrations for the CISCO mark, including, but not limited to the following marks, Chinese trademark registration number 8209246, registered on December 7, 2013; Chinese trademark registration number 1464748, registered on October 28, 2000; and European Union trademark registration number 001115476, registered on July 3, 2000. The CISCO trademarks have been found to be well known and famous in several prior UDRP decisions (e.g., *Cisco Technology, Inc. v. Ross Mueller*, WIPO Case No. [D2007-1575](#) and *Cisco Technology, Inc. v. Matthew Archer, International Computer Purchasing Ltd*, WIPO Case No. [D2012-0563](#)). The Complainant and its group companies have a strong online presence, and the Complainant is also the registrant of various domain names comprised of its CISCO trademark, including, but not limited to, the following: <cisco.com>, <cisco.co.uk>, <cisco.us>, <cisco.net>, <cisco.biz>, <cisco.info>, <cisco.mobi>.

The Respondent is a natural person, located in China, and states that he is the legal representative and controlling party of two companies, Glory Information Limited ("Glory Information"), registered in Hong Kong, China and Guangzhou Zhongrui Information Technology Co., Ltd ("Guangzhou Zhongrui"), registered in mainland China.

The disputed domain name was registered on June 27, 2022, and is therefore of a later date than the Complainant's trademark registrations. The disputed domain name directs to an active website, offering for sale an array of information technology products. The website at the disputed domain name also particularly states "Glory Information Limited is a specialist in technical and business services for Cisco switches, routers, wireless access points, firewalls, optical modules; We provide customers customers with high-quality products and competitive prices, including Cisco, Dell, Supermicro, Sangfor, HP, Lenovo, Brocade products etc." and "Glory Information Limited is a specialist in technical and business services for Cisco switches, routers, wireless access points, firewalls, optical modules, and other network equipment. We are an official Cisco partner. All products can be ordered directly from Cisco. And we can offer a 40%-90% discount on Cisco GPL."

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 the CISCO mark, since it incorporates this mark entirely, and only adds the industry terms "dna" and "switch".

In addition, the Complainant essentially argues that the Respondent does not have rights or legitimate interests in the disputed domain name, as the Respondent has allegedly not been commonly known by the disputed domain name at the time of registration, and the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain.

As to bad faith, the Complainant contends that the Respondent's bad faith is evidenced by the fact that the Respondent had actual or constructive knowledge of the Complainant's well-known CISCO trademark and name when it registered the disputed domain name, and that as a purported reseller of Cisco's products and alleged "official Cisco partner", the Respondent undoubtedly was aware of Cisco's well-known CISCO marks. Further, the Complainant also contends that bad faith use exists here because the Respondent registered and uses the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion as to the source, sponsorship, and/or affiliation with the Respondent's website and the goods offered on the Respondent's website. The Respondent not only sells the Complainant's products but also the products of the Complainant's competitors on the website at the disputed domain name.

In its unsolicited supplemental filing, the Complainant added a number of arguments and annexes containing evidence, which can be summarized essentially as that the Respondent's company was not a partner of the Complainant at the time he registered the disputed domain name, since Guangzhou Zhongrui's status as a partner of the Complainant ended in 2020, i.e., two years before the disputed domain name was registered. Even if the Respondent's company were a partner of the Complainant, the partner agreement strictly prohibited partners from registering domains containing the term "Cisco". The Respondent's admitted in the Response that the website at the disputed domain name not only sells the Complainant's products but also the products of the Complainant's competitors. The Respondent purposely misled users, particularly by claiming on the website at the disputed domain name that Glory Information is "an official Cisco partner." The Complainant concludes that by doing so, the Respondent misrepresented its relationship with the Complainant in order to mislead Internet users into visiting the disputed domain name for the Respondent's commercial gain.

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.

The Respondent particularly contends, as to confusing similarity, that while the disputed domain name includes the term "cisco", it also includes "switchdna", which refers to the product category relevant to the Respondent's company's past business dealing in network equipment. The Respondent states that the inclusion of Cisco in the disputed domain name was to indicate the Respondent's company's focus on Cisco's switch and DNA product lines. The additional terms in the disputed domain name help customers identify the focus area of the Respondent's services and products. The Respondent states that the disputed domain name was not intended to mislead consumers but rather describe a category of switches compatible with Cisco DNA Center technology, a concept openly discussed in the networking community, and to facilitate legitimate business with customers, primarily within the Asian market, especially those already familiar with Cisco equipment.

As to rights or legitimate interests, the Respondent claims that his company, Guangzhou Zhongrui, was formerly a Cisco Preferred Partner in China, with a long-standing business in distributing genuine Cisco networking products and has never impersonated Cisco Technology, Inc. or claimed to be its agent post certification lapse. The Respondent also argues that the disputed domain name was used to provide general network solutions and information, and not to impersonate the Complainant or deceive customers and that it includes clear contact information, listing Glory Information as the owner.

Finally, as to bad faith, the Respondent argues that the disputed domain name was registered in 2022 when his company was lawfully selling Cisco-compatible networking equipment. While the website under the disputed domain name includes substantial Cisco product information, it also prominently features products from other global IT brands, such as Dell, HP, Lenovo, Brocade, Supermicro, and Sangfor. This multi-brand representation demonstrates that the disputed domain name was not registered to target the Complainant, but rather to reflect the broader scope of the Respondent's business, which involves a wide range of network equipment providers. The use of the Cisco name in the disputed domain name was driven by commercial relevance and SEO considerations, not bad-faith intent. The Respondent contends there is no evidence that he registered the disputed domain name to sell it to the Complainant or any third party and that the website at the disputed domain name was never used to disrupt the Complainant's business or deceive customers into thinking it was an official site of the Complainant. The website also includes detailed Cisco product listings and information to help customers make informed decisions. The Respondent claims that some of the wording on the website may have been misinterpreted, but there was no intention of passing off as the Complainant.

Additionally, in its Response to the Complainant's supplemental filing (not accompanied by additional evidence), the Respondent essentially maintains its previous statements that the disputed domain name was registered and is being used in good faith, and in connection with a business that not only presents CISCO-branded products but also products from other internationally recognized brands. The Respondent also adds that the Complainant's assertion that the disputed domain name intentionally targets CISCO is inaccurate, as the disputed domain name was created for commercial clarity and search engine relevance for users interested in Cisco switch and DNA technologies. The Respondent adds that at no time was there any attempt to impersonate the Complainant, nor any intention to confuse consumers and that no attempt has ever been made to sell the disputed domain name to the Complainant or any other party.

6. Discussion and Findings

6.1 Preliminary Issue: 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, the amended Complaint, and the amendment to the Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the terms in the disputed domain name ("switch" and "dna") are English terms, that English is one of six languages that users can select from a dropdown menu on the website at the disputed domain name and that the Respondent states on the same website that it accepts "USD" as currency, evidencing the Respondent's familiarity with the requested language.

The Respondent did not make any specific submissions with respect to the language of the proceeding, but filed both its Response and its Response to the Complainant's supplemental filing in English, without any objections as to the language of the proceeding, which the Panel interprets as the Respondent's acceptance of English as the language of the proceeding.

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.

6.2 Second Preliminary Issue: Acceptance of the Complainant's Unsolicited Supplemental Filing

On June 4, 2025, the Center received an unsolicited supplemental filing from the Complainant, entitled "Complainant's reply to Respondent's Response". The Panel notes that the Rules do not expressly provide for supplemental filings by either Party, apart from the Complaint and the Response, unless requested by the Panel in accordance with paragraph 12 of the Rules.

Under paragraph 10 of the Rules, the Panel is afforded broad discretion to conduct the administrative proceeding in such manner as it considers appropriate, provided that the Parties are treated with equality and that the administrative proceeding takes place with due expedition. The [WIPO Overview 3.0](#), section 4.6 further states that "unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel".

In this case, the Panel has reviewed the content of the Complainant's unsolicited supplemental filing and finds that it addresses certain factual allegations and evidence raised for the first time in the Response. Specifically, the Complainant seeks to rebut factual claims about whether or not the Respondent's company Guangzhou Zhongrui was an official partner on the date of the registration of the disputed domain name and the documentation presented by the Respondent that could not reasonably have been anticipated or responded to in the original Complaint.

The Panel is mindful of the need to ensure procedural efficiency and to avoid unnecessary delays; however, it is also tasked with ensuring that both Parties have a fair opportunity to present their respective cases. In the Panel's view, the Complainant's unsolicited supplemental submission provides relevant clarification and factual rebuttal material that may assist the Panel in reaching a fully informed decision on the merits of the case. Accordingly, exercising its discretion under the Rules, the Panel accepts the Complainant's unsolicited supplemental filing and will give it due consideration in rendering its decision, while also having invited the Respondent to provide its comments on this supplemental filing and also taking those comments by the Respondent into account in rendering this decision.

6.3 Substantive Issues

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the 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.

Although the addition of other terms here, "switch" and "dna", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [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.

In its submissions, the Respondent essentially claims that his company, Guangzhou Zhongrui, was formerly a Cisco Preferred Partner in China, with a long-standing business in distributing genuine Cisco networking products and has never impersonated Cisco Technology, Inc. or claimed to be its agent post certification lapse. The Respondent also argues that the disputed domain name has been used to provide general network solutions and information and was picked to create commercial clarity and search engine relevance for users interested in Cisco switch and DNA technologies, and not to impersonate the Complainant or deceive customers and that the website at the disputed domain name includes clear contact information, listing the company Glory Information as the owner. The Respondent also claims that the website under the disputed domain name includes substantial Cisco product information, it also prominently features products from other global IT brands, such as Dell, HP, Lenovo, Brocade, Supermicro, and Sangfor.

First, as to the allegations that the Respondent registered the disputed domain name while the Respondent's company Guangzhou Zhongrui was a Cisco Preferred Partner in China and therefore held a trademark license, the Panel finds that this is factually incorrect. Based on the evidence filed by the Complainant, Guangzhou Zhongrui's status as a Cisco partner ended in 2020, i.e., approximately two years before the disputed domain name was registered, which implies that neither the Respondent nor either of the Respondent's companies was the Complainant's partner or licensee at the time of registration of the disputed domain name. The Panel notes that, in terms of evidence, the Respondent has only provided a certificate of partnership bearing a date of expiry of November 2015. Additionally, even if the Respondent (or any of its companies) were to be considered a Cisco Preferred Partner at the time of registration of the disputed domain name, based on the Complainant's evidence, the partner agreement contains an explicit provision prohibiting any partner from registering any domain name that is confusingly similar to any CISCO marks. Finally, the Panel also notes that according to both Parties, it was the Respondent's company Guangzhou Zhongrui which was formerly a Cisco Preferred Partner in China and not Glory Information, which is, based on the contents of the website at the disputed domain name, the company exploiting the disputed domain name.

Further, absent any agreement/authorization, for the Respondent to include the CISCO marks in the disputed domain name and noting the Respondent's assertion that the disputed domain name “was created for commercial clarity and search engine relevance for users interested in Cisco switch and DNA technologies”, the Panel also notes that this means that the Respondent is essentially claiming nominative (fair) use as a reseller or distributor of the Complainant's products. In this regard, the Panel refers to the [WIPO Overview 3.0](#), section 2.8.1. This states: “[p]anels have recognized that resellers, distributors, or service providers using a domain name containing the complainant's trademark to undertake sales or repairs related to the complainant's goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. Outlined in the ‘Ok! Data test’, the following cumulative requirements will be applied in the specific conditions of a UDRP case:

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and
- (iv) the respondent must not try to 'corner the market' in domain names that reflect the trademark." See also *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

In the present case, it is clear to the Panel that at least conditions (ii) and (iii) above are not fulfilled, as the Respondent is clearly also selling third party products through the website at the disputed domain name (including products from the competitors of the Complainant, such as Dell, Supermicro, Sangfor, HP, and Lenovo) and the Respondent's lack of relationship with the Complainant is not accurately and prominently disclosed on the website, more to the contrary, since the website at the disputed domain name explicitly mentions "we are an official Cisco partner" which is contested by the Complainant.

Based on the foregoing elements, the Panel finds that the Respondent is not commonly known by the disputed domain name, is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain. Therefore, the Respondent has no rights or legitimate interests in the disputed domain name.

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.

In the present case, the Panel notes that the Respondent has registered a domain name which is confusingly similar to the Complainant's well-known CISCO trademark and combined this trademark with the terms "switch" and "dna" to create the disputed domain name. In the Panel's opinion, which is at least in part confirmed by the Respondent's statements in its Responses, the selection of the disputed domain name demonstrates clear targeting of the Complainant's specific technology offerings rather than coincidental registration. The term "switch" seems to refer directly to network switching equipment, which constitutes one of the Complainant's core business segments, while "DNA" appears to specifically reference the Complainant's "Digital Network Architecture" technology suite. The combination of these three elements – the mark CISCO, and the terms "switch", and "DNA" – creates a domain name that could only reasonably relate to the Complainant's business operations and trademark rights. The specific combination of terms in the disputed domain name therefore suggests that registration was undertaken with full knowledge of the Complainant's trademark rights and commercial interests – which is also confirmed by the contents of the website at the disputed domain name and the fact that the Respondent clearly had prior knowledge of the Complainant, its offerings and its trademark rights by its previous business dealings with the Complainant.

Further, the Panel refers to the prior decisions referred to above where the respective panels recognized that the Complainant's trademarks for CISCO are well known and confirms this finding. In this context, the Panel also refers to the [WIPO Overview 3.0](#), section 3.1.4, which states "[p]anel[s] have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith". Additionally, the Panel also notes that the Complainant's trademarks were registered many years before the registration date of the disputed domain name and that the Complainant has a strong online presence using those marks. The Panel infers from these elements that the Respondent certainly knew of the existence of the Complainant's trademarks at the time of registering the disputed domain name. Based on the evidence provided by the Complainant, at

the time of registering the disputed domain name, the Respondent's company Guangzhou Zhongrui's status as a Cisco partner ended in 2020, and even if the Respondent's company were a Cisco partner, the partner agreement contains an explicit provision prohibiting any partner from registering any domain name that is confusingly similar to any CISCO marks. In the Panel's view, the foregoing elements indicate bad faith on the part of the Respondent, and the Panel therefore finds that it has been demonstrated that the Respondent registered the disputed domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

As to use of the disputed domain name in bad faith, the Complainant provides evidence that the disputed domain name, which is inherently misleading, directs to an active web shop where both the Complainant's products and products of other commercial origin are actively promoted and offered for sale to Internet users. The Panel concludes from these facts that the Respondent is intentionally attracting Internet users for commercial gain to such website, by creating consumer confusion between the website associated with the disputed domain name and the Complainant's trademarks. This constitutes direct evidence of the Respondent's bad faith under paragraph 4(b)(iv) of the Policy. The Panel therefore finds that it has been demonstrated that the Respondent has used the disputed domain name in bad faith.

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 <ciscoswitchdna.com> be transferred to the Complainant.

/Deanna Wong Wai Man/

Deanna Wong Wai Man

Sole Panelist

Date: June 23, 2025