

ADMINISTRATIVE PANEL DECISION

Royalcraft Limited v. RoyalCraft Inc
Case No. D2025-1859

1. The Parties

The Complainant is Royalcraft Limited, United Kingdom, represented by Wilson Gunn, United Kingdom.

The Respondent is RoyalCraft Inc, Republic of Korea.

2. The Domain Name and Registrar

The disputed domain name <royalcraft.com> is registered with Megazone Corp., dba HOSTING.KR (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on May 9, 2025. On May 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 12, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

On May 14, 2025, the Center informed the parties in Korean and English, that the language of the registration agreement for the disputed domain name is Korean. On May 16, 2025, the Complainant confirmed its request that English be the language of the proceeding and filed an amended Complaint.

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 in Korean and English, and the proceedings commenced on May 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 9, 2025. The Response was filed with the Center on June 8, 2025.

The Center appointed Kathryn Lee as the sole panelist in this matter on June 23, 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 with an address in the United Kingdom selling inter alia leather goods and furniture. The Complainant owns the UK Trademark Registration Number UK00002602403 for the ROYALCRAFT mark, which was filed on November 24, 2011 and registered on May 18, 2012.

The Respondent appears to be a company with an address in the Republic of Korea.

The disputed domain name was registered on October 10, 2004, and as of the date of the Complaint, resolved to a website displaying pay-per-click ("PPC") links to the following terms: "Teak Outdoor Furniture", "Best Teak Outdoor Furniture", and "Premium Teak Outdoor Furniture."

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 identical to the ROYALCRAFT mark in which the Complainant has rights.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain names and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent's use of, or demonstrable preparations to use the disputed domain name in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain name, or a legitimate noncommercial or fair use of the disputed domain name by the Respondent.

Finally, the Complainant contends that the disputed domain name was registered and used in bad faith. Namely, the Complainant contends that its ROYALCRAFT mark is well-known and famous, and that the Respondent registered the disputed domain name with the sole purpose of selling it for a profit. As evidence, the Complainant points to the offer for sale of the disputed domain name on the GoDaddy domain name marketplace and the communications between the Complainant and the Respondent/GoDaddy. The Complainant also contends that the Respondent's lack of actual use of the disputed domain name is evidence of bad faith.

B. Respondent

The Respondent contends that the Complainant has not satisfied the bad faith element required under the Policy for a transfer of the disputed domain name, since the Respondent registered the disputed domain name on October 10, 2004, seven years before the Complainant's trademark was registered on November 24, 2011.

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Korean. 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 was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the disputed domain name is registered in Latin script which suggests that the Respondent is capable of understanding English, and that preparing a translation of the Complaint would burden the Complainant financially and cause delays.

The Respondent did not comment on the Complainant's request for the language of the proceeding be English but submitted a response in a combination of Korean and 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). Here, both Parties were given the opportunity to submit arguments in the language of their preference. Further, the Respondent did not raise any objection as to the language of the proceeding, and actually, submitted a response in combination of English and Korean, which indicates that it will be able to understand the decision rendered in English.

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.

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 identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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

B. Rights or Legitimate Interests

The Panel finds that it is unnecessary to consider this element in view of its conclusion under the third element below.

C. Registered and Used in Bad Faith

The Panel is not able to find that the Respondent registered the disputed domain name in bad faith targeting the Complainant or its trademark rights because the Complainant had no registered trademark rights at the time that the Respondent registered the disputed domain name. [WIPO Overview 3.0](#), section 3.8.1. As mentioned above, the disputed domain name was registered in 2004, while the Complainant did not register its trademark until 2012.

As for whether the Respondent could have learned of the Complainant to motivate the registration in the disputed domain name, the Panel was not able to find any likely scenario. The Complainant contends that its ROYALCRAFT mark was well-known and famous, but did not submit any evidence of its reputation or much information on its business. From what the Panel is able to piece together through the limited information that were submitted and the Panel's own online searches, the Complainant sells garden furniture online at the domain name <royalcraft.co.uk> which was registered on November 16, 2011. According to the Complainant's website, its business commenced in 1990, but the Panel could not find any mention of the Complainant in an online search it conducted for the five-year period preceding the date of the registration in 2004. To the extent evidence of this exists, it would have been incumbent on the Complainant to include such evidence in the Complaint as this is critical to its case; alternatively, if the Complainant had evidence that the disputed domain name was acquired by the Respondent after the original registration date – which is possible given that nowadays registration details are not publicly available – that would also be for the Complainant to allege and provide evidence of. The Complainant does not address either of these points, however, and merely states that the disputed domain name was parked and registered to sell at a profit.

And as the disputed domain name is composed of two dictionary words, it is not impossible for the Respondent to have come up with the disputed domain name by simply combining two terms that it found to be complementary.

The Complainant also contends that the Respondent's demand for USD 180,000 in exchange for the disputed domain name is evidence of bad faith. However, based on the evidence submitted, the communications were made via Sedo.com and it is not clear from the evidence submitted whether the Respondent was aware that the prospective buyer was the Complainant; even if this is true however, it does not get around the timing issue noted above.

As for the PPC links appearing at the website associated with the disputed domain name, it is unclear if they are related to the Complainant's services or its competitors, or to the term "craft" in the disputed domain name. Even if there were bad faith in use of the disputed domain name, the Policy requires both registration and use in bad faith, and there is no evidence that the disputed domain name was registered in bad faith.

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

7. Decision

For the foregoing reasons, the Complaint is denied.

/Kathryn Lee/

Kathryn Lee

Sole Panelist

Date: July 7, 2025