

ARBITRATION AND MEDIATION CENTER

# ADMINISTRATIVE PANEL DECISION

Vantage International Holding Limited v. xu shuaiwei Case No. D2025-2004

#### 1. The Parties

The Complainant is Vantage International Holding Limited, Seychelles, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is xu shuaiwei, China.

## 2. The Domain Names and Registrar

The disputed domain names <vanagemarkets.com>, <vantaemarkets.com>, <vantagemarkets.com>, <vantagemarkets.com>, <vantagemarkets.com>, <vantagemarkets.com>, <vantagemarkets.com>, <vantagemarkets.com>, <vantagemarkets.com>, and <vntagemarkets.com> are registered with Dynadot Inc (the "Registrar").

# 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 20, 2025. On May 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 22, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names 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 May 22, 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 May 27, 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 May 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 18, 2025.

The Center appointed Zoltán Takács 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

Founded in 2009, the Complainant is a multi-asset broker that offers traders access to a diverse range of products, including forex, indices, commodities, shares, Exchange Traded Funds (ETFs) and bonds.

The Complainant is well-known within its industry, having been the recipient of numerous awards and accolades, for example having been named the Most Trusted Broker Global & Most Transparent Global Broker by Gazet International.

The Complainant is among others owner of the International Trademark Registration No. 1647573 for the word mark VANTAGE MARKETS registered since December 7, 2021 (the "Complainant's trademark").

The Complainant maintains strong online presence through various domain names, for example via its principal domain name <vantagemarkets.com> registered since December 17, 2017.

The disputed domain names were registered on November 10, 2024, and were used to redirect to the "www.pocketoption.com" website that offered online trading and financial services.

Currently the disputed domain names redirect to the "www.exness.com" website that offers global financial services.

#### 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 names.

Notably, the Complainant contends that:

- the disputed domain names which are purposeful misspellings of its VANTAGE MARKETS trademark are confusingly similar to the trademark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain names since it is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy;
- due to the recognition of the Complainant's trademark in the financial sector the Respondent likely knew of and targeted the Complainant's trademark through registration of the disputed domain names;
- the Respondent's use of the disputed domain names to redirect users to a website offering services that compete directly with the Complainant's owns offerings is evidence of bad faith; and
- the Respondent's pattern of cybersquatting demonstrated by previous UDRP decisions also supports the Respondent's bad faith.

The Complainant requests that the disputed domain names be transferred from the Respondent to the Complainant.

## B. Respondent

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

# 6. Discussion and Findings

### 6.1 Procedural Matter - Multiple Domain Names

The Complaint was filed in relation to 9 domain names registered by the same domain name registrant.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. Due to the fact that the disputed domain names have been registered by the Respondent the Panel finds that this requirement is fulfilled.

## 6.2 Substantive Matters - Three Elements

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

- (i) the domain names are 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 domain names; and
- (iii) the domain names have been registered and are 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 names. <u>WIPO Overview 3.0</u>, 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 disputed domain names are misspellings of the Complainant's trademark differing from it by removal of various single letters from the trademark.

Domain names consisting of a misspelling of the complainant's trademark (i.e., typosquatting) are considered by UDRP panels to be confusingly similar to the relevant mark for the purposes of the first element. WIPO Overview 3.0, section 1.9.

The Panel finds that the disputed domain names are confusingly similar to the Complainant's trademark and that 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 names. 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 names such as those enumerated in the Policy or otherwise.

Based on the available record, the Complainant has not authorized, licensed, or allowed the Respondent to use its VANTAGE MARKETS trademark in the disputed domain names or in any other way that would confer validity or legitimacy upon such use.

The Respondent's use of the disputed domain names to redirect users to websites offering services in competition with the Complainant's own services does not amount to use for a bona fide offering of goods and services and cannot create rights or legitimate interests in the disputed domain names. WIPO Overview 3.0, section 2.5.3.

The Panel finds that 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 basic Internet searches for the disputed domain names return multiple links referencing the Complainant and its business. This, coupled with the way of the Respondent's construction of the disputed domain names and their use as mentioned above in view of the Panel indicates that the Respondent knew of the Complainant's trademark and had registered the disputed domain names to target it. Paragraph 4(b)(iv) of the Policy.

As mentioned above, the disputed domain names differ from the Complainant's trademark by removal of various single letters from the trademark, which is an example of a typosquatting conduct. UDPR panels have consistently found that the mere registration of a domain name comprising typos can by itself create a presumption of bad faith. WIPO Overview 3.0, section 3.1.4.

In addition, the Panel finds that the Respondent has engaged in a pattern of abusive domain name registrations, being respondent in previous UDRP decision found against the Respondent (see *Carrefour SA v. xu shuaiwei*, WIPO Case No. D2024-5259; Equifax Inc. v. xu shuaiwei, WIPO Case No. D2024-5070; International Business Machines Corporation v. 徐帅伟(xu shuaiwei), WIPO Case No. D2021-0711 and Swissquote Group Holding SA v. Domain Administrator, See PrivacyGuardian.org / Xu Shuaiwei Xu Shuaiwei (徐帅伟), WIPO Case No. D2020-3056. Taking this into account the Panel also finds bad faith registration and use on the Respondent. Paragraph 4(b)(ii) of the Policy and WIPO Overview 3.0, section 3.1.2.

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 names <vanagemarkets.com>, <vantaemarkets.com>,

- <vantagearkets.com>, <vantagemarets.com>, <vantagemarkes.com>, <vantagemrkets.com>,
- <vantgemarkets.com>, <vatagemarkets.com>, and <vntagemarkets.com> be transferred to the Complainant.

/Zoltán Takács/
Zoltán Takács
Sole Panelist

Date: July 7, 2025