

ADMINISTRATIVE PANEL DECISION

Eetho Brands, Inc. v. HuHuaiJin
Case No. D2025-2598

1. The Parties

The Complainant is Eetho Brands, Inc., United States of America (“United States”), represented by Sideman & Bancroft LLP, United States.

The Respondent is HuHuaiJin, China.

2. The Domain Name and Registrar

The disputed domain name <dosedaily.com> is registered with 22net, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on July 2, 2025. On the following day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 4, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Registrant Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 8, 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 July 10, 2025.

On July 8, 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 July 10, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the language of the proceeding.

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 in Chinese and English of the Complaint, and the proceedings commenced on July 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 30, 2025. The Response was filed with the Center in Chinese on July 22, 2025.

The Complainant sent an email communication to the Center on July 24, 2025, in which it requested permission to make a supplemental filing. On July 25, 2025, the Respondent sent an email communication to the Center asking the Panel to reject the Complainant's request.

The Center appointed Matthew Kennedy as the sole panelist in this matter on July 30, 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.

The Complainant made a supplemental filing in English on August 6, 2025. On the same day, the Respondent submitted, in Chinese, comments on the Complainant's supplemental filing.

4. Factual Background

The Complainant is a wellness company founded in 2020 in the United States. It develops, manufactures, and sells wellness products like single-serve, organic, potent drinks for daily consumption. It holds the following trademark registrations on the Supplemental Register of the United States Patent and Trademark Office ("USPTO"):

- number 6241849 for DOSE FOR YOUR LIVER, registered on January 5, 2021,
- number 6285164 for DOSE FOR IMMUNITY, registered on March 2, 2021,
- number 6285165 for DOSE FOR SORENESS, registered on March 2, 2021,
- number 6285166 for DOSE FOR YOUR SKIN, registered on March 2, 2021, and
- number 7070320 for DOSE FOR CHOLESTEROL, registered on May 30, 2023.

All the above trademark registrations specify dietary supplements in class 5 and are current. The earliest corresponding trademark application was filed on January 4, 2020. The Complainant has also filed numerous other United States trademark applications for DOSE or DOSE-formative marks, several of which are pending and others of which have been abandoned, including serial number 90296379 for DOSE DAILY filed in 2020 and refused in 2022.¹ The Complainant also uses the domain name <dosedaily.co> in connection with its website where it provides information about its products. The website is titled "Dose", the favicon reads "Dose – Wellness Shots" and the product information refers to the brand as "Dose". The Complainant's products are sold on Amazon on a webpage titled "Dose" which displays a "Dose" logo and, in small type, the words "Dose Daily" alongside and in a search field. According to a screenshot presented by the Complainant, the first page of results of a Google search for "dose daily" relates to itself. The top result points to the Complainant's own website and shows the title tag "Dose". The other results point to Amazon and show the title tags "Dose for your Liver Cleanse Detox & Repair [...]" and "Dose Daily", respectively.

The Respondent is a domain name investor based in China.

The disputed domain name was registered on June 14, 2015. According to an archived screenshot presented by the Complainant, in 2019 it displayed a redirection message. It now resolves to a parking page displaying Pay-Per-Click ("PPC") links for liver supplements and health supplements. The parking page also displays a notice that the disputed domain name may be for sale, with a button to make enquiries. One of the links redirects to a website for a liver supplement not produced by the Complainant.

After the Complainant made an enquiry regarding a possible purchase of the disputed domain name, a broker replied on July 5, 2024, indicating that the Respondent was "willing to sell, but seeking 'significant' offers", and only willing to consider offers in "the '6-figure' USD range".

¹The Panel notes its general powers articulated inter alia in paragraphs 10 and 12 of the Rules and has searched the United States Patent and Trademark Office trademark database, which is publicly available at "www.tsd.uspto.gov" to verify the list of trademark registrations and pending applications that the Complainant submitted without trademark certificates. The Panel considers this process of verification useful for assessing the case merits and reaching a decision. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.8.

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, since at least 2020, it has established trademark rights in DOSE DAILY and DOSE-formative marks in connection with dietary supplements. It has registered or applied for numerous DOSE-formative marks and has also developed standalone trademark rights in the DOSE DAILY mark, as evidenced by its use of the domain name <dosedaily.co> in connection with its website and in its employees' email addresses. The first page of results of an Internet search for "dose daily" relate exclusively to the Complainant. The disputed domain name is either identical to the Complainant's DOSE DAILY mark or confusingly similar to its DOSE-formative marks.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. There is no relationship between the Parties, and the Complainant has not licensed the DOSE-formative marks or the DOSE DAILY mark to the Respondent or authorized the Respondent to register the disputed domain name. The Respondent has linked the disputed domain name to webpages that redirect to products of kinds identical to those that the Complainant offers.

The disputed domain name was registered and is being used in bad faith. The Respondent has owned the disputed domain name for over a decade but has never made active bona fide commercial use or legitimate noncommercial use or fair use of the disputed domain name. Instead, prior to the Complainant's success under the DOSE trademark, the Respondent used the disputed domain name to resolve to a classified webpage in 2014 and as a redirection in 2019. Following the Complainant's rising success in the dietary supplement space under the DOSE mark, the Respondent began using the disputed domain name to redirect to pages promoting or connected to dietary supplements - the very category of goods sold by the Complainant. This shift clearly shows an opportunistic attempt to capitalize on the Complainant's trademark rights and market presence. Further, when the Complainant, following the instructions on the parking page, approached a broker to attempt a good faith purchase of the disputed domain name, the Respondent's valuation was grossly disproportionate to any documented out-of-pocket costs that he may have incurred in relation to the disputed domain name. The facts establish that the Respondent has acted in bad faith both in registering (or maintaining registration of) the disputed domain name and in using it in a manner that unfairly trades on the goodwill associated with Complainant's trademark.

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.

Notably, the Respondent submits that the disputed domain name was registered before the Complainant's trademark and brand were established. When the disputed domain name was registered and first used, the Complainant did not yet exist and its marks, brand, and commercial activity had not yet commenced. The registration of the disputed domain name could not have targeted the Complainant or its mark in bad faith.

The disputed domain name is a ".com" domain name, unlike the Complainant's domain name which is in the country code Top-Level Domain ("TLD") for Colombia (i.e., ".co"). A ".com" domain name has very high investment and brand value. The Respondent registered the disputed domain name based on its common meaning, memorability, and suitability as a brand name, and not to target any particular as yet non-existent brand.

The Complainant approached a broker to seek to purchase the disputed domain name on its own initiative. The Respondent quoted a price in 6 figures, which completely corresponds to market value and does not involve any blackmail or bad faith. "Dose" and "daily" are ordinary English words; the combination "dosedaily" can be understood to mean "daily dose", which makes it highly suitable as a brand for a

pharmaceutical, food, health supplement, or other product and gives it great commercial value. The broker did not disclose the buyer's identity at the time when the Respondent gave his quote. The Respondent never contacted the Complainant to offer the disputed domain name for sale. On the contrary, it was the Complainant who, after learning the Respondent's identity, did not seek to resolve this matter amicably but instead initiated a mandatory administrative proceeding.

The Complainant does not hold rights in a DOSE DAILY trademark and is not well-known. The Complainant's list of trademarks does not include DOSE DAILY. Given that the Respondent is based in China, there is no reason why he would know of the Complainant.

The PPC links on the website associated with the disputed domain name do not target any specific brand. The Respondent holds many domain names and the use of parking services is customary practice. The advertising on the parking page is based on the common meaning of the disputed domain name. The related links display common general terms that are the natural results of an advertising auction system without any manipulation or targeting.

The Complainant knew that its brand and trademarks were later in time than the registration of the disputed domain name and had no evidence of the Respondent's bad faith registration or use, yet it abused the UDRP procedure in an attempt at reverse domain name hijacking.

6. Discussion and Findings

6.1 Preliminary Issues

A. 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 and amended Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that it is not proficient in Chinese, and conducting the proceedings in Chinese may result in an unnecessary burden and procedural inefficiency, whereas the disputed domain name and associated website are in English, which strongly suggests that the Respondent is comfortable using that language.

The Response was filed in Chinese. The Respondent did not make any specific submission with respect to the language of the proceeding. Further, the Panel notes that the detailed content of the Response demonstrates that the Respondent has in fact understood the Complaint.

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 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 but the Panel will accept the Response as filed in Chinese without a translation.

B. Unsolicited Supplemental Filing

The Complainant made an unsolicited supplemental filing after the appointment of the Panel. It requested the Panel to accept this supplemental filing on the basis that it provided information that could not reasonably have been included in the original Complaint. It alleges that the Response contains "material

mischaracterizations of fact and law that warrant correction to ensure an accurate record". Specifically, it takes issue with (i) the Respondent's argument that UDRP panels do not generally find bad faith where a domain name registration predates the establishment of the complainant and its brand; (ii) the Respondent's identity, business, and domain name portfolio; (iii) the TLD extension in its own domain name; and (iv) the valuation of the disputed domain name. It also denies the allegation of reverse domain name hijacking.

The Respondent requests that the Panel reject the Complainant's unsolicited supplemental filing. He argues that his identity was known at the time when the original Complaint was filed, and that the supplemental filing does not contain new facts that were not known at that time but, rather, information that could have been presented in the original Complaint.

The Panel observes that the Complainant seeks, in effect, an opportunity to rebut arguments in the Response and to provide evidence regarding other domain name registrations. However, the Complainant's supplemental filing would not alter the outcome of this dispute for the reasons set out in Section 6.2C below. Further, the Complainant was notified of the Respondent's identity and contact information, as verified by the Registrar, prior to filing the amended Complaint. Lastly, the Panel can assess the issue of reverse domain name hijacking on the face of the amended Complaint itself and the evidence annexed thereto. Therefore, the Panel declines to accept the Complainant's supplemental filing.

6.2 Substantive Issues

Paragraph 4(a) of the Policy provides that a complainant must demonstrate each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The burden of proof of each element is borne by the Complainant.

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. See [WIPO Overview 3.0](#), section 1.7.

The Complainant has registered five trademarks beginning with "Dose", namely, DOSE FOR YOUR LIVER, DOSE FOR IMMUNITY, DOSE FOR SORENESS, DOSE FOR YOUR SKIN, and DOSE FOR CHOLESTEROL, all in connection with dietary supplements. These trademarks are listed solely on the Supplemental Register of the USPTO which, unlike the Principal Register, does not by itself provide evidence of distinctiveness to support trademark rights. For this reason, complainants are expected to show secondary meaning in order to establish rights in such trademarks under the Policy. In the present case, the Complainant merely asserts that these marks are strong and highly distinctive indicators of source of its goods without attempting to show that they have acquired such secondary meaning. Accordingly, the Complainant has failed to demonstrate rights in these trademarks for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.2.2.

The Complainant refers to trademark applications for other DOSE-formative marks, which are pending. However, a pending trademark application by itself does not demonstrate rights in a trademark for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.1.4.

The Complainant also claims unregistered rights in respect of a DOSE DAILY mark. The Panel recalls that in order to establish unregistered trademark rights for the purposes of the Policy, a complainant must show that its sign has become a distinctive identifier that consumers associate with its goods or services, or both.

In the present case, the Complainant bases its claim on the fact that the domain name associated with its own website and used in its employees' email addresses is <dosedaily.co>. However, the website is titled simply "Dose", the favicon reads "Dose – Wellness Shots", and the product information refers to the brand as "Dose". The only evidence that "Dose Daily" is used as an identifier of source consists of one snippet (out of three) in Google search results and two uses of that term on Amazon in small type beneath the title "Dose" and beside a Dose logo. This evidence is clearly insufficient to establish acquired distinctiveness in "Dose Daily", particularly considering that the words in the alleged mark may describe the frequency of administration of the goods with which the Complainant claims to use it (i.e., dietary supplements). The dictionary meaning of those words may also generate the PPC links on the Respondent's parking page, without implying that "dose daily" is a source identifier. Moreover, the Complainant filed a trademark application to register DOSE DAILY in respect of dietary supplements but this was refused in 2022. Accordingly, the Panel finds that the Complainant has not established unregistered trademark rights in DOSE DAILY for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.3.

Therefore, the Panel finds the first element of the Policy has not been established.

B. Rights or Legitimate Interests

Given the Panel's findings regarding standing under the first element of paragraph 4(a) of the Policy, it is unnecessary to consider the second element. However, the Panel will proceed to analyze bad faith under the third element as, in the circumstances of this case, that is relevant to the issue of Reverse Domain Name Hijacking.

C. Registered and Used in Bad Faith

The Panel notes that the third element of paragraph 4(a) of the Policy contains two requirements that apply conjunctively. A complainant must show both that the disputed domain name has been registered in bad faith and also that it is being used in bad faith. The former requires a demonstration that the Respondent knew, or should have known, of the Complainant and/or the Complainant's trademark at the time when it registered or acquired the disputed domain name and that it registered the disputed domain name with a bad faith intention targeting the Complainant and/or its mark.

In the present case, the disputed domain name was registered in 2015, five years before the Complainant was established, and five years before the Complainant filed its earliest trademark application. The only evidence on the record of the Complainant's reputation relates to the present time, and does not shed light on the position eight years ago when the disputed domain name was registered. The Respondent could not have known of the Complainant or its trademark at that earlier time because they did not exist.

The Panel recalls that, where a respondent registers a domain name before the complainant's trademark rights accrue, panels will not normally find bad faith on the part of the respondent. In the present case, there are no exceptional circumstances that would indicate that the Respondent registered the disputed domain name in anticipation of the Complainant's trademark rights. See [WIPO Overview 3.0](#), sections 3.8.1 and 3.8.2. Accordingly, the Panel finds that the Respondent did not register the disputed domain name in bad faith targeting of the Complainant or its trademark rights.

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

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. See [WIPO Overview 3.0](#), section 4.16.

The Respondent requests that the Panel make a finding of reverse domain name hijacking. The Complainant indicated that it opposed that request before the appointment of the Panel.

The Panel notes that the Complainant has legal representation in this proceeding. The Complainant made no attempt to show that the Respondent could or should have been aware of the existence of itself or any of its marks at the time of registration of the disputed domain name in 2015. By its own admission, the Complainant was not established until 2020. In this scenario, where a domain name was registered before a complainant acquired trademark rights, the consensus view of UDRP panels – i.e., that they will not normally find bad faith on the part of the respondent – is set out in the [WIPO Overview 3.0](#), section 3.8. The Complainant asserted summarily that the Respondent had acted in bad faith in registering “or maintaining registration of” the disputed domain name. However, mere renewal of a domain name registration by the same registrant is insufficient to support a finding of registration in bad faith. See [WIPO Overview 3.0](#), section 3.9.

Further, the Complainant provided a summary report of its live trademark applications and registrations but failed to disclose that the registrations were all listed on the Supplemental Register of the USPTO. It also claimed unregistered trademark rights in DOSE DAILY but failed to disclose that its trademark application to register that phrase was refused. The Complainant also initially attempted to purchase the disputed domain name and filed the Complaint after the Respondent quoted a price outside its budget.

The Complainant should have known that it could not succeed on any fair interpretation of the Policy, which put the Respondent to the time and effort of defending itself. These are grounds to find that the Complaint was filed in bad faith.

Therefore, the Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

7. Decision

For the foregoing reasons, the Complaint is denied. Moreover, the Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: August 13, 2025