

ADMINISTRATIVE PANEL DECISION

Salt & Stone, Inc. v. Wei Jian Dong (魏建东)

Case No. D2025-2603

1. The Parties

The Complainant is Salt & Stone, Inc., United States of America (the “U.S.”), represented by Thorpe North & Western, the U.S.

The Respondent is Wei Jian Dong (魏建东), China.

2. The Domain Name and Registrar

The disputed domain name <saltandstone.com> is registered with Jiangsu Bangning Science & technology Co. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on July 3, 2025. On July 3, 2025, 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 confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on July 8, 2025, providing the registrant and contact information disclosed by the Registrar. The Complainant filed an amended Complaint in English (the “First Amended Complaint”) on July 14, 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 14, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the First 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 17, 2025. In accordance with the

Rules, paragraph 5, the due date for Response was August 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 12, 2025.

On August 14, 2025, the Complainant requested to add another domain name <saltadnstone.com> (the "Second Domain Name") to the current proceeding and submitted a Second Amended Complaint.

The Center appointed Rachel Tan as the sole panelist in this matter on August 19, 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 based in the U.S. which specializes in the manufacturing and marketing personal care products. The Complainant has used the trade mark SALT & STONE extensively on its products worldwide since 2017. The sales of SALT & STONE branded products have occurred both within the U.S. and internationally, including in Canada and the United Kingdom. The Complainant operates an online shop at "www.saltandstone.com".

The Complainant is the owner of its SALT & STONE trade mark worldwide, including U.S. Registration No. 5,188,252 for SALT & STONE registered on April 18, 2017 in Class 3; U.S. Registration No. 5,826,235 for SALT & STONE registered on August 6, 2019 in Class 3, and U.S. Registration No. 7,651,475 for SALT & STONE registered on January 14, 2025 in Class 3.

The disputed domain name was registered on April 29, 2025. Based on the undisputed evidence provided by the Complainant, at the time of the Complaint, the disputed domain name resolved to a website in English which allegedly imitated the Complainant's official website. In particular, it was alleged to offer the Complainant's products for sale at a discounted price by prominently displaying the Complainant's SALT & STONE mark with the original products images. At the time of this Decision, the disputed domain name does not resolve to any active website.

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 or confusingly similar to the Complainant's SALT & STONE mark. The disputed domain name consists of the Complainant's SALT & STONE mark in its entirety with a minor typo where the word "Stone" is misspelt as "Tsone". Further, the generic Top-Level Domain ("gTLD"), i.e. ".com." is generally disregarded when assessing the similarity.

The Complainant further alleges that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not affiliated with the Complainant in any way and has not been authorized by the Complainant to use and register its SALT & STONE mark or to seek registration of any domain name incorporating the said mark. The Respondent is neither commonly known by the name "Salt & Stone". Moreover, the Complainant submitted evidence and alleged that the disputed domain name was previously operated as a website to impersonate the Complainant to sell counterfeit SALT & STONE products at reduced prices. Accordingly, the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name.

Finally, the Complainant argues that the disputed domain name was registered and is being used in bad faith. Given the well-known character of the Complainant's SALT & STONE mark worldwide, the Respondent must have been aware of the Complainant and its trade mark at the time of registering the disputed domain name. The Respondent's actual knowledge is further reinforced by the fact that the disputed domain name was previously resolved to a website that imitated the Complainant's official website. The registration and use of the disputed domain name indicate that the Respondent used the disputed domain name primarily for the purpose of creating a likelihood of confusion with the Complainant's SALT & STONE mark as to the source, affiliation, or endorsement of the Respondent's website.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Issues

A. Addition of Domain Names Following Complaint Notification

On August 14, 2025, almost one month after the Complaint had been notified to the Respondent and the proceedings had formally commenced, the Complainant submitted the Second Amended Complaint, requesting to add the Second Domain Name to the current proceeding.

The Panel notes that "[e]xcept in limited cases where there is clear evidence of respondent gaming/attempts to frustrate the proceedings (e.g., by the respondent's registration of additional domain names subsequent to complaint notification), panels are generally reluctant to accept such requests because the addition of further domain names would delay the proceedings (which are expected to take place with due expedition)." See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.12.2.

Considering the late submission of the Complainant's request, and the fact that the Second Domain Name was registered on May 5, 2025 which was prior to this proceeding, the Panel decides not to accept the Complainant's request. The Panel further notes that its refusal would not prevent the Complainant from filing a separate complaint where such additional domain name may be addressed.

B. 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 was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that (i) the disputed domain name consists of Latin characters; (ii) the webpage to which the disputed domain name resolved was in English; (iii) the currency displayed on the webpage was in the U.S. dollars; (iv) requiring the Complainant to translate the proceeding into Chinese would be an undue burden on the Complainant; and (v) the Respondent appeared to have been involved in multiple other UDRP proceedings which were conducted in English.

The Respondent did not make any specific submissions with respect to 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 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 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognisable 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.

The Panel notes that the disputed domain name consists of a misspelling of the SALT & STONE mark where the word "stone" is misspelt as "tsone". In cases where a domain name consists of a common, obvious, or intentional misspelling of a trade mark, the domain name will normally be considered confusingly similar to the relevant mark for purposes of UDRP standing. See [WIPO Overview 3.0](#), section 1.9 and *Bayerische Motoren Werke AG v. Zinaida*, WIPO Case No. [D2021-1574](#).

Lastly, it is permissible for the Panel to disregard the applicable gTLD in the disputed domain name, i.e., ".com". [WIPO Overview 3.0](#), section 1.11.1.

Based on the available information, 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. 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 name such as those enumerated in the Policy or otherwise.

The Respondent has not provided evidence of a legitimate noncommercial or fair use of the disputed domain name or reasons to justify his or her choice of the disputed domain name that is confusingly similar to the Complainant's SALT & STONE mark. Further, there is no indication to show that the Respondent is commonly known by the disputed domain name or otherwise has rights or legitimate interests in any of them. In addition, the Complainant has not granted the Respondent a license or authorisation to use the Complainant's SALT & STONE mark or register the disputed domain name.

At the time of this Decision, the disputed domain name resolves to an inactive page. Based on the undisputed submission and evidence provided by the Complainant, the disputed domain name previously resolved to a website which allegedly attempted to impersonate the Complainant, offered products at discounted prices and displayed the Complainant's SALT & STONE mark. The website did not accurately and prominently disclose a lack of a relationship between the Complainant and the Respondent. Therefore, the facts do not support a claim of a bona fide offering of goods or services under the "Oki Data test". See *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

None of the circumstances in paragraph 4(c) of the Policy are present in this case. For these reasons, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

Based on the available record, 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 disputed domain name was registered almost eight years after the first use and registration of the Complainant's SALT & STONE mark. Search results using the key words "saltandtstone" or "Salt and Stone" on search engines direct Internet users to the Complainant and its business, which indicates that an exclusive connection between the mark and the Complainant has been established. The Panel notes that the disputed domain name previously resolved to a website that displayed the Complainant's mark and original photos of the Complainant's products. As such, the Respondent clearly knew of the Complainant's marks when registering the disputed domain name. [WIPO Overview 3.0](#), section 3.2.2.

The Panel notes that the disputed domain name previously resolved to a website purportedly offering SALT & STONE products and displayed the Complainant's mark. The lack of a disclaimer that the Respondent is not affiliated with the Complainant is noticeably absent. The Panel is satisfied that the Respondent intentionally created a likelihood of confusion with the Complainant's SALT & STONE mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. This demonstrates bad faith registration and use of the disputed domain name, as provided in paragraph 4(b)(iv) of the Policy.

In addition, the Panel notes that the disputed domain name currently resolves to an inactive website. The current inactive use of the disputed domain name in this case would not prevent a finding of bad faith under the doctrine of passive holding. In its determination, the Panel considers the degree of reputation of the Complainant's SALT & STONE mark, the Respondent's failure to respond in the face of the Complainant's bad faith allegations, as well as the implausibility of any good faith use that the disputed domain name may be put. [WIPO Overview 3.0](#), section 3.3.

Finally, the Panel also notes that the Respondent appears to be engaged in a pattern of abusive registration having registered multiple domain names comprising third-party trade marks. The Panel finds this case is a continuation of that bad faith pattern. See *Hydrojug, Inc. v. 魏建东 (Wei Jian Dong)*, WIPO Case No. [D2024-3385](#), and *Hydrojug, Inc. v. 魏建东 (WEI JIAN DONG)*, WIPO Case No. [D2024-3537](#). Such a pattern constitutes evidence of bad faith registration and use as contemplated under paragraph 4(b)(ii) of the Policy.

Given all the circumstances of the case, the Panel finds that the Respondent must have known of the Complainant before registering the disputed domain name, and considering the Respondent's lack of rights or legitimate interests, and by registering and using the disputed domain name as discussed above as well as continuing to hold the disputed domain name, the Panel is led to conclude that the disputed domain name was registered and is being used in bad faith.

Based on the available record, 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 <saltandtsone.com> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: September 2, 2025