

ADMINISTRATIVE PANEL DECISION

Ricardo Cuauhtemoc Mendoza Piña v. Gao Rui
Case No. D2025-2756

1. The Parties

The Complainant is Ricardo Cuauhtemoc Mendoza Piña, Mexico, represented by C&L Attorneys, Mexico.

The Respondent is Gao Rui, China.

2. The Domain Name and Registrar

The disputed domain name <riverlineergonomic.com> (the “Disputed Domain Name”) is registered with WhatIsYourDomain LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 11, 2025. On July 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 14, 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 (the registrant holder is not shown due to GDPR privacy policies) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 15, 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 July 19, 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 July 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 11, 2025.

The Center appointed Pham Nghiem Xuan Bac as the sole panelist in this matter on August 18, 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 Mexican citizen and the owner of Riverline Ergonomic, S.A. DE C.V, a company with nearly three decades of experience in the design, manufacture, and commercialization of safety footwear, specializing in the production and distribution of premium safety footwear.

The Complainant owns many trademarks registrations that consist of or contain the element “riverline ergonomic” (the “RIVERLINE ERGONOMIC trademark”) in numerous countries around the world, including, but not limited to the Mexican Registration No. 1126244 registered October 19, 2009, in class 9, the Mexican Registration No. 1125068 registered October 9, 2009, in class 25, and the United States of America Trademark Registration No. 4860680 registered November 24, 2015, in classes 9, 25, and 35.

The Disputed Domain Name was registered on June 19, 2025. As of the date of this Decision, the Disputed Domain Name resolves to a parking page containing pay-per-click (“PPC”) links various third parties’ contents related to the betting games.

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 as follows:

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark, in which the Complainant has rights.

The Complainant argues that the Disputed Domain Name is confusingly similar to its RIVERLINE ERGONOMIC trademark because it incorporates the trademark in its entirety, without any alteration to the sequence or spelling of the words.

The Complainant further submits that the addition of the generic Top-Level Domain (“gTLD”) suffix “.com” is disregarded under the first element confusing similarity test.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainant argues that the Respondent has no rights or legitimate interests in the Disputed Domain Name because the Complainant has not granted the Respondent any express or written authorization to register or use any domain name incorporating the RIVERLINE ERGONOMIC trademark. The Complainant further states that it has not licensed or permitted the Respondent to use the RIVERLINE ERGONOMIC trademark in any form.

The Complainant asserts that trademark searches confirm that the Respondent does not hold any registration for the RIVERLINE ERGONOMIC trademark, nor is there any evidence that the Respondent owns or operates a business under that Disputed Domain Name. The Complainant further submits that the Respondent is not commonly known by the Disputed Domain Name and does not appear to have any legitimate interest in the RIVERLINE ERGONOMIC trademark.

The Complainant further indicates that the Disputed Domain Name was previously owned by the Complainant. Due to administrative issue, the Disputed Domain Name lapsed and was subsequently registered by the Respondent. The Complainant considers that acquiring the Disputed Domain Name under such circumstances, with knowledge of its prior ownership and brand significance, does not establish any right or legitimate interest.

(iii) The Disputed Domain Name was registered and is being used in bad faith.

The Complainant asserts that the Disputed Domain Name was registered and is being used in bad faith. The Disputed Domain Name incorporates the Complainant's trademark in its entirety, without authorization, and was registered after the Complainant had already acquired rights in the RIVERLINE ERGONOMIC trademark.

The Complainant argues that the Respondent is not affiliated with the Complainant, has no rights in the RIVERLINE ERGONOMIC trademark, and registered the Disputed Domain Name to prevent the Complainant from reflecting its trademark in a corresponding domain name.

The Complainant further contends that the Respondent has used the Disputed Domain Name to attract Internet users for commercial gain by misleading them into believing there is an association with the Complainant. Specifically, users seeking information about the Complainant's products or services are redirected to various third-party betting websites, from which the Respondent receives commission-based remuneration.

With the said arguments, the Complainant requests that the Disputed Domain Name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[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.

Furthermore, the Panel determines that the inclusion of the gTLD ".com" in the Disputed Domain Name is disregarded, as it is a technical necessity. [WIPO Overview 3.0](#), section 1.11.1.

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.

Paragraph 4(c) of the Policy lists circumstances, in particular but without limitation, which, if found by the Panel to be proved, demonstrate the Respondent’s rights or legitimate interests in the Disputed Domain Name for the purposes of paragraph 4(a)(ii) of the Policy, including:

- “(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or
- (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

Regarding paragraph 4(c)(i) of the Policy, the Panel finds, in light of the Complainant’s asserted facts, that no license, permission or authorization in any kind to use the Complainant’s RIVERLINE ERGONOMIC trademark has been granted to the Respondent. There is no evidence available that the Respondent holds any registered or unregistered trademark rights in any jurisdiction related to “Riverline Ergonomic” phrase. Consequently, the Panel finds that the Respondent lacks rights or legitimate interests in the RIVERLINE ERGONOMIC trademark.

The Complainant presented evidence that the Disputed Domain Name resolves to a parked page containing PPC links that redirect users to other third parties’ websites unrelated to the Complainant’s activity. As of the date of this Decision, the Panel confirms that the PPC links refer to betting services. In light of these findings, and in the absence of any evidence that the Respondent is using the Disputed Domain Name in connection with a dictionary word or legitimate business, the Panel concludes that the Respondent has capitalized on the reputation and goodwill of the Complainant’s mark and that operating a PPC parking page using a trademark to direct users to unrelated or competitive services does not constitute a bona fide offering of goods or services (see Section 2.9 of the [WIPO Overview 3.0](#)).

Regarding paragraphs 4(c)(ii) and 4(c)(iii) of the Policy, the Panel finds no evidence indicating that the Respondent, whether as an individual, business, or entity, is commonly known by the Disputed Domain Name, nor is the Respondent making a legitimate noncommercial or fair use of it. In fact, as it appears following the Complainant’s assertions and evidence with regard to the Respondent’s registration of the Disputed Domain Name, it is more likely than not that the Respondent had full knowledge of the RIVERLINE ERGONOMIC trademark and had an intention to gain profit by riding on the goodwill of the Complainant.

Based on the foregoing findings, 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.

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

In the present case, the Panel finds that the Complainant has put forth evidence that the Respondent has registered and used the Disputed Domain Name in bad faith. The Respondent did not reply to the Complainant's contentions and, therefore, did not refute the Complainant's contentions.

The Panel has considered the Complainant's assertions and evidence relating to the Respondent's registration and use of the Disputed Domain Name. In this regard, the Panel finds that the Complainant's RIVERLINE ERGONOMIC trademark has been registered and put in use in multiple countries. These trademark registrations well predate the registration of the Disputed Domain Name.

Further, the Disputed Domain Name comprises the Complainant's RIVERLINE ERGONOMIC trademark in its entirety. Instead, the Panel believes that the Respondent obviously knew of the Complainant and its RIVERLINE ERGONOMIC trademark before the registration of the Disputed Domain Name. The Panel considers that such registration is an attempt by the Respondent as to take advantage of the goodwill of the Complainant's trademark.

Moreover, the Panel finds that the Respondent has no rights or legitimate interests in the Disputed Domain Name. In the Panel's view, the registration of a domain name by a respondent with no such rights or interests, combined with the absence of any credible explanation for the choice of domain name, supports a finding of bad faith.

As of the date of this Decision, the Panel accessed the website at the Disputed Domain Name and finds that it resolves to a PPC parking page where several of the links relate to betting services. In light of these findings, the Panel concludes that the Respondent has intentionally attempted to attract Internet users to its website and derive income from click-through traffic by creating a likelihood of confusion with the Complainant's trademarks, which is indicative of bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

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 <riverlineergonomic.com> be transferred to the Complainant.

/Pham Nghiem Xuan Bac/

Pham Nghiem Xuan Bac

Sole Panelist

Date: September 1, 2025