

ADMINISTRATIVE PANEL DECISION

Royal Adhesives and Sealants, LLC v. 郭星 (Guo Xing)
Case No. D2025-3102

1. The Parties

The Complainant is Royal Adhesives and Sealants, LLC, United States of America (“United States”), represented by Faegre Drinker Biddle & Reath, LLP, United States.

The Respondent is 郭星 (Guo Xing), China.

2. The Domain Name and Registrar

The disputed domain name <theeternabond.com> is registered with Cloud Yuqu LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on August 4, 2025. On August 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 6, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 7, 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 amendment to the Complaint in English on August 12, 2025.

On August 7, 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 August 13, 2025, the Complainant confirmed its request that English 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 amendment to the 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 August 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 7, 2025.

The Center appointed Jacob Changjie Chen as the sole panelist in this matter on September 15, 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, headquartered in the United States, is a manufacturer of high-performance adhesives and sealants. ETERNABOND, one of the Complainant's product brand lines, provides roof repair and sealing solutions to both commercial and residential consumers, and are carried in hundreds of retail locations across the United States.

The Complainant owns the United States Trademark Registration ETERNABOND No. 4587432, registered on August 19, 2014, in classes 16, and 17, and United States Trademark Registration ETERNABOND No. 7464074, registered on July 30, 2024, in classes 12, 16, and 17.

The disputed domain name was registered on October 8, 2024. It is resolving to a website prominently displaying the Complainant's ETERNABOND trademark and providing purported ETERNABOND branded products.

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 consists of its distinctive ETERNABOND trademark, and the addition of the definite article "the" does not obviate a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not given the Respondent permission, authorization, consent, or license to use its ETERNABOND trademark. The Respondent's use of the disputed domain name is not justified by the principle that a mark may be used legitimately without its owner's consent to promote a bona fide offering of the goods.

The Complainant finally contends that the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Issues: 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 (i) the Respondent appears to have sufficient knowledge of the English language because the website associated with the disputed domain name is provided entirely in English; (ii) the Respondent does not appear to be fluent in Chinese, as the website associated with the disputed domain name does not contain any content in Chinese; (iii) the Complainant, and likely Respondent, would incur significant expense prosecuting the matter in Chinese; and (iv) the proceedings would be delayed.

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[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 trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable 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.

Although the disputed domain name contains an extra word "the", the Panel finds the addition of this term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 website associated with the disputed domain name is prominently displaying the Complainant’s ETERNABOND trademark and provides purported ETERNABOND products. The website fails to accurately represent that there is no relationship between the Complainant and Respondent, thereby creating an undue association with the Complainant and likely confusing Internet users as to the source of products provided through the website. Accordingly, the use of the disputed domain name by the Respondent, here claimed as impersonating the Complainant, can never confer any rights or legitimate interests in the current case. [WIPO Overview 3.0](#), section 2.13.1.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel notes that the disputed domain name consists of the Complainant’s ETERNABOND trademark in its entirety, and resolves to a website purportedly providing the Complainant’s ETERNABOND branded products. It is thus inconceivable that the Respondent could have registered the disputed domain name without knowledge of the Complainant and its ETERNABOND trademark. Registration in bad faith is established.

By choosing the Complainant’s trademark to register the disputed domain name and setting up a website to purportedly provide ETERNABOND-branded products, the Respondent is deliberately attempting to misrepresent itself as being affiliated with the Complainant. Such use of the disputed domain name shows that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant’s marks, which constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under 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 <theeternabond.com> be transferred to the Complainant.

/Jacob Changjie Chen/

Jacob Changjie Chen

Sole Panelist

Date: September 29, 2025