

## **ADMINISTRATIVE PANEL DECISION**

Hong Kong Sun Rise Trading Limited v. Kim Armando  
Case No. D2025-3313

### **1. The Parties**

The Complainant is Hong Kong Sun Rise Trading Limited, Hong Kong, China, represented by Abion AB, Sweden.

The Respondent is Kim Armando, United States of America ("United States" or "U.S.").

### **2. The Domain Name and Registrar**

The disputed domain name <greenworksofficial.com> is registered with West263 International Limited (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 18, 2025. On August 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 20 and August 25, 2025, the Registrar transmitted by email to the Center its verification responses disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (N/A, Privacy protected) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 25, 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 on August 25, 2025.

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 of the Complaint, and the proceedings commenced on August 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 19, 2025.

The Center appointed Daniel Peña as the sole panelist in this matter on September 26, 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, founded in 2001, is a corporation headquartered in Hong Kong, China, which specializes in the wholesale distribution of industrial machinery and gardening equipment.

The Complainant is the owner of a number of GREEN WORKS/GREENWORKS trademark registrations (the "GREENWORKS Trademark") throughout the world, among which are:

- United States Trademark Registration No. 90978070, in respect of goods in classes 9 and 11, registered on November 1, 2022; and

- United States Trademark Registration No. 90978066, in respect of goods in classes 9 and 11, registered on November 1, 2022.

The Complainant also owns numerous domain names containing its trademark, such as <greenworkstools.com>, which resolves to the Complainant's official websites promoting its business.

The disputed domain name was registered on July 17, 2025. At the time of filing the Complaint, it was used in connection with a website that displayed the Complainant's trademark and purported to represent or be affiliated with the Complainant, insofar as it replicated the Complainant's main corporate website, including copyright-protected visual assets such as logotypes and images and apparently offered for sale the Complainant's 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 is confusingly similar to the GREENWORKS Trademark since the disputed domain name entirely incorporates the Complainant's trademark. The GREENWORKS Trademark is clearly recognizable within the disputed domain name, which differs from it only by the addition of the generic word "official".

The Complainant further claims that the Respondent has no rights or legitimate interests in respect of the disputed domain name in view of the following:

- the Complainant has not licensed or authorized the Respondent to use its GREENWORKS Trademark;
- the Respondent is not affiliated with the Complainant;
- the Complainant did not authorize the Respondent to register or use the disputed domain name incorporating its GREENWORKS Trademark nor have the Complainant endorsed or sponsored the Respondent or the Respondent's website;
- there is no evidence that the Respondent is commonly known by the disputed domain name or owns any registered trademarks including the term "greenworksofficial.com";

- the disputed domain name is a copycat version of the Complainant's official website, using its GREENWORKS Trademark;
- the disputed domain name was alleged to be engaged in the sale of products identical to those offered by the Complainant. Notably, the disputed domain name operates mimicking the look and feel of the Complainant's legitimate website, thereby creating confusion among consumers;
- it is evident that the disputed domain name is being utilized as a platform for scams, jeopardizing the reputation and trustworthiness of the GREENWORKS Trademark.

The registration of the GREENWORKS Trademark predates the registration of the disputed domain name and the Respondent has never been authorized by the Complainant to use the GREENWORKS Trademark nor to register the disputed domain name. Nonetheless, the Respondent has chosen to use the distinctive GREENWORKS Trademark in the disputed domain name in its entirety.

The Complainant further claims that the Respondent has registered and is using the disputed domain name in bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is 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 disputed domain name; and (iii) the disputed domain name has been registered and is being used in bad faith. Considering these requirements, the Panel rules as follows:

### **A. Identical or Confusingly Similar**

Paragraph 4(a)(i) of the Policy requires the Complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The Complainant has provided evidence of its rights in the trademarks GREENWORKS on the basis of its multiple trademark registrations in the U.S.

A trademark registration provides a clear indication that the rights in the trademark belong to the Complainant (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 1.2.1). It has also been established by prior UDRP panels that incorporating a trademark in its entirety into a domain name can be sufficient to establish that the domain name is confusingly similar to a trademark. Such findings were confirmed, for example, within section 1.7 of the [WIPO Overview 3.0](#). The Respondent's incorporation of the GREENWORKS Trademark in full in the disputed domain name is evidence that the disputed domain name is confusingly similar to the Complainant's mark.

The mere addition of the term "official" does not prevent a finding of confusing similarity between the disputed domain name and the GREENWORKS Trademark because the Complainant's mark remains clearly recognizable in the disputed domain name. As noted in [WIPO Overview 3.0](#), section 1.8:

"Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element."

Furthermore, the addition of the generic Top-Level Domain (“gTLD”) “.com” is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the trademark in which the Complainant has rights, meaning that the Complainant has satisfied the requirement under paragraph 4(a)(i) of the Policy.

## **B. Rights or Legitimate Interests**

In accordance with paragraph 4(a)(ii) of the Policy, the Complainant must prove that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel observes that there is no relationship, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Panel also finds that there is no indication that the Respondent is commonly known by the disputed domain name because the Respondent’s name is “Kim Armando” which has no apparent connection with the GREENWORKS trademark.

The Complainant claims that the Respondent has no connection or affiliation with the Complainant and has not received any license or consent, express or implied, to use the Complainant’s trademarks in a domain name or in any other manner. Furthermore, the disputed domain name directs to a commercial website that displayed the Complainant’s trademark and allegedly offers the Complainant’s products, without any prominent and accurate disclaimer as to the relation with or authorization of the Complainant, exacerbating the user confusion as to the website’s affiliation to the Complainant. Such use for deliberately attracting Internet users to its website in the mistaken belief that it is a website of the Complainant or otherwise linked to or authorized by the Complainant supports a finding that the Respondent lacks rights to or legitimate interests in the disputed domain name.

The Panel concludes that the Respondent chose to include the GREENWORKS Trademark in the disputed domain name and on the website associated with the disputed domain name purportedly offering for sale the Complainant’s products, in order to achieve commercial gain by misleading Internet users, and that such use cannot be considered as a legitimate noncommercial or fair use.

The Panel further finds that the composition of the disputed domain name, including the term “official” carries a risk of implied affiliation with the Complainant. Noting the lack of any disclaimer, the content of the website at the disputed domain name exacerbates the confusion caused by the incorporation of the Complainant’s trademark in the construction of the disputed domain name together with the term “official”, which suggests sponsorship or endorsement by the Complainant. See sections 2.5.1 and 2.8 of the [WIPO Overview 3.0](#).

The Respondent did not submit a Response or attempt to demonstrate any rights or legitimate interests in the disputed domain name, and the Panel draws adverse inferences from this failure, where appropriate, in accordance with the Rules, paragraph 14(b). The Panel finds the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Given the above, the Panel finds that the Complainant has satisfied the requirement under paragraph 4(a)(ii) of the Policy.

## **C. Registered and Used in Bad Faith**

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered evidence of the registration and use of a disputed domain name in bad faith: (i) circumstances indicating that the respondent registered or acquired the domain name primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the complainant (the owner of the trademark or service mark) or to a competitor of that complainant, for valuable consideration in excess of documented out-of-pocket costs directly related to the domain name; (ii) the respondent has 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 the respondent has engaged in a pattern of such conduct; (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its 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 the respondent's website or location or of a product or service on its website or location.

In the Panel's view, a finding of bad faith may be made where the Respondent "knew or should have known" of the registration and/or use of the trademark prior to registering the disputed domain name. In this case, the Complainant submits that at the date of registration of the disputed domain name, the Respondent knew or should have known of the GREENWORKS Trademark considering the global renown of the Complainant's prior registered and used mark and the website content targeting the Complainant's trademark, logos and products.

The Panel takes note of the construction of the disputed domain name, which combines the GREENWORKS trademark with the term "official" suggesting an authorized or endorsed source likely to mislead consumers as well as the fact that the disputed domain name directs to a website that contains the Complainant's trademark, logos, product images and allegedly offers the Complainant's products.

The Panel is satisfied that by directing the disputed domain name to a commercial website allegedly offering the Complainant's products, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the GREENWORKS Trademark as to the source, sponsorship, affiliation, or endorsement of its website or of the products on its website (see section 3.1.4 of the [WIPO Overview 3.0](#)). Under paragraph 4(b)(iv) of the Policy, this circumstance shall be evidence of the registration and use of a domain name in bad faith.

Having considered the Complainant's submissions and in the absence of a Response, the Panel accepts the Complainant's submission that on the evidence there is no plausible circumstance under which the Respondent could legitimately register or use the inherently misleading disputed domain name.

Consequently, the Panel finds that the disputed domain name was registered and is being used by the Respondent in bad faith within Paragraph 4(a)(iii) 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 <greenworksofficial.com> be transferred to the Complainant.

*/Daniel Peña/*

**Daniel Peña**

Sole Panelist

Date: October 9, 2025