

## **ADMINISTRATIVE PANEL DECISION**

Rovio Entertainment Ltd v. Huy Hoang  
Case No. D2025-3561

### **1. The Parties**

The Complainant is Rovio Entertainment Ltd, Finland, represented by Roschier (Brands), Attorneys Ltd., Finland.

The Respondent is Huy Hoang, Viet Nam.

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

The disputed domain name <angrybirdsmerch.com> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 3, 2025. On September 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 3, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 4, 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 September 5, 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 September 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 7, 2025.

The Center appointed Mireille Buydens as the sole panelist in this matter on October 10, 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 global mobile-first games company that creates, develops, and publishes mobile games. The Complainant is best known for its ANGRY BIRDS brand (hereafter “the ANGRY BIRDS Trademark” or “the Trademark”), which started as a popular mobile game in 2009 and has evolved from games to various entertainment and consumer products through brand licensing.

The Complainant owns registrations for its ANGRY BIRDS Trademark, including for example:

- European Union trademark registration no. 009861311 for ANGRY BIRDS (word mark), registered on September 6, 2011, in International Classes 3, 14, 18, 20 21, 24, 25, 27, 29, 30, 32, 33, 34, 35, 36, 38, and 43;
- International trademark registration no. 1034096 for ANGRY BIRDS (word mark) registered on March 4, 2010, in classes 9, 16, 28 and 41; and
- Chinese trademark registration no. 11115658 for ANGRY BIRDS (word mark), registered on November 14, 2013, in International Class 41.

The Complainant uses the domain name <angrybirds.com> for the official website presenting and selling the ANGRY BIRDS merchandising items.

The disputed domain name was registered on October 24, 2024. The disputed domain name resolves to a website claiming to be “Angry Birds Merch is the official merchandise for Angry Birds game fans”, explaining further that “Angry Birds Merch has become a thriving extension of the beloved game franchise, offering fans a wide range of products that bring their favorite characters to life” (followed by a claim of copyright “Copyright 2025 © Angry Birds Merch” in the material on the website). The website further prominently displays the Complainant’s ANGRY BIRDS Trademark and reproduces characters from the Complainant’s video game. The website further indicates the address of a warehouse in the United States and an email address. No company name is mentioned.

#### **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 Trademark as it includes the ANGRY BIRDS Trademark in its entirety. Although the addition of other terms, here “merch”, may bear on assessment of the second and third elements, the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the Trademark for the purposes of the Policy. Furthermore, the top-level domain (“TLD”) “.com” is a standard registration requirement and as such shall be disregarded under the confusing similarity test.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not licensed or otherwise permitted the Respondent to use the ANGRY BIRDS Trademark and/or to register a domain name incorporating this Trademark. The Respondent is using the disputed domain name to direct to a website claiming to be the official merchandise site for the ANGRY BIRDS Trademark. This carries a high risk of implied affiliation to the Complainant. The Respondent is

seeking to gain a reputational advantage of the Complainant's Trademark and unfairly benefit from its reputation to attract website visitors and get people buying products claiming affiliation with the Complainant's game.

The Complainant finally contends that the Respondent registered and uses the disputed domain name in bad faith. First, it is clear that the Respondent knew of the Complainant's ANGRY BIRDS Trademark as well as use and reputation thereof prior to registering the disputed domain name, as this can be observed from the Respondent's website making direct reference to the Complainant and its Trademark and reproducing the characters from the video game. The Complainant further contends that the disputed domain name is very similar to the Complainant's ANGRY BIRDS Trademark and the additional element "merch" included in the disputed domain name refers to merchandise, which is also offered by the Complainant and its licensees. Further, the Respondent is offering products for sale using images of characters from the Complainant's ANGRY BIRDS game. Therefore, the Respondent clearly attempts to mislead the Internet users.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy provides that the Complainant prove each of the following three elements in order to succeed in its Complaint:

- (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 was registered and is being used in bad faith.

### **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.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the ANGRY BIRDS Trademark is reproduced within the disputed domain name. The only difference between the ANGRY BIRDS Trademark and the disputed domain name is the addition of the term "merch". Although the addition of this term may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Further, the generic TLD ".com" is a standard registration requirement which is typically disregarded when assessing if the disputed domain name is confusingly similar to the ANGRY BIRDS Trademark.

Accordingly, the disputed domain name is confusingly similar to the ANGRY BIRDS Trademark for the purposes of the Policy.

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 is not licensed by, nor affiliated with, the Complainant in any way. There is no evidence that the Respondent is commonly known by the disputed domain name, nor is there any evidence of use or demonstrable preparations to use the disputed domain name for a bona fide offering of goods or services. There is no evidence of a legitimate noncommercial or fair use of the disputed domain name, either. On the contrary, the Panel notes that the disputed domain name reproduces the well-known ANGRY BIRDS Trademark in its entirety with the mere addition of the term “merch” which is the abbreviation of “merchandise” (thereby describing the merchandised items offered for sale on the website under the disputed domain name).

In addition, the website under the disputed domain name prominently uses the Complainant’s Trademark at the top of the website. The Panel further notes that the disputed domain name is very similar to the domain name used by the Complainant for its official website (<angrybirds.com>), the only difference being the addition of the abbreviation “merch” for “merchandise” (which describes the items offered for sale on the website under the disputed domain name). The website further claims that “Angry Birds Merch is the official merchandise for Angry Birds game fans” and “Angry Birds Merch has become a thriving extension of the beloved game franchise, offering fans a wide range of products that bring their favorite characters to life” followed by a false claim of copyright in the material on the website. Besides, the website does not identify the company running it and does not specify its (lack of) relationship with the Complainant. As a result, the Respondent induces Internet users into falsely believing that the disputed domain name resolves to a website operated or endorsed by the Complainant. Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. [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.

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 notes that the Respondent has composed the disputed domain name by combining the Complainant’s well-known ANGRY BIRDS Trademark with the term

“merch” (abbreviation of “merchandise”, which is descriptive of the products offered for sale on the website under the disputed domain name as pointed out above). A quick search for the term “angry birds” online would have revealed to the Respondent the existence of the Complainant and its Trademark. Taking into account the website content of the disputed domain name, the Panel finds that the Respondent was aware of the Complainant’s Trademark at the time of the registration of the disputed domain name. [WIPO Overview 3.0](#) section 3.2.2.

Moreover, panels have held that the use of a domain name for illegitimate activity, here claimed impersonating or passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. In the present case, the disputed domain name resolves to a website claiming to be “the official merchandise for Angry Birds game fans” and purportedly offering merchandised items (clothes, accessories, phone shells, etc.) referring to the video game of the Complainant.

The Respondent attempts to pass itself off as “the official merchandise for Angry Birds game fans”. Besides, the Panel notes that: ; (a) the website prominently displays the Complainant’s ANGRY BIRDS Trademark and reproduces characters from the Complainant’s video game; (b) the website uses the same picture of Angry Birds characters on the top of the first page as on the official Complainant’s website; (c) the disputed domain name is very similar to the Complainant’s domain name for its official website (<angrybirds.com>), the only difference being the word “merch” referring to the sale of merchandised items; (d) the website does not identify the company running it nor its (lack of) relationship with the Complainant; (e) the website contains a false claim of copyright in the material on the website.

In light of this, it seems inconceivable that the Respondent would have registered and used the disputed domain name for a reason other than seeking to unduly benefit from the Complainant, its well-known ANGRY BIRDS Trademark, and associated goodwill. The Panel finds that the Respondent has registered and used the disputed domain name with the intention to attract, for commercial gain, Internet users to the website under the disputed domain name by creating a likelihood of confusion with the Complainants’ ANGRY BIRDS Trademark as to the source, sponsorship, affiliation, or endorsement of its website or products, which constitutes use in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Besides, the Panel finds that it is not the first time that the Respondent is found to have registered a domain name in bad faith, construing a pattern of bad faith registration that further reinforces the overall impression of bad faith. See e.g., *Microsoft Corporation v. Huy Hoang*, WIPO Case No. [D2025-3429](#); *Electronic Arts Inc. v. Huy Hoang* WIPO Case No. [D2025-3009](#); *Microsoft Corporation v. Huy Hoang* WIPO Case No. [D2025-2416](#); *Electronic Arts Inc. v. Huy Hoang* WIPO Case No. [D2025-0281](#)).

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 <angrybirdsmerch.com> be transferred to the Complainant.

*/Mireille Buydens/*

**Mireille Buydens**

Sole Panelist

Date: October 16, 2025