

## **ADMINISTRATIVE PANEL DECISION**

Greyson Clothiers, LLC v. Dong Qingming  
Case No. D2025-3852

### **1. The Parties**

The Complainant is Greyson Clothiers, LLC, United States of America ("United States"), represented by Arnold & Porter Kaye Scholer LLP, United States.

The Respondent is Dong Qingming, China.

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

The disputed domain name <greysonsportswears.com> is registered with Gname.com Pte. Ltd. (the "Registrar").

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 22, 2025. On September 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 24, 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 26, 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 in English on September 29, 2025.

On September 26, 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 September 29, 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 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 September 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 23, 2025.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on October 31, 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 engaged in the manufacturing and sale of apparel and other products, including clothing for golfers and golf lifestyle apparel. The Complainant markets its products throughout the United States and elsewhere.

The Complainant owns a trademark portfolio comprising a number of GREYSON trademarks, for use in connection with its apparel and other products, including but not limited to:

- United States Trademark Registration No. 5591104, GREYSON, registered on October 23, 2018; and
- United States Trademark Registration No. 5638642, GREYSON (and design), registered on December 25, 2018.

The Complainant is also the registrant of the domain name <greysonclothiers.com> from which it operates its main consumer-facing website.

The disputed domain name was registered on June 13, 2025 and directs to an active website prominently displaying the GREYSON logo and mark, claiming to be a website hosted by the Complainant, and advertising and purportedly selling and shipping what are presented as GREYSON 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 is confusingly similar to its GREYSON trademark. The Complainant argues that the disputed domain name wholly incorporates this mark, merely adding the generic term "sportswears", which does not avoid a finding of confusing similarity but rather reinforces an association with the Complainant's line of apparel. It further submits that the disputed domain name closely imitates its own main domain name, <greysonclothiers.com>, thereby increasing the risk of consumer confusion. The Complainant also asserts that the relevant mark remains clearly recognizable within the disputed domain name and that such use is plainly intended to mislead the public into believing that the disputed domain name and the associated website are affiliated with or operated by the Complainant.

The Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name. It contends that the Respondent is not affiliated with, authorized by, or commonly known by reference to the GREYSON name or mark, and that its adoption of the disputed domain name long postdates the Complainant's established and widely recognized trademark rights. The Complainant maintains that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services but instead for misleading and fraudulent purposes to sell alleged counterfeit products. The

Complainant alleges that the Respondent imitates the GREYSON logo and mark, impersonates the Complainant, and falsely presents itself as “Greyson Clothiers”. Such conduct, the Complainant submits, cannot constitute a legitimate or fair use under the Policy and fails even the Oki Data reseller test, as the Respondent not only omits any disclosure of its lack of authorization but actively misrepresents itself as the Complainant.

The Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith, within the meaning of paragraph 4(b)(iv) of the Policy. It contends that, given the fame of the GREYSON mark, it is inconceivable that the Respondent was unaware of the Complainant when registering the disputed domain name, and that the Respondent’s adoption of the identical branding, logos, and trade identifiers demonstrates a deliberate attempt to impersonate the Complainant for commercial gain. The Complainant submits that the Respondent’s website intentionally attracts Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement of its website, and thereby diverts consumers seeking the Complainant’s genuine products to a site offering counterfeit or non-existent goods. The Complainant relies on UDRP precedents that such conduct constitutes opportunistic bad faith, asserting that the Respondent’s actions were intentional, willful, and carried out with full knowledge of the Complainant’s trademark rights.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1 Preliminary Issue: 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 that the Complainant is a well-known company based in the United States and uses English widely for its international business activities; that the disputed domain name is in English and composed of Latin alphabet characters; that the website to which the disputed domain name resolves uses English throughout, including a “Contact Us” page listing an address in California; and that requiring the Complainant to translate the Complaint would result in unnecessary delay while the Respondent’s clear acts of cybersquatting continue.

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 Findings on the Merits

### 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 entirety of the mark is reproduced 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 addition of other terms here, "sports wears", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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.

Moreover, upon review of the facts and evidence, the Panel notes that the Respondent is not affiliated with, authorized by, or commonly known by reference to the GREYSON name or mark and that the Respondent has not provided any evidence of the use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or any legitimate noncommercial or fair use of the disputed domain name. Instead, upon review of the facts and the evidence submitted in this proceeding, the Panel notes that the disputed domain name directs to an active website which shows a clear intent on the part of the Respondent to impersonate the Complainant and misleadingly pass the website at the disputed domain name off as the Complainant's website for commercial gain by using the Complainant's logo and mark, and purportedly offering for sale what are presented as GREYSON branded products. In this regard, panels applying the Policy have consistently held that the use of a domain name for illegal activity, here, claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Additionally, the Panel also finds that the nature of the disputed domain name, being confusingly similar to the Complainant's trademarks and consisting only of the Complainant's trademark combined with the descriptive terms "sports wears", carries a risk of implied affiliation and cannot constitute fair use, as it effectively impersonates the Complainant and its products or suggests sponsorship or endorsement by the Complainant (see [WIPO Overview 3.0](#), section 2.5.1).

The Panel finds the second element of the Policy has been established.

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

In the present case, the Panel notes that the Respondent has registered a domain name which is confusingly similar to the Complainant's GREYSON trademarks, which the Panel accepts are well known for the relevant products, namely golf lifestyle apparel. Therefore, the Panel finds that by registering the disputed domain name, the Respondent deliberately and consciously targeted the Complainant's prior well-known trademarks for GREYSON. This finding is incidentally further confirmed by the fact that the Respondent apparently attempted to sell allegedly GREYSON-branded products through its use of the website at the disputed domain name. The Panel finds that this creates a presumption of bad faith. The Panel also notes that the Complainant's trademarks in this case predate the registration date of the disputed domain name by several years, and that the Respondent could not have been reasonably unaware of them particularly noting the use of the Complainant's mark and logo on the website at the disputed domain name. Furthermore, the Panel notes that even a cursory Internet search or trademark search at the time of registration of the disputed domain name would have made it clear to the Respondent that the Complainant owned prior rights in its trademarks for GREYSON. In the Panel's view, the above elements clearly indicate bad faith on the part of the Respondent, and the Panel therefore finds that it has been demonstrated that the Respondent has registered and used the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

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.

Panels have held that the use of a domain name for illegal activity, here, the claimed impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. 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 <greysonsportswears.com> be transferred to the Complainant.

*/Deanna Wong Wai Man/*

**Deanna Wong Wai Man**

Sole Panelist

Date: November 12, 2025