

ADMINISTRATIVE PANEL DECISION

JD SPORTS FASHION PLC v. tong xiaonian

Case No. D2025-3901

1. The Parties

The Complainant is JD SPORTS FASHION PLC, United Kingdom, internally represented.

The Respondent is tong xiaonian, China.

2. The Domain Name and Registrar

The disputed domain name <supplydemanduk.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 25, 2025. On September 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 26, 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 (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 29, 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 October 1, 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 October 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 31, 2025.

The Center appointed Ganna Prokhorova as the sole panelist in this matter on November 6, 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 one of the leading United Kingdom-based sports fashion retailers founded in 1981. Today, the Complainant operates over 4,500 stores across 49 countries with a strong presence in the United Kingdom, European Union, North America and Asia Pacific.

Among its portfolio, the Complainant owns the SUPPLY & DEMAND trademarks, used for apparel, footwear, and accessories, including, for example:

- European Union Trademark Registration No. 012056438 for SUPPLY & DEMAND, registered on January 4, 2014, in Classes 18, 25, and 28;
- United Kingdom (“UK”) Trademark Registration No. UK00003000113 for SUPPLY & DEMAND, registered on July 19, 2013, in Class 25; and
- UK Trademark Registration No. UK00003873505 for SUPPLY & DEMAND, registered on April 21, 2023, in Class 9.

The SUPPLY & DEMAND branded products are sold through the Complainant’s retail outlets and online channels, and is well-known to consumers in the streetwear and sports fashion market.

The disputed domain name was registered on June 24, 2025. The Respondent has used the disputed domain name to operate a website purporting to sell clothing. At the time of filing of the Complaint, the website prominently used the SUPPLY & DEMAND mark and offered links for purchasing SUPPLY & DEMAND-branded products, and included a notice that it participated in the Amazon affiliate advertising program, thus monetizing traffic via affiliate links to Amazon platform.

The website to which the disputed domain name currently resolves includes a disclaimer stating: “This website is an independent, fan-created platform that provides content about various brands. It is neither affiliated with, endorsed by, nor officially associated with these brands. All trademarks, logos, and brand names mentioned are the property of their respective owners. We are merely a platform for publishing content and do not sell products”.

Notwithstanding this disclaimer, the “About Us” section presents the entity as a commercial enterprise operating under the name Supply And Demand®, stating: “Supply And Demand® was founded in 2016... We started out small, selling our original designs at local street fairs and markets... Within our first year, we opened our flagship store in London and launched our online store. Over the years, Supply And Demand® has grown into one of the most recognizable streetwear brands in the UK.... Today, we operate two retail stores and our ever-expanding online store...”. In the “Introduction” section, the website states that it is owned and operated by Supply And Demand® Ltd and invites users to purchase its products through the site or its retail outlets. Finally, the “How to Contact Us” section provides a postal address in London, UK.

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:

- (1) the disputed domain name is confusingly similar to the Complainant’s trademark. The Complainant holds registered rights and global goodwill in the SUPPLY & DEMAND mark, widely recognized in the UK and internationally. The disputed domain name incorporates the entirety of the Complainant’s mark, with the addition of “uk”, a geographic term that heightens confusion given the Complainant’s UK origins.

(2) the Respondent does not have any rights or legitimate interests in the disputed domain name. The Respondent is using the disputed domain name to operate a website that replicates the Complainant's product images and branding without authorization, amounting to copyright infringement. The site promotes identical goods and features affiliate links, including to Amazon, from which the Respondent derives commercial gain. It also includes misleading content such as fabricated reviews, falsely implying affiliation with the Complainant. The Complainant has no connection with the Respondent and has not authorized the registration or use of the disputed domain name. The Respondent is not commonly known by the domain name. Given the Complainant's long-standing and well-known SUPPLY & DEMAND brand, the Respondent must have been aware of the Complainant's rights and reputation when registering and using the domain name.

(3) the Respondent registered and is using the disputed domain name in bad faith. The disputed domain name incorporates the Complainant's SUPPLY & DEMAND mark, which predates the disputed domain name registration. The Respondent must have been aware of the Complainant's rights. The disputed domain name has been registered by the Respondent in a way to confuse consumers into thinking that it is controlled by the Complainant. The disputed domain name is directed at disrupting the Complainant's business; and/or intentionally attempting to attract for commercial gain, Internet users to Respondent's website. The disputed domain name misleads users into believing it is affiliated with the Complainant, likely for commercial gain. Such conduct demonstrates bad faith.

B. Respondent

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

6. Discussion and Findings

To succeed in a UDRP complaint, the Complainant has to demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, namely:

- (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.

The Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules and failed to do so. Paragraph 5(f) of the Rules establishes that if a respondent does not respond to the Complaint, the Panel's decision shall be based upon the Complaint.

However, even if the Respondent has not replied to the Complainant's contentions, the Complainant still bears the burden of proving that all these requirements are fulfilled. Concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistently with the consensus views captured therein.

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 mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Based on the evidence submitted by the Complainant, the Panel finds that the Complainant has shown rights in respect of its SUPPLY & DEMAND mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the Complainant's mark is recognizable within the disputed domain name. The disputed domain name incorporates the Complainant's SUPPLY & DEMAND mark in its entirety, with the only differences being the deletion of spaces between the words, omission of the sign "&" and the addition of the term "uk". In accordance with [WIPO Overview 3.0](#), section 1.8, the inclusion of a geographical term does not prevent a finding of confusing similarity under the first element, as the Complainant's mark remains clearly recognizable within the disputed domain name.

The Panel further notes that the generic Top-Level Domain ("gTLD") ".com" is required only for technical reasons and is generally ignored for the purposes of comparison of the Complainant's mark to the disputed domain name. [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's mark and that the first element of paragraph 4(a) of the Policy is satisfied.

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. See [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.

In this case, the Complainant has established trademark rights in the SUPPLY & DEMAND mark and has credibly asserted that it has not authorized, licensed, or otherwise permitted the Respondent to use these marks in any manner. The Complainant confirms that it has no business or other relationship with the Respondent and has not consented to the registration or use of the disputed domain name. Based on the available record, there is no evidence that the Respondent has been commonly known by the disputed domain name.

The website to which the disputed domain name resolves does not constitute a bona fide offering. Although the website currently contains a disclaimer - which was seemingly added after the Complaint had been filed - purporting to characterize the site as an "independent, fan-created platform", this is contradicted by multiple sections of the website describing ongoing commercial operations, retail stores, and sales. Furthermore, the Respondent is reproducing the Complainant's trademark and product photographs, including its models and products, without authorization, and without any disclosure of lack of relationship with the Complainant, rather, on the contrary, fabricating a narrative of the brand's history. Moreover, the Respondent's monetization of traffic through affiliate links to third-party e-commerce site demonstrates that the domain name is being used for the Respondent's financial gain, not for any genuine noncommercial or fair use. The unauthorized use of the Complainant's trademark to attract users to generate affiliate revenue is not a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, nor is it legitimate noncommercial use.

The Respondent's conduct also raises concerns of malicious intent, including phishing. The website invites users to submit their email addresses in a "Leave a Reply" section, thereby collecting personal data from unsuspecting users.

The Respondent has not submitted a Response and has failed to rebut the Complainant's prima facie case.

In light of the foregoing, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name and that the Complainant has satisfied the requirement of paragraph 4(a)(ii) of the Policy.

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.

The Complainant has demonstrated that it owns well-established rights in the SUPPLY & DEMAND marks. The disputed domain name incorporates the Complainant's mark in its entirety, and the record indicates that the Respondent was aware of the Complainant and its trademark rights at the time of registration. The Panel finds that the Respondent registered the disputed domain name with the intent to impersonate the Complainant and trade off the reputation and goodwill of the SUPPLY & DEMAND marks.

To be more specific, the Complainant's trademark SUPPLY & DEMAND has been extensively used for a decade and enjoys substantial goodwill and reputation globally, including in the United Kingdom. The SUPPLY & DEMAND brand is closely associated with the Complainant's business in the fashion sector. The disputed domain name was registered in 2025, long after the Complainant established its rights. Given the nature of the Respondent's website, the Panel finds it implausible that the Respondent was unaware of the Complainant's trademark at the time of registration. It is also worth noting that the inclusion of "uk" in the disputed domain name suggests the Respondent was specifically targeting the Complainant's market in the United Kingdom, where the Complainant is based and where the SUPPLY & DEMAND brand originates. Therefore, the Panel believes that the Respondent was aware of the Complainant's mark at the time of registration of the disputed domain name. Indeed, the Respondent's use of the Complainant's exact branding and imagery on the website is clear evidence that the Respondent targeted the Complainant and its trademark intentionally.

The Respondent's use of the disputed domain name to operate a website impersonating the Complainant, purportedly operating as a commercial entity called "Supply And Demand® Ltd", combined with invitations to purchase products and the use of affiliate links, demonstrates an intentional attempt to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark. Such conduct falls within paragraph 4(b)(iv) of the Policy.

The addition of a disclaimer does not mitigate this finding. UDRP panels consistently hold that disclaimers cannot cure bad faith where the overall circumstances of a case point to the respondent's trading on a complainant's trademark reputation. Here, the Respondent prominently uses the Complainant's SUPPLY & DEMAND mark, reproduces it in the product descriptions, displays images associated with the Complainant's products, contains multiple references to "Supply And Demand", such as "Our in-house design team [...]," and claims of being an established UK streetwear brand, including assertions of operating retail stores and an online shop. These elements collectively mislead users into believing that the website is operated or endorsed by the Complainant, despite the contradictory disclaimer.

The site also incorporates the Complainant's own marketing language, such as referring to a product as "JD-exclusive", which underscores the Respondent's knowledge of the Complainant and its deliberate attempt to impersonate the Complainant. The use of affiliate advertising links indicates that the Respondent likely benefits financially from this confusion.

Taken together, the Respondent's use of the disputed domain name, its reproduction of the Complainant's branding and marketing materials, and its creation of a false commercial narrative all demonstrate a clear intent to mislead consumers and exploit the Complainant's trademark for commercial gain. This pattern of conduct constitutes bad faith under paragraph 4(b)(iv) of the Policy.

The Respondent's bad faith is further evidenced by its concealment of its identity. While the use of a privacy protection service is not per se unlawful or conclusive of bad faith, in the context of this case it further supports the inference that the Respondent knew its conduct was improper and wished to avoid being identified. Prior UDRP panels have observed that using a proxy or privacy service to mask one's identity, especially when combined with other indications of bad faith, can support a finding of bad faith use. See *Suncor Energy Inc. v. Whois Privacy Protection Service, Inc. / andre bechamp*, WIPO Case No. [D2012-2123](#).

In the absence of any response from the Respondent, and taking into account all of the above factors, the Panel concludes that the Respondent registered and is using the disputed domain name in bad faith within the meaning of paragraph 4(a)(iii) and paragraph 4(b)(iv) of the Policy.

Accordingly, the third element of paragraph 4(a) of the Policy has been established.

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 <supplydemanduk.com> be transferred to the Complainant.

/Ganna Prokhorova/

Ganna Prokhorova

Sole Panelist

Date: November 23, 2025