

## **ADMINISTRATIVE PANEL DECISION**

FGL Sports Ltd. v. LI da  
Case No. D2025-4037

### **1. The Parties**

Complainant is FGL Sports Ltd., Canada, represented by Norton Rose Fulbright Canada LLP, Canada.

Respondent is LI da, China.

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

The disputed domain name <sportchekcanada.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 October 2, 2025. On October 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on October 8, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint in English on October 12, 2025.

On October 8, 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 October 12, 2025, Complainant requested English to be the language of the proceeding. Respondent did not submit any comment on 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 Respondent in Chinese and English of the Complaint, and the proceedings commenced on October 14, 2025. In accordance with the

Rules, paragraph 5, the due date for Response was November 3, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on November 10, 2025.

The Center appointed Yijun Tian as the sole panelist in this matter on November 17, 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**

##### **A. Complainant**

Complainant, FGL Sports Ltd., is a company incorporated in Canada. It is a retailer of sporting clothing, footwear, equipment, and related goods and services. Since acquiring Sport Chek International Ltd. in 1991, Complainant has operated the SPORTCHEK brand through more than 190 retail stores across Canada.

Complainant has rights in the SPORTCHEK marks. Complainant is the owner of numerous SPORTCHEK trademarks in Canada, including the Canadian trademark registered on April 2, 2003 (the Canadian Trademark registration number TMA578781). The SPORTCHEK brand has been extensively promoted and is widely recognised in Canada. Complainant operates its official website at "www.sportchek.ca" and is a wholly owned subsidiary of Canadian Tire Corporation, Limited ("CTC").

##### **B. Respondent**

Respondent is LI da, China.

The disputed domain name was registered on September 8, 2025. According to the Complaint and the evidence provided by Complainant, the disputed domain name was previously resolved to a website, using the SPORTCHEK mark, purporting to offer for sale clothing and footwear, and displaying a phone number belonging to Complainant's parent's company, CTC (Annex 10 to the Complaint).

#### **5. Parties' Contentions**

##### **A. Complainant**

Complainant contends that the disputed domain name is confusingly similar to Complainant's SPORTCHEK trademark. The disputed domain name incorporates the SPORTCHEK trademark in its entirety. The mere addition of the geographical term "canada" does not dispel confusion. To the contrary, it increases the likelihood of confusion, as the term is directly associated with Complainant's SPORTCHEK business and activities.

Complainant contends that Respondent lacks rights or legitimate interests in the disputed domain name.

Complainant contends that the disputed domain name was registered and is being used in bad faith. Complainant further contends that the website at the disputed domain names appears to be identical to the websites affiliated with <sportchekstore.com> and <sportchekca.com>, which the previous panels ordered to be transferred to Complainant. *FGL Sports Ltd. v. chen pian pian, wu han pian pian wang lu ke ji you xian gong si*, WIPO Case No. [D2025-1212](#), and *FGL Sports Ltd. v. zheng bin*, WIPO Case No. [D2025-0683](#). By using the SPORTCHEK marks, and the CTC Customer Relations telephone number on the website at the disputed domain name, Respondent has attempted to create a false impression of affiliation with Complainant or its parent company.

Complainant requests that the disputed domain name be transferred to it.

## B. Respondent

Respondent did not reply to 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.

From the evidence presented on the record, no agreement appears to have been entered into between Complainant and Respondent to the effect that the language of the proceeding should be English. Complainant filed initially its Complaint and amended Complaint in English, and has requested that English be the language of the proceeding for the following main reasons:

- (a) The disputed domain name consists entirely of English terms.
- (b) The website previously associated with the disputed domain name was operated in English and falsely presented itself as a Canada-wide organization based in Calgary, Alberta, with prices displayed in Canadian dollars (Annex 10 the Complaint).
- (c) Respondent has therefore demonstrated sufficient familiarity with and capability to communicate in English, and would not be prejudiced by an English-language proceeding.
- (d) Complainant operates in English, filed the Complaint in English in good faith, and all supporting evidence is already prepared in English.
- (e) Requiring translation into Chinese would impose unnecessary burden, disproportionate cost, and delay on Complainant.

Respondent did not make any 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).

On the record, Respondent appears to be located in China and thus presumably not a native English speaker, but considering the following aspects, the Panel has decided that the language of the proceeding shall be English: (a) the disputed domain name is registered in Latin characters, particularly English words (e.g., "sport" and "canada"), rather than Chinese script; (b) the generic Top-Level Domain ("gTLD") of the disputed domain name is ".com", so the disputed domains name seems to be prepared for users worldwide; (c) the disputed domain name resolves to a webpage entirely in English (Annex 10 to the Complaint); (d) the Center has notified Respondent of the language of the proceeding in both Chinese and English through its Notification of Complaint email, and Respondent did not comment on Complainant's request that English be the language of the proceeding nor did Respondent file any Response in Chinese or in English.

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: Three Elements

### 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 Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, the Panel finds 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 Complainant's SPORTCHEK 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.

While the addition of the term "canada" may bear on the 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 mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Based on the available record, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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 record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

More specifically:

(i) there has been no evidence adduced to show that Respondent has used the disputed domain name in connection with a bona fide offering of goods or services. Respondent has not provided evidence or reasons to justify the choice of the term "sportchek", which is the same as Complainant's SPORTCHEK trademark, in the disputed domain name. There has been no evidence to show that Complainant has licensed or otherwise permitted Respondent to use the SPORTCHEK trademark or to register or use any domain name incorporating the SPORTCHEK mark;

(ii) there has been no evidence adduced to show that Respondent has been commonly known by the disputed domain name. There has been no evidence adduced to show that Respondent has any registered trademark rights with respect to the disputed domain name. Respondent registered the disputed domain name on September 8, 2025, after the SPORTCHEK mark was registered in Canada (since 2003). The disputed domain name is confusingly similar to Complainant's SPORTCHEK marks; and

(iii) there has been no evidence adduced to show that Respondent was making a legitimate noncommercial or fair use of the disputed domain name. By contrast, the disputed domain name previously resolved to a website displaying the SPORTCHEK mark and purporting to offer for sale clothing and footwear. Respondent has deliberately attempted to pass itself as Complainant by using the SPORTCHEK mark, and the CTC Customer Relations telephone number on the website, creating a false impression of affiliation with Complainant or its parent company. Therefore, Respondent has attempted to make profits through the Internet traffic attracted to the website under the disputed domain name incorporating Complainant's trademark.

Based on the available record, 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.

In the present case, the Panel notes that Respondent has registered and used the disputed 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.

Based on the information provided by Complainant, the Panel finds that Complainant has a reputation in the SPORTCHEK marks with regard to its products and services. It is not conceivable that Respondent would not have had Complainant's trademark in mind at the time of the registration of the disputed domain name (in September 2025). This has been reinforced by the fact that the disputed domain name incorporates Complainant's SPORTCHEK trademark entirely, and that the use of Complainant's trademark on the website under the disputed domain name.

Respondent has used the website to offer for sale clothing and footwear. Additionally, as mentioned above, the website incorporates the SPORTCHEK marks, and the CTC Customer Relations telephone number, creating a false impression of affiliation with Complainant or its parent company (Annex 10 to the Complaint). Accordingly, the Panel concludes that Respondent is using a confusingly similar disputed domain name with the intention to attract, for commercial gain, Internet users to Respondent's website by creating a likelihood of confusion with Complainant. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Based on the available record, the Panel finds the third element 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 <sportchekcanada.com> be transferred to Complainant.

*/Yijun Tian/*

**Yijun Tian**

Sole Panelist

Date: December 18, 2025