

ADMINISTRATIVE PANEL DECISION

The Infinite Node Foundation v. Allen Lau
Case No. D2025-4240

1. The Parties

The Complainant is The Infinite Node Foundation, United States of America (“United States”), represented by Cazares Law, United States.

The Respondent is Allen Lau, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <nodefoundation.site> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 15, 2025. On October 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 16, 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 (Registrant of nodefoundation.site, privacy-protected, via GoDaddy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 17, 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 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 October 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 17, 2025.

The Center appointed Steven A. Maier as the sole panelist in this matter on November 19, 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 a non-profit foundation organized under the laws of the State of Delaware, United States. It is a provider of services related to cryptocurrency and digital art.

The Complainant operates a website at “www.nodefoundation.com”. According to material archived at “www.archive.org”, the website appears to have been active since at least March 27, 2025.¹

The Complainant is the applicant for a United States trademark for a word mark NODE (application no. 99151477) in stylized font, submitted on April 23, 2025 with a claimed date of first use of March 27, 2025.

The disputed domain name was registered on April 6, 2025.

The Complainant exhibits evidence that the disputed domain name has resolved to a website which effectively replicated the Complainant’s own website content, but including what appears to be a hyperlink marked “Buy \$NODE”.

5. Parties’ Contentions

A. Complainant

The Complainant claims unregistered or common law trademark rights in the mark NODE. It provides evidence of a launch of its project on the X platform on March 27, 2025, which it says obtained over 14,000 comments and 348 “retweets”.

The Complainant submits that the disputed domain name is confusingly similar to its NODE trademark, comprising that trademark together with the word “foundation”, which refers directly to the Complainant.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its NODE trademark, that the Respondent has not commonly been known by the disputed domain name, and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name.

The Complainant submits that the disputed domain name has been registered and is being used in bad faith. It points to the Respondent having exactly replicated the Complainant’s own website, but including a link to “Buy \$NODE”, which it says is a scam cryptocurrency token. The Complainant states that it is well known in the cryptocurrency and digital art sector, and that the Respondent’s impersonation risks causing serious damage to it.

The Complainant requests the transfer of the disputed domain name.

¹As discussed in section 4.8 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (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.

A. Identical or Confusingly Similar

While the Complainant has submitted an application for a registered trademark NODE, it is well-established in prior decisions under the UDRP that an unresolved trademark application does not of itself give rise to trademark rights. However, the Complainant claims in addition to have obtained unregistered or common law trademark rights by virtue of its use of the mark NODE in commerce, and public recognition of that mark as designating the Complainant's digital services. While finding the evidence in support of that contention to be limited, the Panel notes that the first element under the Policy is effectively a "standing" requirement, intended to determine a complainant's status to bring the proceeding. With this in mind, the Panel finds that the Complainant has demonstrated unregistered or common law trademark rights in the mark NODE for the purposes of the first element under the Policy.

While panels usually disregard the content of the website associated with the domain name when assessing confusing similarity under the first element, the content of the Respondent's website – replicating that of the Complainant – clearly indicates that the Respondent registered the domain name because it believed it to be confusingly similar to the Complainant's mark. Therefore, the use of the domain name in this case affirms confusing similarity between the domain name and the Complainant's rights in the mark ([WIPO Overview 3.0](#) at section 1.3).

The disputed domain name wholly incorporates the Complainant's trademark NODE, together with the dictionary term "foundation" which does not prevent the Complainant's trademark from being recognizable within the disputed domain name.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

In the view of the Panel, the Complainant's submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in these proceedings and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise. The Panel finds, moreover, that the Respondent has used the disputed domain name to impersonate the Complainant, which cannot give rise to rights or legitimate interests on the Respondent's part.

The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

In order to establish the third element under the Policy, the Complainant must show either that it had relevant trademark rights at the date the disputed domain name was registered, or, as observed in section 3.8.2 of [WIPO Overview 3.0](#):

“As an exception to the general proposition described above in 3.8.1, in certain limited circumstances where the facts of the case establish that the respondent’s intent in registering the domain name was to unfairly capitalize on the complainant’s nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith.”

While the Panel has found that the Complainant had unregistered or common law trademark rights in respect of the mark NODE, its position is further reinforced by the above, given its active use of its website located at “www.nodefoundation.com” and its project launch on X which garnered over 10,000 comments, all before the date of registration of the disputed domain name.

The disputed domain name is identical to the Complainant’s pre-existing domain name <nodefoundation.com>, merely substituting the respective Top-Level Domain. Furthermore, it is clear from the evidence available to the Panel that the Respondent has used the disputed domain name to replicate the Complainant’s website content, with the addition of what appears to be a hyperlink to “Buy \$NODE”, which the Complainant claims to be a scam cryptocurrency token and which would only have value for the Respondent to the extent there is source-identifying capacity in the Complainant’s offering. While it is unclear to where this hyperlink resolves, it is plain nevertheless that the Respondent has used the disputed domain name to impersonate the Complainant, and that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel therefore finds that the disputed domain name has been registered and is being used in bad faith.

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 <nodefoundation.site> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: December 3, 2025