

ADMINISTRATIVE PANEL DECISION

The Reinalt-Thomas Corporation v. Zhichao Yang
Case No. D2025-4740

1. The Parties

The Complainant is The Reinalt-Thomas Corporation, United States of America (the “United States”), represented by Ballard Spahr LLP, United States.

The Respondent is Zhichao Yang, China.

2. The Domain Name and Registrar

The disputed domain name <disc0unttire.com> is registered with Cosmotown, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 14, 2025. On November 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 19, 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 (Data Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 20, 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 on November 21, 2025.

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 of the Complaint, and the proceedings commenced on December 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 23, 2025.

The Center appointed Alistair Payne as the sole panelist in this matter on January 5, 2026. 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 operates one of the largest independent tire and wheel retail chain in the United States with over 1,200 stores. It trades under the DISCOUNT TIRE mark which is registered under United States federal trade mark registration number 4,639,389 registered on November 18, 2014. It also owns the domain name <discounttire.com> from which it has operated a website for its business since at least 1997.

The Respondent, based in China, registered the disputed domain name on August 16, 2025. The disputed domain name resolved to a parked page which features pay-per-click advertisements, in particular, for wheel and tyre products owned by third parties.

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. It says that it owns registered trade mark rights for its DISCOUNT TIRE mark and that the disputed domain name differs from its mark only by the replacement of the letter "o" for a zero which it submits amounts to typosquatting. The Complainant contends that its mark is recognisable in the disputed domain name and is confusingly similar to it.

The Complainant submits that it has never authorised the Respondent to use its mark and that this is a classic case of typosquatting which is an indication of the Respondent's lack of rights or legitimate interests in the disputed domain name. It says that the Respondent has used the disputed domain name to intentionally attract Internet users to its website, by creating a likelihood of confusion with the Complainant's trade mark as to the source, sponsorship, affiliation, or endorsement of the website and offerings therein.

Noting that the disputed domain name is nearly identical and replicates the Complainant's DISCOUNT TIRE mark, it submits that the website to which the disputed domain name resolved is a parked page that prominently displays the DISCOUNT TIRE mark in connection with pay-per-click advertisements by third parties. The Complainant notes that computer security measures indicate that the Respondent also uses the disputed domain name to distribute malware. In these circumstances, the Complainant submits that the Respondent does not have any rights or legitimate interests in the disputed domain name and that the requirements of paragraph 4(b)(iv) of the Policy are fulfilled, which amounts to evidence of registration and use of the disputed domain name in bad faith. In addition, it says that this is an example of typosquatting which in and of itself amounts to evidence of bad faith.

B. Respondent

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

6. Discussion and Findings

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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Complainant's DISCOUNT TIRE mark is recognizable within the disputed domain name with only the letter "o" in the word "discount" being replaced by the numeral "0" and that this amounts to an example of typosquatting. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

In this case the Complainant has submitted that it has never authorised the Respondent to use its DISCOUNT TIRE mark and that this is a classic case of typosquatting in which the Respondent has registered the Complainant's mark in the disputed domain name with a substitution of the letter "o" for the numeral "0". In addition, it has asserted that the Respondent has used the disputed domain name to intentionally attract Internet users to its website, featuring pay-per-click links to third party advertisements, by creating a likelihood of confusion with the Complainant's trade mark as to the source, sponsorship, affiliation, or endorsement of the website.

Having reviewed the available record, the Panel finds that 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.

Panels have held that the use of a domain name for illegitimate activity here, claimed to be the distribution of malware, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The Complainant has provided evidence that its counsel's IT systems found malware at the web page to which the disputed domain name resolved.

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 the Respondent registered the disputed domain name on August 16, 2025, many years after the registration of the Complainant's trade mark. As noted above, the disputed domain name amounts to an obvious typosquatting of the trade mark and in these circumstances it is implausible to think that the Respondent, even though based in China, was not well aware of the Complainant's trade mark and business at the date of registration of the disputed domain name.

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.

The Panel finds that, under paragraph 4(b)(iv) of the Policy, there is evidence of registration and use of the disputed domain name in bad faith where the Respondent has used the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trade marks as to the source, sponsorship, affiliation or endorsement of the website.

At the date of filing of this Complaint, the disputed domain name resolved to a fraudulent website featuring pay-per-click links for tires sold by third party vendors. It appears in this case that the Respondent is using, or has used, the disputed domain names containing the well-reputed DISCOUNT TIRES mark to intentionally attract Internet users to its website by confusing them into assuming that they would be diverted to the Complainant's website. The Panel concludes that this conduct fulfills the requirements of paragraph 4(b)(iv) and is therefore evidence of registration and use of the disputed domain name in bad faith.

Panels have held that the use of a domain name for illegitimate activity, here claimed to be the distribution of malware, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Noting that the Complainant counsel's systems blocked the website at the disputed domain name on the basis of its detection of malware at the website, the Panel finds that this is at least indicative of the potential for malware to be distributed from such website which further reinforces the Panel's view of the Respondent's registration and use of the disputed domain name in bad faith.

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 <disc0unttire.com> be transferred to the Complainant.

/Alistair Payne/

Alistair Payne

Sole Panelist

Date: January 8, 2026