

ADMINISTRATIVE PANEL DECISION

Uberlube, Inc. v. 郑泽华 (Zheng Ze Hua)

Case No. D2025-4822

1. The Parties

The Complainant is Uberlube, Inc., United States of America ("U.S."), represented by Latimer LeVay Fyock LLC, U.S.

The Respondent is 郑泽华 (Zheng Ze Hua), China.

2. The Domain Name and Registrar

The disputed domain name <uberlube.cloud> is registered with DNSPod, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on November 19, 2025. On November 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 21, 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 November 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 amendment to the Complaint in English on December 1, 2025.

On November 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 December 1, 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 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 in Chinese and English of the Complaint, and the proceedings commenced on December 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 23, 2025. The Respondent sent an email communication to the Center on November 26, 2025 ("the Email"), but did not file any formal Response. By the Email which was written in both English and Chinese, the Respondent proposed to transfer the disputed domain name to the Complainant, subject to a settlement agreement which is to include, *inter alia*, the governing law and "any consideration"). The Center notified the Complainant of the Email and stated that the Complainant may request, by December 5, 2025, a suspension of the proceeding if they wish to enter into settlement negotiations. On December 1, 2025, the Complainant notified the Center that it did not wish to enter into settlement negotiations with the Respondent.

The Center appointed Francine Tan as the sole panelist in this matter on December 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 states that it has since 2002 been selling body oil and personal lubricants under the ÜBERLUBE/ÜBERLUBE trade mark throughout the U.S. The Complainant's ÜBERLUBE lubricants are a premium product made with inert ingredients, rendering them latex safe and will not harbor outside yeast, bacteria, or mold. The Complainant's ÜBERLUBE product has been recommended by doctors and other medical professionals to women to improve their sexual health. The ÜBERLUBE product has been classified as a medical device and received the U.S. Food and Drug Administration's approval.

The Complainant's ÜBERLUBE product has been widely successful and is offered throughout the world via its international distribution network.

The Complainant's official website is located at "www.uberlube.com". The Complainant has trademark registrations globally, including the following, for ÜBERLUBE:

- (i) U.S. Registration No. 5031347, registered on August 30, 2016;
- (ii) U.S. Registration No. 7112830, registered on July 18, 2023;
- (iii) European Union Registration No. 11953478, registered on November 28, 2013; and
- (iv) China Registration No. 43980469, registered on July 14, 2022.

The disputed domain name was registered on October 20, 2025. It resolves to a page for a company which mostly mirrors the Complainant's website and purports to sell the Complainant's products. However, the email contact information appears to be false as claimed by the Complainant.

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 identical to the ÜBERLUBE trademark as it contains the entirety of the ÜBERLUBE mark. The Top-Level Domain ".cloud" does not negate a finding of identity or confusing similarity with the Complainant's trademark as it is a standard registration requirement.

Secondly, the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not affiliated or related to the Complainant in any way and is not licensed by the Complainant nor authorized to use the Complainant's UBERLUBE trademark. The Respondent is not commonly known by the disputed domain name and has not acquired any trademark rights in UBERLUBE. The Complainant states that it has been made aware of potential customers attempting to purchase products from the Respondent's website only to have their orders not fulfilled. Hence, the Complainant believes that the Respondent is using the disputed domain name for phishing purposes.

Thirdly, the Respondent has registered and is using the disputed domain name in bad faith. The disputed domain name was registered in order to attract customers for commercial gain. Given the long period of time that the UBERLUBE trademark has been used, it is not possible that the Respondent was not aware of the Complainant and its trademark rights. The Respondent's website, moreover, is a copy of the Complainant's and falsely suggests affiliation with the Complainant.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions but contacted the Center to propose entering into settlement negotiations with the Complainant.

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 in view of the fact that the disputed domain name is not in the Chinese language, and the Respondent's website is in English. Further, the Respondent claims by its website to be a U.S. company.

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 (in this case, the language of the Respondent's website and the Respondent's Email), and 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 Substantive Issues

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 identical 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.

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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed as applicable to this case: phishing, impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Furthermore, UDRP panels have found that domain names identical to a complainant’s trade mark carry a high risk of implied affiliation. [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

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 from the Respondent’s website that the Respondent obviously knew of the Complainant and its UBERLUBE product and targeted them. In this regard, the Panel refers to [WIPO Overview 3.0](#), section 3.1.1 which states that where the “circumstances indicate that the respondent’s intent in registering the disputed domain name was in fact to profit in some fashion from or otherwise exploit the complainant’s trademark, panels will find bad faith on the part of the respondent. While panel assessment remains fact-specific, generally speaking such circumstances, alone or together, include: (i) the respondent’s likely knowledge of the complainant’s rights, (ii) the distinctiveness of the complainant’s mark, ... (iv) website content targeting the complainant’s trademark....”

Panels have held that the use of a domain name for illegitimate activity, here, claimed as applicable to this case: phishing, 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 <uberlube.cloud> be transferred to the Complainant.

/Francine Tan/

Francine Tan

Sole Panelist

Date: January 5, 2026