ADMINISTRATIVE PANEL DECISION

NXC Corp. v. Victory Chinedu, Nexon HQ
Case No. D2025-4990

1. The Parties

The Complainant is NXC Corp., Republic of Korea, represented by KAI International IP Law Firm, Republic of Korea.

The Respondent is Victory Chinedu, Nexon HQ, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <nexonhq.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 2, 2025. On December 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 3, 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 December 3, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not amend the Complaint.

The Center verified that 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 December 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 1, 2026. The Response was filed with the Center on December 14, 2025.

The Center appointed Andrew D. S. Lothian as the sole panelist in this matter on December 24, 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

According to the Complaint and Annexes, the Complainant was founded in Seoul, South Korea in 1994, and is currently a Japanese (formerly South Korean) video game publisher that specializes in online games for PC and mobile. The Complainant's press release dated April 27, 2021, released via "businesswire" states that the Complainant was first listed on the Tokyo Stock Exchange in December 2011, placed on JPX400 in 2015, added to the Nikkei Stock Index 300 in 2017, and added to the Nikkei 225 in 2020. Said release also noted that the Complainant currently had more than 50 live games on multiple platforms, including mobile, available in more than 190 countries with major game franchises including "MapleStory", "KartRider" and "Dungeon&Fighter".

More recently, the Complainant has moved into cryptocurrency investment and operations. According to an article in "Crytponews" dated December 16, 2021, an online gaming company and subsidiary of the Complainant named Nexon America announced that it had started accepting a number of crypto assets for in-game purchases as part of a deal with a crypto payment processor named BitPay. Said article also noted that the Complainant had acquired USD 100 million worth of Bitcoin in late April 2021 as a hedge against the debasement of fiat currency, which brought the company a total of BTC 1,717 (at the time worth USD 83.83 million). The Complainant is described in said article as a "gaming giant".

The Complainant owns a large globally distributed portfolio of registered trademarks for the NEXON mark, among others, the earliest of which appears to be United States of America Registered Trademark Number 2481744 for the word mark NEXON, registered on August 28, 2001, in Class 41 (Online entertainment, namely, online interactive gaming). The Complainant also owns a large portfolio of domain names containing the said mark, including <nexon.com>, registered on March 28, 1996.

The disputed domain name was registered on May 22, 2025, and according to an undated screenshot produced by the Complainant it resolved to a website inviting Internet users to join a "waitlist" by providing their email address. On said screenshot, the said site notes, "NexonHQ is where builders, creators, and dreamers unite. Join our early community and shape the future of decentralized innovation". The Complainant also produces a screenshot of the Respondent's "Nexonhq" "Facebook" page which is headed "Where Innovation Meets Insight," followed by bullet points "Crypto," "Business," and "Culture". Beneath this, said page promotes the website associated with the disputed domain name by way of a subdomain "waitlist.nexonhq.com". Both the said "Facebook" page and the Respondent's "Instagram" page also describe the Respondent's operation as "NexonHQ | Business & Tech News".

The Respondent also appears to be engaged in the cryptocurrency business. A post on the Respondent's "Instagram" page states, "You've heard 'Web3' a lot. But it's not hype – it's ownership. $NEX lets you move from user to stakeholder". A further post on said page states, "Meet $NEX Token The Heart of NexonHQ / $NEX token is the utility token powering everything we're building at NexonHQ. We use it to fuel: Startup support & competitions / Learning programs & business tools. Access to commerce & rewards in the community / This isn't just another token, it's how we create value for YOU". The Respondent describes itself as "[…] the founder and operator of NexonHQ, an early-stage entrepreneurship and business media platform focused primarily on African founders, startups, and small business operators".

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 it is one of the world's largest online game providers and that its trademark is very well-known. The Complainant adds that it has also moved into the virtual currency market through major investments in the Korean cryptocurrency exchange Korbit and the European cryptocurrency exchange Bitstamp, in addition to establishing the online fintech platform Arques. The Complainant asserts that its trademark is very well-known among users of PC games, mobile games, Virtual World games and cryptocurrency transactions worldwide, adding that said mark has gained global brand recognition as a source identifier for the products and services of its numerous subsidiary companies.

The Complainant contends that the inclusion of its trademark in the disputed domain name is sufficient to establish confusing similarity for the purposes of the Policy, adding that the term "hq" is a common abbreviation for "headquarters" and a non-distinctive term which should be disregarded in the comparison, as should the generic Top-Level Domain ("gTLD") ".com".

The Complainant submits that the Parties are not related in any way, and that the Complainant has not granted permission to the Respondent to use or register the disputed domain name.

The Complainant notes that its mark has been registered since 2001, being 24 years earlier than the registration date of the disputed domain name, and adds that given the uniqueness and worldwide reach of the Complainant's mark and services, the Respondent was undoubtedly aware of the mark when it registered the disputed domain name. The Complainant notes that the Respondent is currently offering business and technology-related news and information through the website connected to the disputed domain name and is publishing various content regarding startup establishment and entrepreneurship. The Complainant contends that consumers are likely to mistakenly believe that the Complainant is operating a new service intended to support or incubate game-related startups, leading to a high risk of confusion or misunderstanding. The Complainant concludes that the Respondent is exploiting the fame and reputation of the Complainant's business in order to attract consumers.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name. Notably, the Respondent contends that the disputed domain name was registered in good faith for the purpose of building a legitimate business and entrepreneurship platform dedicated to entrepreneurship education, startup incubation and founder-focused content, business news and insights, and Africa-focused economic development. The Respondent adds that its platform does not offer games, virtual world services, or any products or services related to the Complainant's gaming business, asserting that the name "NexonHQ" was selected independently and was intended to represent a "next-generation innovation and business hub", and not to reference, imitate, or trade on the Complainant's trademark.

The Respondent asserts that it has never claimed affiliation with the Complainant, and has neither used the Complainant's logos, games, branding, or references, nor contacted the Complainant to sell the disputed domain name, adding that its website content, branding, and messaging reflect its business and entrepreneurship media platform, whereby the audience, services, and geographic focus are materially different from those of the Complainant.

The Respondent contends that, before receiving any notice of the dispute, it had already built and launched a functioning website, designed original brand assets and platform user interface/experience, created and published original business and entrepreneurship content, paid designers, developers, writers, and content creators, maintained staff and contractors on a recurring basis, and invested personal funds into hosting, branding, and marketing, thus demonstrating bona fide use of the disputed domain name in connection with a real and ongoing business, and establishing the Respondent's legitimate interest under the Policy.

The Respondent denies that the disputed domain name was registered or used in bad faith, contending that it did not target the Complainant's trademark, seek to disrupt the Complainant's business, attempt to attract users by creating confusion, or register the disputed domain name for sale to the Complainant or any third party, adding that any perceived similarity was unintentional and arose solely from independent branding decisions, not from any attempt to exploit the Complainant's reputation.

The Respondent notes that it is willing to resolve the dispute amicably and without admission of liability, whereby it would transfer the disputed domain name to the Complainant and rebrand, provided that it is allowed reasonable transitional time and that its documented expenses are partially reimbursed. The Panel notes in passing that the request to resolve the dispute according to these terms was rejected by the Complainant.

6. Discussion and Findings

6.1. Preliminary issue: Identity of the Respondent

Paragraph 1 of the Rules defines the Respondent as "the holder of a domain-name registration against which a complaint is initiated". The Panel nevertheless has discretion to substitute or join another entity as a respondent by way of its general powers as set out in paragraph 10(a) of the Rules.

In the Complaint, the Complainant originally listed the Respondent as "Redacted for Privacy". The Respondent's name and contact details were subsequently provided by the Registrar in response to the Center's verification request. As is noted in section 4.4.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), as a matter of panel-endorsed practice, in such cases, further to its compliance review and case notification responsibilities, the Center will (a) provide any disclosed underlying registrant information to the complainant, and (b) invite the complainant to amend the complaint to reflect such information. The Center did this in the present case, but the Complainant failed to affirmatively reply to the Center's invitation to amend the Complaint to reflect the registrant information provided by the Registrar. Section 4.4.1 of the WIPO Overview 3.0 goes on to note that, if the complainant chooses not to amend its complaint, the Center would not normally treat this as a complaint deficiency, although noting that complainants do tend to amend their complaints to reflect any disclosed underlying registrant information, in particular to avoid raising possible decision enforcement questions by the registrar.

Here, the Complainant's decision not to amend the Complaint, at least to reflect the contact details of the registrant as provided by the Registrar, could potentially give rise to such enforcement questions. Section 4.4.5 of the WIPO Overview 3.0 notes however, that in all cases involving a privacy or proxy service and irrespective of the disclosure of any underlying registrant, the appointed panel retains discretion to determine the respondent against which the case should proceed.

The Panel notes that the holder of the disputed domain name has been revealed by the Registrar and is satisfied that this person is the underlying registrant of the disputed domain name. Furthermore, that person has filed the Response, whereby it is evident to the Panel that it has received notification of the Complaint and has chosen to answer it. In these circumstances, the Panel is content to join the named holder of the disputed domain name as the Respondent in the present case, which may facilitate the Registrar's implementation of any order for transfer of the disputed domain name in the event of the Complainant's success in the administrative proceeding.

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 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 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 confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

Although the addition of other terms, here, "hq" may bear on 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.

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 based upon its submissions that its mark is well-known in connection with both its gaming activities and more recent cryptocurrency operations (as evidenced by the news coverage produced), that the inclusion of its mark in the disputed domain name renders this confusingly similar to said mark, that the Parties are not related in any way, and that the Complainant has not granted permission to the Respondent to use or register the disputed domain name. In these circumstances, the burden of production shifts to the Respondent as discussed above, and the Panel therefore turns to the Respondent's submissions on the topic.

The essence of the Respondent's case is that it has a legitimate interest in the term "NexonHQ" because it has made a bona fide use of the disputed domain name in connection with a real and ongoing business, having built its website, designed brand assets, created original content, paid third parties and staff, and invested personal funds into its project.

For the purposes of the Policy, typical examples of prior use, or demonstrable preparations to use a domain name in connection with a bona fide offering of goods or services may include: (i) evidence of business formation-related due diligence/legal advice/correspondence, (ii) evidence of credible investment in website development or promotional materials such as advertising, letterhead, or business cards (iii) proof of a genuine (i.e., not pretextual) business plan utilizing the domain name, and credible signs of pursuit of the business plan, (iv) bona fide registration and use of related domain names, and (v) other evidence generally pointing to a lack of indicia of cybersquatting intent. Such indicia are assessed pragmatically in light of the case circumstances, and clear contemporaneous evidence of bona fide pre-complaint preparations is required. If not independently verifiable by the panel, claimed examples of use or demonstrable preparations to use the domain name in connection with a bona fide offering of goods or services cannot be merely self-serving but should be inherently credible and supported by relevant pre-complaint evidence. WIPO Overview 3.0, section 2.2.

Here, the problem for the Respondent's case is that it has produced absolutely no evidence whatsoever to support its assertion that the website associated with the disputed domain name represents a genuine business other than the existence of the website itself; it is noted that related social media screenshots were produced by the Complainant, not the Respondent. The Respondent's submissions that it has designed brand assets, created original content, paid third parties and staff, and invested personal funds into its project are merely self-serving where unaccompanied by any supporting evidence. Furthermore, even had the Respondent been able to produce evidence of this nature, this would not necessarily have supported the notion that it came by the term "NexonHQ" independently of the Complainant's mark. The Complainant's evidence of a substantial global trademark portfolio in respect of the mark NEXON predating the Respondent's activities by 24 years, together with the Complainant's high-profile activities under such mark including gaming and cryptocurrency operations, mean that the Panel would have found it difficult to accept that the Respondent selected the term with no reference to the Complainant or its mark.

Significantly, the Respondent has merely added the additional non-distinctive term "HQ" to the Complainant's distinctive coined mark in the disputed domain name, and it seems extremely unlikely to the Panel that prior to or during the registration process it would not have become aware of the Complainant's official domain name <nexon.com> or otherwise, more generally, of the Complainant's business and trademark. A basic Google search or similar on the distinctive element of the second level of the Respondent's chosen domain name (the disputed domain name) would undoubtedly have disclosed the Complainant's interest. While the Respondent asserts that it is in a different line of business from the Complainant, its social media presence indicates that it has an interest in cryptocurrency which matches that of the Complainant. Use of the disputed domain name incorporating an exact representation of the Complainant's mark for a business purpose which is similar to the Complainant's activities, particularly if as here the Respondent would have known of this, could not be described as bona fide within the meaning of the Policy.

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.

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 containing an exact representation of the Complainant's distinctive, coined, NEXON trademark coupled with the non-distinctive term "hq" for use in connection with a website offering services related to innovation, cryptocurrency, business, and culture. On this topic in particular, it must be noted that the Response containing the Respondent's denial of bad faith intent is not accompanied by the certification of completeness and accuracy in accordance with paragraph 5(c)(viii) of the Rules. The Panel will therefore treat any material statements of fact which arise exclusively from the Response with a degree of caution.

For the reasons described in the preceding section coupled with the evidence produced by the Complainant of its lengthy history predating the registration of the disputed domain name by some 24 years, together with associated media coverage in particular of its activities relating to cryptocurrency, the Panel finds it inconceivable that the disputed domain name was registered without knowledge of or intent to target the Complainant's rights.

Notably, while the Respondent argues that its use of the disputed domain name does not cut across the Complainant's activities, it did not deny prior knowledge of the Complainant or its rights in the Response. The Panel finds that the Respondent's references to "crypto" under the name "NexonHQ" as reproduced on its social media, which in turn links to the "waitlist" subdomain of the website associated with the disputed domain name, is likely to be highly misleading to Internet users, and the Panel considers that the Respondent would have known this and intended to benefit from its apparent affiliation with or endorsement by the Complainant due to the inclusion of the NEXON mark in the disputed domain name. In short, such inclusion is a coincidence too far for this Panel, given the Complainant's longstanding use of the term, its more recent use in connection with cryptocurrency, at least of some four years' standing, and the Respondent's own professed interest in cryptocurrency.

The Panel finds 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 mark as to the source, sponsorship, affiliation, or endorsement of such website, conform to paragraph 4(b)(iv) of 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 <nexonhq.com> be transferred to the Complainant.

/Andrew D. S. Lothian/
Andrew D. S. Lothian
Sole Panelist
Date: January 7, 2025