

## **ADMINISTRATIVE PANEL DECISION**

IICOMBINED Co., Ltd. v. Huy Đình

Case No. D2025-5130

### **1. The Parties**

The Complainant is IICOMBINED Co., Ltd., Republic of Korea, represented by Marq Vision, Inc., United States of America.

The Respondent is Huy Đình, Viet Nam.

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

The disputed domain names <gentlemonstervns.com> and <gmonstervn.com> are registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 10, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 10, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on December 11, 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 December 15, 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 December 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent sent email communications

to the Center on January 3, 2026, January 7, 2026 and January 15, 2026. The Complainant sent an email communication with comments to the Respondent's arguments on January 6, 2026.

The Center appointed Mihaela Maravela as the sole panelist in this matter on January 23, 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**

According to information in the Complaint, the Complainant is a brand of luxury sunglasses and optical glasses founded in Republic of Korea, Seoul in 2011.

The Complainant has provided evidence that it is the registered owner of various trademarks for GENTLE MONSTER, including, but not limited to the following:

- International trademark registration No. 1738619 (word), registered on May 19, 2023, for goods in International Class 9,
- International trademark registration No. 1303698 (word), registered on May 31, 2016, for services in International Class 35, and
- International trademark registration No. 1222957 (figurative), registered on August 27, 2014, for goods in International Class 9.

The Complainant promotes its trademark through its official website, accessible via the domain name <gentlemonster.com>.

The disputed domain name <gentlemonstervns.com> was registered on October 19, 2023, and the disputed domain name <gmonstervn.com> was registered on May 12, 2025. According to evidence with the Complaint, the disputed domain names resolved at the date of the Complaint to websites purporting to sell sunglasses and displaying the Complainant's trademark prominently and a similar logo with that of the Complainant, displaying "GENTLE MONSTER VIET NAM" in large characters. The disputed domain name <gmonstervn.com> no longer resolves to an active website.

The Respondent is (presumably) an individual reportedly located in Viet Nam. Despite submitting informal communications, no information is available on the Respondent except for the information made available by the Registrar.

#### **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 names.

Notably, the Complainant contends that it holds prior and well-established rights in the GENTLE MONSTER trademark and that the disputed domain name <gentlemonstervns.com> incorporates the Complainant's mark in its entirety, with only the addition of "vns", a minor variation that does not eliminate the confusing similarity. Furthermore, the disputed domain name <gmonstervn.com> is using the substantive part of the GENTLE MONSTER trademark with a deliberate abbreviation of the Complainant's well-known trademark for the term "gmonster" and only the addition of "vn", a minor variation that also does not eliminate the confusing similarity. The Complainant submits that both disputed domain names incorporate elements intended to suggest a geographical affiliation with Viet Nam, i.e. "vn".

As regards the second element, the Complainant submits that the Respondent has provided no evidence of holding any trademark registration or other rights in “gentle monster” or “gmonster”, which are incorporated into the disputed domain names. Further, according to the Complainant, there is no relationship or affiliation between the Complainant and the Respondent which might give rise to any license, permission, or other right by which the Respondent could own or use any domain name incorporating the Complainant’s GENTLE MONSTER marks. The Respondent is using the disputed domain names in connection with websites that mislead consumers into thinking that the Respondent is the Complainant and is holding the disputed domain names for commercial gain. The mere operation of online stores under the disputed domain names—particularly when misusing the Complainant’s trademark and copyrighted product images—does not establish any rights or legitimate interests under the UDRP. Instead, such conduct constitutes a clear misappropriation of the Complainant’s brand reputation and amounts to unauthorized use of its official mark.

With respect to the third element, the Complainant argues that the disputed domain names were registered well after the Complainant’s GENTLE MONSTER trademark had already been registered and attained significant recognition worldwide. The Respondent’s adoption of a nearly identical and deliberate abbreviation of the name demonstrates a clear intent to exploit the Complainant’s goodwill for commercial gain. This bad faith is further evidenced by the Respondent’s use of the Complainant’s copyrighted product images, which incorporate the GENTLE MONSTER mark. As such, the disputed domain names resolve to websites prominently featuring the Complainant’s GENTLE MONSTER trademark and logo at the front of the websites. Furthermore, the websites at the disputed domain names, by purporting to offer the same or similar services as the Complainant and deliberately using product photos of the Complainant’s goods, provide further evidence of their intent to deceive consumers. Moreover, the Complainant argues that the Respondent not only impersonates the Complainant but also appears to operate platforms that direct users to multiple offline locations selling sunglasses. The websites at the disputed domain names further include videos showcasing these offline locations with sunglasses on display, directly referencing the Complainant’s trademarks and core business. These circumstances fall squarely within paragraph 4(b)(iv) of the Policy.

## **B. Respondent**

In the informal communications, first, the Respondent claims he had not breached any rights, mainly because all content on the websites is his intellectual property, that he created. Also, he argues that the Complainant cannot complain about a website with no content. In subsequent email communication, the Respondent expressed willingness to settle the dispute amicably, while still maintaining there was no bad faith intent on his side.

## **6. Discussion and Findings**

### **6.1. Preliminary Procedural Issue - Admissibility of Supplemental Filings from the Respondent and the Complainant**

Under the Rules, no express provision is made for supplemental filings by either Party, except in response to a deficiency notification or if requested by the Center or the Panel. Paragraphs 10 and 12 of the Rules in effect grant the Panel sole discretion to determine the admissibility of unsolicited supplemental filings.

Admissibility of supplemental filings is to be assessed based on relevance and foreseeability. Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel.

In all such cases, panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some “exceptional” circumstance). WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)) at section 4.6.

The Respondent has submitted several unsolicited emails one day before the Response due date and after such date. The Complainant has submitted response to some of those emails. The Respondent has essentially stated that all content on the websites is his intellectual property, that he created, denied bad faith intent and expressed willingness to amicably settle the case. The available record demonstrates that at least some of the Respondent's statements are squarely false. In any event, the Panel considers that the Respondent would have had sufficient time and opportunities to submit such supplemental filings earlier in the proceeding. The Panel has decided not to admit such unsolicited and informal communications from the Respondent which are essentially self-serving and wholly unsubstantiated. In the interest of fairness and equal treatment, the Panel has also decided not to admit the Complainant's response to the Respondent's unsolicited communications. See *IICOMBINED Co., Ltd. v. Huy inh*, WIPO Case No. [D2025-0254](#).

## 6.2. Substantive findings

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”. Likewise, paragraph 10(d) of the Rules, provides that “the Panel shall determine the admissibility, relevance, materiality and weight of the evidence”.

No formal response has been received from the Respondent in this case. Even if the Respondent has not formally replied to the Complainant's contentions, the Complainant still bears the burden of proving that all requirements are fulfilled. To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain names are 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 names, and (iii) the disputed domain names have been registered and are being used in bad faith.

The applicable standard of proof in UDRP cases is the “balance of probabilities” or “preponderance of the evidence”, and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. [WIPO Overview 3.0](#), section 4.2. Concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations in the Complaint as true. [WIPO Overview 3.0](#), section 4.3.

The Panel has taken note of the [WIPO Overview 3.0](#), and, where appropriate, will decide consistently with the consensus views stated therein.

### A. Identical or Confusingly Similar

Under paragraph 4(a)(i) of the Policy, the Complainant must prove that it has rights to a trademark, and that the disputed domain names are identical or confusingly similar to that trademark. This first element under the Policy functions primarily as a standing requirement. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of the trademark GENTLE MONSTER for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

As regards the second limb of the first element, the test for confusing similarity involves a reasoned but relatively straightforward comparison between the trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7. It is well established that the generic Top-Level Domain may be ignored when assessing the confusing similarity between the disputed domain names and the Complainant's trademarks as they are viewed as a standard registration requirement. See section 1.11.1 of the [WIPO Overview 3.0](#).

The entirety of the mark is reproduced within the disputed domain name <gentlemonstervns.com>. 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, “vns”) 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 that the Complainant's mark is recognizable within the disputed domain name <gmonstervn.com> which includes the word "monster" combined with "g" which could be viewed as an abbreviation for "GENTLE", such combination being confusingly similar to the Complainant's distinctive trademark GENTLE MONSTER. The previous content displayed on the website connected to the disputed domain name <gmonstervn.com> also supports Panel's finding. [WIPO Overview 3.0](#), section 1.15. The addition of the letters "vn" does not prevent such a finding.

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 names. The Respondent has not credibly 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 names such as those enumerated in the Policy or otherwise.

From the evidence put forward by the Complainant, the websites to which the disputed domain names resolved purported to sell sunglasses and displayed the Complainant's trademark prominently and a similar V-shaped logo with that of the Complainant, also displaying "GENTLE MONSTER VIET NAM" in large characters. The Complainant contends that it has never licensed or otherwise permitted the Respondent to use the trademark GENTLE MONSTER. The websites at the disputed domain names displayed no disclaimer as to the lack of any relationship with the Complainant. The Respondent's use of the disputed domain names in the above circumstances is not in connection with a bona fide offering of goods or services as contemplated by the first circumstance of paragraph 4(c) of the Policy. See section 2.8 of the [WIPO Overview 3.0](#). Moreover, Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Also, there is no evidence that the Respondent is commonly known by the disputed domain names in the meaning of the second circumstance of paragraph 4(c) of the Policy. Moreover, the use of the disputed domain names is not a legitimate noncommercial or fair use as contemplated by the third circumstance of paragraph 4(c) of the Policy.

On the date of this Decision, the disputed domain name <gmonstervn.com> does not resolve to an active website. The Panel finds that holding a disputed domain name passively, without making any use of it, also does not confer any rights or legitimate interests in the mentioned disputed domain name on the Respondent.

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.

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.

According to the un rebutted assertions of the Complainant, its GENTLE MONSTER trademark was widely used in commerce well before the registration of the disputed domain names. The disputed domain names are confusingly similar to the Complainant's trademarks. The websites associated with the disputed domain names displayed the Complainant's trademark prominently and a V-shaped logo similar with that of the Complainant. Under these circumstances, the Panel considers that the Respondent has registered the disputed domain names with knowledge of the Complainant and its trademark and that it targeted that trademark.

As regards the use, the disputed domain names resolved to websites with the content described above. The Panel finds that with such use 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 trademarks as to the source, sponsorship, affiliation, or endorsement of its website on its website, which is indicative of bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off, or other types of fraud) 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 names constitutes bad faith under the Policy.

It appears that the disputed domain name <gmonstervn.com> no longer resolves to an active website. The Panel finds that the passive holding of the mentioned disputed domain name does not in the circumstances of this case prevent a finding of 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 names <gentlemonstervns.com> and <gmonstervn.com> be transferred to the Complainant.

*/Mihaela Maravela/*

**Mihaela Maravela**

Sole Panelist

Date: January 26, 2026