

ADMINISTRATIVE PANEL DECISION

NIC Industries, Inc. v. 鲁旺龙 (luwanglong)

Case No. D2025-5156

1. The Parties

The Complainant is NIC Industries, Inc., United States of America (the “US”), represented by Greer, Burns & Crain, Ltd., US.

The Respondent is 鲁旺龙 (luwanglong), China.

2. The Domain Name and Registrar

The disputed domain name <cerakotecar.com> is registered with Jiangsu Bangning Science & technology Co. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 11, 2025. On December 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 12, 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 16, 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 December 19, 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 14, 2026.

The Center appointed David Stone as the sole panelist in this matter on January 21, 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 is a chemical and coatings manufacturer that produces industry-leading coating products that are distributed and sold in nearly 90 countries around the world. The Complainant manufactures a thin-film protective coating that has a wide range of applications from wearables to automotives, which it calls “Cerakote”, a mark used since 2003.

The Complainant owns, among others, the following trademark registrations for CERAKOTE (“the Mark”):

- US trademark registration no. 4068382, registered on December 6, 2011 in international classes 1 and 2;
- European Union trademark registration no. 17867034, registered on September 30, 2020 in international classes 2 and 40; and
- United Kingdom trademark registration no. 917867034, registered on September 30, 2020 in international classes 2 and 40.

The Complainant owns the domain names <cerakote.com> and <cerakoteceramics.com> from which it hosts websites offering products under the Mark.

The disputed domain name <cerakotecar.com> was created on January 14, 2025. At the date of filing the Complaint and of this Decision, the Respondent hosts a website at the disputed domain name which offers for sale ceramic coatings under the Mark, including stating in the footer of each page: “Protect and enhance with Cerakote. Our performance coatings are engineered for strength, style, and durability, giving your gear the ultimate upgrade it deserves.” The Respondent’s website uses in the top left corner the Mark in the same stylization used by the Complainant and has other similarities with the Complainant’s official website in terms of design, layout and images. The Respondent’s website offers products for sale in USD and the default shipping address is the US.

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.

Under the first element, the Complainant contends that the disputed domain name is confusingly similar to the Mark, including because the disputed domain name comprises the Mark in its entirety together with the descriptive term “car”.

Under the second element, the Complainant contends that it has not licensed or otherwise authorized the Respondent to use the Mark and, instead, the Respondent is falsely holding itself out as being associated with the Complainant. It is also contended that the Respondent has been offering for sale and selling unauthorized and fake products using the Complainant’s marks, including the Mark and the Complainant’s name, on the website hosted at the disputed domain name. It is further contended that there is a high degree of similarity between the Respondent’s website and the Complainant’s own websites.

Under the third element, the Complainant contends that the Respondent registered the disputed domain name with the primary and deliberate purpose of creating a likelihood of confusion with the Mark and thereby make a commercial gain. It is contended that the Respondent must have been aware of the Complainant’s

rights and there is no evidence of good faith on the part of the Respondent. It is also contended that the Respondent has used the disputed domain name to either impersonate the Complainant or to pass off its products as those of the Complainant.

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 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 "car", 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. 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.

Further, the website to which the disputed domain name resolves does not appear to fall under the safeguards of fair use envisioned under section 2.8 of the [WIPO Overview 3.0](#), given the products sold on the Respondent's website are claimed to be mostly counterfeit (being sold at a discount ranging from 40% to over 70%) and there is no prominent disclaimer on the website as to the lack of association with the

Complainant. To the contrary, the Respondent's website uses the Mark in the same stylization as the Complainant in the top left corner, where consumers would expect to find the brand of the website operator.

Furthermore, panels have held that the use of a domain name for illegitimate activity, here, claimed sale of counterfeit goods and impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 that the Respondent hosts at the disputed domain name a website that: (i) offers for sale ceramic coatings under the Mark; (ii) uses in the top left corner the Mark with the same stylization used by the Complainant; and (iii) has other similarities with the Complainant's official website in terms of design, layout and images.

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.

Panels have found that evidence of a respondent seeking to cause confusion for the respondent's commercial benefit supports a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark. [WIPO Overview 3.0](#), section 3.1.4.

The Panel finds that the content of the website hosted at the disputed domain name is strongly suggestive of bad faith because it is evidence of the Respondent seeking to cause confusion. The nature of the Respondent's website and its purporting to sell the Complainant's goods shows an intention of the Respondent to confuse and thereby attract users to its website for commercial gain.

Further, panels have held that the use of a domain name for illegitimate activity, here, claimed sale of counterfeit goods and impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Furthermore, the Respondent has not attempted to refute any of the Complainant's contentions, which casts additional doubt on the nature of its conduct. [WIPO Overview 3.0](#), section 3.2.1.

Having reviewed the record, the Panel concludes that the actions of the Respondent in choosing the disputed domain name were aimed at attracting, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's Mark. The Panel therefore concludes that the disputed domain name was registered and used 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 <cerakotecar.com> be transferred to the Complainant.

/David Stone/

David Stone

Sole Panelist

Date: February 4, 2026