

ADMINISTRATIVE PANEL DECISION

Limited Liability Company “Hyper PC” v. Domain Administration, FastHost Limited

Case No. D2025-5180

1. The Parties

The Complainant is Limited Liability Company “Hyper PC”, Russian Federation, represented by Volodin Dmitry Alekseevich, Russian Federation.

The Respondent is Domain Administration, FastHost Limited, Hong Kong, China, represented by Bill Wong, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <hyperpc.com> is registered with Web Commerce Communications Limited dba WebNic.cc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 11, 2025. On December 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 13, 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 (unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 15, 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 17, 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 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 8, 2026. The Response was filed with the Center on January 7, 2026.

The Center appointed John Swinson as the sole panelist in this matter on January 16, 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.

On January 28, 2026, the Complainant submitted an unsolicited supplemental filing. The Panel decides not to take it into consideration as it merely repeats prior arguments (and raises matters best resolved by a court, such as the Respondent's "physical commercial facility" in Dubai and "sale of high-performance computing hardware through the domain hyperpc.ae") and in any event would not change the outcome of this decision.

4. Factual Background

The Complainant is a Russian Federation limited liability company that was registered on April 14, 2010.

The Complainant has been operating under the HYPERPC brand for more than a decade, offering high-performance gaming computers and professional workstations. The Complainant has engaged business partnership, including collaborations with Warface Open Cup and EPICENTER.

The Complainant operates a website at <hyperpc.ru> that promotes the Complainant's premium computers. The website is primarily in the Russian language. The website shows the Complainant's showroom in Moscow. The Complainant states that it first registered this domain name in 2010.

The Complainant owns a portfolio of trademark registrations for HYPERPC, including in the Russian Federation, the United States of America ("United States"), the European Union, Belarus, Israel and Kazakhstan. For example, the Complainant owns United States Trademark Registration No. 6077275 for HYPERPC in a stylized form, that was filed on July 15, 2019 and registered on June 16, 2020. The register shows that this registration is owned by "Obshchestvo s ogranichennoy otvetstvennostyu "Khaiper PK"". As a result of the Panel's research, the Panel believes that "Khaiper PK" (a transliteration of Хайпер ПК) means HYPER PC in English.

The Respondent is an Internet hosting company operating from Hong Kong, China.

The Respondent registered the disputed domain name in 1999.

From 1999 to 2003, the Respondent operated a web hosting business using the subdomain <hosting.hyperpc.com>. This business provided web hosting services to customers. The Respondent provided screen captures from the Internet Archive of webpages at the disputed domain name in 1999 that show use of HYPER PC as a trademark on these websites. The Respondent also provided evidence of use of the disputed domain name in 2017 to provide web hosting services to a Hong Kong middle school.

When the Complaint was filed, the disputed domain name did not resolve to an active website.

At the time of this decision, the disputed domain name redirects to a website at <sunnyvision.com> that advertises "Hong Kong Dedicated Server Hosting". This website states that the hosting services are provided by SunnyVision Limited, and that this company has been in operation since 1998. It appears from email correspondence that the Respondent included as Exhibits to the Response that the Respondent is somehow associated with SunnyVision Limited.

In September 2025, the Complainant attempted to contact the Respondent to acquire the disputed domain name. The Registrar directed the Complainant the Registrar's domain brokerage service to inquire about the possible acquisition of the disputed domain name. The Complainant proposed a purchase price to the broker. The Respondent declined the offer and did not engage in negotiations.

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.

In summary, the Complainant makes the following submissions:

The Complainant has been registered in the Russian Federation since April 14, 2010. Accordingly, the Complainant has used its trade name since that time.

On January 25, 2019, the Complainant became the owner of a trademark for HYPERPC enjoying legal protection in the territory of the Russian Federation, with a priority date of June 7, 2018.

The disputed domain name is identical or, at minimum, confusingly similar to the Complainant's trademark rights. The Complainant is the owner of multiple trademark registrations incorporating the word element "HYPERPC", including its international combined (figurative) trademark, where the dominant and distinctive verbal component is precisely HYPERPC.

The Complainant's trademark HYPERPC has acquired strong distinctiveness through continuous and intensive commercial use since at least 2010, long before the Complainant obtained formal trademark registrations. The Complainant has been actively operating under the HYPERPC brand for more than a decade.

It is highly unlikely that the Respondent was unaware of the Complainant's rights at the time of registration or acquisition of the disputed domain name. The Respondent registered or acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring it to the Complainant — the legitimate trademark owner — or to a competitor of the Complainant for valuable consideration exceeding the Respondent's documented out-of-pocket costs. The long-term passive holding of a highly distinctive, commercially relevant domain name strongly suggests that the Respondent's intent was to offer the disputed domain name for sale rather than to use it legitimately.

The Respondent registered and continues holding the disputed domain name to prevent the Complainant from reflecting its trademark in a corresponding ".com" domain name, which is the globally recognized top-level domain essential for international commercial activity. The Respondent has engaged in a pattern of such obstructive conduct, as evidenced by the absence of any legitimate use for many years and the deliberate concealment of identity through privacy services.

The disputed domain name does not resolve to an active website, and the Complainant has never been able to establish any communication with the Respondent.

By passively holding the disputed domain name for more than two decades without any bona fide offering of goods or services, without developing a website, and without demonstrating any legitimate interest, the Respondent intentionally attempts to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's well-known mark as to source, sponsorship, affiliation, or endorsement.

The disputed domain name has remained completely inactive since its creation in 1999, and the Respondent has made no attempt to use it in connection with a bona fide offering of goods or services. Such long-term passive holding of a domain name that is identical to a distinctive and internationally registered trademark is a well-recognized indicator of cybersquatting.

The disputed domain name appears to have been registered and held primarily to disrupt the business of the Complainant, who actively operates under the HYPERPC brand and is expanding into international markets.

Even if the original registration date of the disputed domain name is 1999, the “Updated Date” of March 3, 2025 indicates that the Respondent either acquired, renewed, transferred, or otherwise modified the registration at a time when the Complainant’s HYPERPC trademark was already well-established and widely known internationally.

Regardless of the precise nature of this update, the Respondent’s decision to maintain control over the disputed domain name after this date constitutes bad-faith acquisition or, at minimum, bad-faith retention, as the Respondent could not have been unaware of the Complainant’s longstanding brand and trademark rights.

In September 2025, an attempt was made to contact the Respondent indirectly through the Registrar’s domain brokerage service to inquire about the possible acquisition of the disputed domain name. The Respondent explicitly declined the offer and refused to engage in negotiations. This failed brokerage attempt confirms that the Respondent was fully aware of the Complainant’s interest in the disputed domain name and of the Complainant’s trademark rights. It further demonstrates that the Respondent is deliberately withholding the disputed domain name not for any legitimate purpose, but rather for the sole purpose of blocking the Complainant from using its own brand name in the corresponding “.com” domain, which is a typical example of cybersquatting and bad-faith domain name blocking.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name and requests a finding of Reverse Domain Name Hijacking.

In summary, the Respondent makes the following submissions:

The Respondent registered the disputed domain name 12 years before the Complainant even existed. The Respondent could not have been targeting the Complainant because at the time of registration of the disputed domain name, the Complainant did not exist.

In 1999, the Respondent was just discovering the World Wide Web and the magic of the hyperlink. The Respondent’s plan was to use a standard Personal Computer to host these links and websites for the world to see. When it came time to name the Respondent’s hosting business, the Respondent took “Hyper” from hyperlink and added the machine we were using, namely the PC. That is how HYPERPC was selected by the Respondent.

Over the years, the disputed domain name has been a critical operational asset of the Respondent, and served as the backbone of the Respondent’s infrastructure, acting as an authoritative Name Server resolving customer’s domain names (ns1.hyperpc.com & ns2.hyperpc.com) and identifying the Respondent’s internal servers (srv01/ srv02/srv03.hyperpc.com).

Furthermore, the disputed domain name was actively used to host client content. This includes general web hosting services from 1999 to 2003 (hosting.hyperpc.com), and the hosting of a Hong Kong middle school website (honwah.hyperpc.com) from 2013 to 2019. Collectively, these records verify over six years of documented legitimate business operations.

There is nothing wrong with keeping the disputed domain name for potential future use, even though the Respondent does not currently use it. This is not a “passive holding” case.

The Respondent has not used a privacy service for the disputed domain name. The limited contact information reflects the Registrar’s standard GDPR compliance practices.

The fact that the Respondent declined to sell the disputed domain name to the Complainant does not demonstrate that the Respondent was doing anything wrong.

There is no evidence of any pattern of conduct of the Respondent blocking trademark owners from registering domain names.

The Respondent is not intentionally creating confusion with the Complainant's trademark. If consumers are confused, it is because the Complainant chose to build a business around a descriptive term where the corresponding domain name was already registered by the Respondent.

The Respondent has owned and continuously renewed the disputed domain name since April 17, 1999, which is for over 26 years without interruption. The Complainant's attempt to present a routine renewal as evidence of "recent acquisition" or "bad faith retention" is either a fundamental misunderstanding of how domain registrations work, or a deliberate misrepresentation of normal business practices.

The Respondent seeks a finding of Reverse Domain Name Hijacking.

The Complainant is represented by a professional lawyer who could have done due diligence before filing the Complaint. The Complainant either did not check the facts or filed anyway knowing their claim had no merit.

The Complainant knew it could not succeed as to any of the required three elements – such as clear knowledge of a lack of respondent bad faith including registration of the disputed domain name well before the Complainant acquired trademark rights.

The Complainant's strategy appears to be: "If you won't sell it to us, we'll try to take it through legal action."

Defending this Complaint has cost the Respondent time, money, stress and distraction. A RDNH finding serves justice and deters future abuse.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (i) the disputed domain name is 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 name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The onus of proving these elements is on the Complainant.

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 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.

In view of the Panel's decision in respect of the third element of the Policy, the Panel does not need to decide the second element. However, for completeness, the Panel makes the following brief comments.

The Panel finds that, before notice to the Respondent of the dispute, the Respondent used the disputed domain name in connection with a bona fide offering of services found *inter alia* in the Internet Archive. [WIPO Overview 3.0](#), section 2.2.

The Respondent provided evidence of use of the disputed domain name to host a website to advertise and promote web hosting services in 1999. This website included a banner with "HYPERPC.COM" in coloured letters, and also an email contact address that used the disputed domain name.

The Panel finds the second element of the Policy has not been established.

C. Registered and Used in Bad Faith

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

It is not in dispute that the Respondent registered the disputed domain name in 1999, whereas the Complainant was only established in April 2010, and the Complainant's trademark rights only arose in 2010 at the earliest.

Except for limited circumstances involving registration of a domain name to capitalise on nascent trademark rights, panels will not normally find bad faith on the part of the respondent where a respondent registers a domain name before the complainant's trademark rights accrue. [WIPO Overview 3.0](#), section 3.8.1.

As the Complainant and its rights did not exist in 1999, and had no nascent trademark rights at that time, the disputed domain name could not have been registered in bad faith. This is fatal to the Complainant's case.

See, for example, *Skytree B.V. v. c/o skytree.com*, WIPO Case No. [D2025-0128](#) and *Alpha Ladder Finance Pte. Ltd. v. Joanna, Metacomp, Inc.*, WIPO Case No. [D2025-1451](#).

There is also no evidence before the Panel demonstrating bad faith use of the disputed domain name by the Respondent.

The Complainant argues that an update date in the WHOIS records for the disputed domain name of March 3, 2025 demonstrates that "the Respondent either acquired, renewed, transferred, or otherwise modified the registration at a time when the Complainant's HYPERPC trademark was already well-established." The Respondent provided evidence from the Registrar that the Respondent renewed the disputed domain name on March 3, 2025. Renewal of the disputed domain name in 2025 does not demonstrate that the Respondent was aware of the Complainant in 1999 when the Respondent first registered the disputed domain name. Moreover, there is no doctrine of "bad faith retention" as argued by the Complainant.

Even if the Complainant could demonstrate bad faith use by the Respondent, which it cannot, the result of this case would be the same because the Complainant cannot demonstrate bad faith registration.

The Panel finds the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.0](#), section 4.16.

The Respondent asks for a finding of Reverse Domain Name Hijacking.

The Panel has little difficulty in making such a finding for the following reasons.

First, the Complainant made an unsuccessful pre-filing attempt to buy the disputed domain name from the Respondent.

Second, the Complaint itself acknowledged that the Respondent registered the disputed domain name in 1999 whereas the Complainant asserted trade mark rights that commenced only in 2010, thereby ignoring established and long-standing Policy precedent that registration in bad faith could not arise in those circumstances. For example, an early three-member decision under the Policy from 25 years ago clearly demonstrates that the Complainant had no chance of success in this case. *e-Duction, Inc. v. John Zuccarini, d/b/a The Cupcake Party & Cupcake Movies*, WIPO Case No. [D2000-1369](#).

Third, the Complainant clearly ought to have known it could not succeed under any fair interpretation of facts reasonably available prior to the filing of the complaint.

Fourth, the Complaint raised implausible arguments, such as that the Respondent merely holding the disputed domain name without current use is “a typical example of cybersquatting and bad-faith domain blocking.” Or that “it is highly unlikely that the Respondent was unaware of the Complainant’s rights at the time of registration or acquisition of the domain name” which could not be the situation because the Complainant did not exist when the Respondent registered the disputed domain name. Moreover, the Complainant cites no prior cases under the Policy and makes no reference to [WIPO Overview 3.0](#) or similar. The Complainant appears to just invent legal principles. The Complainant also makes legal arguments that do not correspond to the facts set out in the Complaint.

On January 28, 2026, the Complainant submitted an unsolicited supplemental filing of 10 pages. The supplemental filing makes submissions about an update the Whois records on December 23, 2025 (after the Complaint was filed). The Complainant submits “This recent update, combined with the earlier March 3, 2025 update referenced by the Respondent, raises serious and unresolved questions about the true ownership history and whether the Respondent has in fact held the domain continuously for 26 years as claimed” and that this update “undermines the Respondent’s narrative of innocent, continuous ownership since 1999.” The Complainant also submits that the update was “seven days before the filing of this Complaint” which is clearly not the case. The Panel does not consider that an update to the Whois records after the Complainant was filed (which update does not change the identity of the Respondent) has any relevance to this dispute. In the unsolicited supplemental filing, the Complainant now submits that the Respondent has not owned the disputed domain name since 1999. The evidence of the December 23, 2025 update to the Whois records is not evidence that supports this submission. The supplemental filing also incorrectly states that “The Respondent has failed to produce any evidence of actual use, preparations to use, or bona fide offering of goods or services through the hyperpc.com domain itself.” In the Panel’s view, this is a factually incorrect statement, as evidenced (for example) by Exhibit R2 of the Response, which has been discussed above and which the Complainant refers to in its supplemental filing as “fragmentary Internet Archive screenshots of questionable authenticity” thus contradicting the assertion that the Respondent failed to produce any such evidence. The Complainant’s supplemental filing supports the Panel’s conclusions as to Reverse Domain Name Hijacking.

The Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

7. Decision

For the foregoing reasons, the Complaint is denied.

/John Swinson/

John Swinson

Sole Panelist

Date: January 30, 2026