

EE Holding Group LLC v. Yi Shan \u5e33
Case No. D2025-5459

The Respondent is Yi Shan \u5e33, Hong Kong, China.

The disputed domain name <eric-box.com> is registered with GoDaddy.com, LLC (the “Registrar”).

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 31, 2025. On January 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 4, 2026, 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 (Registration Private, Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 5, 2026, 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 January 5, 2026.

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 January 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was January 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 30, 2026.

The Center appointed Assen Alexiev as the sole panelist in this matter on February 4, 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 an independent sportswear designer. It markets its sportswear collection under the brand ERIC EMANUEL. The Complainant's official website is located at the domain name <ericmanuel.com>, registered on August 31, 2014.

The Complainant is the owner of a number of trademark registrations for ERIC EMANUEL (the "ERIC EMANUEL trademark"), including the following representative registrations:

- the United States trademark ERIC EMANUEL with registration No. 6721224, registered on May 24, 2022 for goods in International Class 25; and
- the International trademark ERIC EMANUEL with registration No. 1762468, registered on October 11, 2023 for goods in International Class 25.

The Complainant is also the owner of a number of trademark registrations for  the sign (the "EE figurative trademark"), including the following representative registrations:

- the European Union trademark with registration No. 018937371, registered on January 26, 2024 for goods in International Class 25; and
- the United States trademark with registration No. 7310338, registered on February 20, 2024 for goods in International Class 25, with claimed date of first use in commerce on February 13, 2014.

The disputed domain name was registered on August 12, 2023. It resolves to an English language website with the title "EE shorts | Eric Emanuel Shorts | Eric-Box", which offers for sale shorts branded with the Complainant's EE figurative trademark (which is easily recognisable, although partly covered by a white rectangle with the text "Eric-Box" on it), as well as other shorts, with discounted prices indicated in US Dollars. The website offers worldwide delivery and indicates its provider as Eric-Box, without showing any contact details.

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.

The Complainant submits that the disputed domain name is confusingly similar to its ERIC EMANUEL trademark, because it reproduces the element "ERIC", which is the dominant part of the trademark, together with the dictionary word "box" and the ".com" generic Top-Level Domain ("gTLD"). According to the Complainant, the Complainant's ERIC EMANUEL trademark is easily recognisable within the disputed domain name. The Complainant adds that the website at the disputed domain name targets the Complainant's trademark as it purports to be a retailer of authentic ERIC EMANUEL goods.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant states that it has used its ERIC EMANUEL trademark in commerce consistently since 2014 and it has accrued substantial goodwill. It submits that the Respondent is not an authorised retailer of genuine ERIC EMANUEL-branded goods, has not been authorised to use the Complainant's ERIC EMANUEL or EE trademarks, and there is no connection between the Parties.

According to the Complainant, the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, because it resolves to a fraudulent website designed to mimic the Complainant's official website and to deceive consumers into believing that it is an authorised retail channel for the original ERIC EMANUEL goods. The Complainant maintains that the website at the disputed domain name sells counterfeit versions of the Complainant's ERIC EMANUEL-branded clothing at prices that are disproportionately below market value and do not meet the Complainant's quality control standards.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It notes that the disputed domain name improperly exploits the goodwill of the Complainant's ERIC EMANUEL trademark to attract Internet users and to sell them counterfeit goods. The Complainant maintains that the Respondent is thus intentionally attempting to attract, for commercial gain, Internet users to the website at the disputed domain name by creating a likelihood of confusion with the Complainant's trademark as to the source or affiliation of the disputed domain name and of the associated website.

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 the ERIC EMANUEL trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name reproduces the element "ERIC" of the ERIC EMANUEL trademark, together with the dictionary word "box", and the trademark may be recognised within the disputed domain name.

As discussed in sections 1.7 and 1.15 of the [WIPO Overview 3.0](#), Panels have found that the overall facts and circumstances of a case (including relevant website content) may support a finding of confusing similarity, particularly where it appears that the respondent registered the domain name precisely because it believed that the domain name was confusingly similar to a mark held by the complainant. Panels have also found that the overall facts and circumstances of a case (including relevant website content) may support a finding of confusing similarity, particularly where it appears that the respondent registered the domain name precisely because it believed that the domain name was confusingly similar to a mark held by the complainant.

The disputed domain name resolves to a website with a title that includes "Eric Emanuel" and that offers for sale goods branded with the Complainant's figurative EE trademark. It therefore appears primarily facie that the Respondent seeks to target the Complainant's trademarks through the disputed domain name, and that the Respondent registered the disputed domain name because it believed that it was confusingly similar to the Complainant's trademarks.

Although the addition of other terms (here, "-box") 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 ERIC EMANUEL trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel therefore 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 recognised 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 sale of counterfeit goods) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The disputed domain name resolves to a website whose title includes the Complainant’s ERIC EMANUEL trademark and which offers for sale clothing goods branded with the Complainant’s figurative EE trademark at what appear to be heavily-discounted prices. According to the Complainant, these goods are counterfeit. The Respondent has not submitted a Response; it has not provided any plausible explanation for the registration of the disputed domain name and for its plans how to use it and has not provided any contrary evidence. The Panel therefore accepts as more likely than not that the goods offered for sale on the Respondent’s website are indeed counterfeit. Such use of the disputed domain name cannot give rise to rights or legitimate interests in it.

The Panel therefore finds that 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.

Panels have held that the use of a domain name for illegitimate activity (here, claimed sale of counterfeit goods) 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.

As already discussed, the disputed domain name is confusingly similar to the Complainant’s ERIC EMANUEL trademark and resolves to a website with a title that includes the same trademark and offers for sale what appears to be counterfeit goods bearing the Complainant’s figurative EE trademark at heavily-discounted prices.

In absence of any allegation or evidence supporting a different conclusion, the Panel accepts that by registering and using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by misleading them as to the origin and authorisation by the Complainant of the goods offered there for sale. This supports a finding of bad faith registration and use of the disputed domain name under Paragraph 4(b)(iv) of the Policy.

The Panel therefore 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 <eric-box.com> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: February 11, 2025