

## **ADMINISTRATIVE PANEL DECISION**

Hoyu Co., Ltd. v. Steven Wong  
Case No. D2026-0401

### **1. The Parties**

The Complainant is Hoyu Co., Ltd., Japan, represented by IP Twins, France.

The Respondent is Steven Wong, Indonesia.

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

The disputed domain name <hoyuthailand.com> (the “Domain Name”) is registered with Network Solutions, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 31, 2026. On February 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 2, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (“Perfect Privacy, LLC”) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 3, 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 amended Complaint on February 4, 2026.

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 February 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 27, 2026.

The Center appointed Nicholas Smith as the sole panelist in this matter on March 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 a Japanese hair dye manufacturer founded in 1905. The Complainant has operations in over 70 countries (including Thailand), and in 2022 its revenue exceeded 52 billion Japanese yen. The Complainant sells its hair dye products under a trademark consisting of the word “HOYU” with minor stylization (the “HOYU Mark”).

The Complainant holds a number of registered trademarks for the HOYU Mark including United States of America (“United States”) trademark registration number 3,205,048, registered on February 6, 2007 for hair dyes and related products in class 3.

The Domain Name was first registered on July 8, 2016 but the uncontested evidence in the Complaint indicates that it was held by the Complainant between that date and July 2025. The Respondent acquired the Domain Name following expiry of the Complainant’s registration using a drop-catch service between July and November 2025. The Domain Name resolves to a website in Indonesian that purportedly offering gambling content (specifically access to a directory of winning lottery numbers for a regular drawing in Hong Kong, China), a use unrelated to any descriptive meaning of the Domain Name.

#### **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 Domain Name.

Notably, the Complainant contends that:

- a) It is the owner of the HOYU Mark, having registered the HOYU Mark in United States, Thailand, and various other jurisdictions. The Domain Name is confusingly similar to the HOYU Mark as it reproduces the HOYU Mark and adds the additional element “thailand” (along with the “.com” generic Top-Level Domain).
- b) There are no rights or legitimate interests held by the Respondent in respect of the Domain Name. The Complainant has not granted any license or authorization for the Respondent to use the HOYU Mark. The Respondent is not commonly known by the Domain Name, nor does it use the Domain Name in connection with a bona fide offering of goods or services. Instead, the Respondent uses the Domain Name to take advantage of the reputation of the Complainant’s HOYU Mark to drive traffic to a commercial site unrelated to any meaning of the Domain Name, for which it is likely to receive revenue. Such use of the Domain Name cannot and does not constitute bona fide commercial use sufficient to legitimize any rights or interests the Respondent might have in the Domain Name and therefore the Respondent has no rights or legitimate interests in the Domain Name under paragraph 4(a)(ii) of the Policy.
- c) Given the reputation of the Complainant and the HOYU Mark, and the fact that the Respondent acquired the Domain Name using a drop-catch service, the Respondent must have been aware of the Complainant at the time it registered the Domain Name. By using the Domain Name to resolve to a commercial website for which it likely receives revenue, the Respondent is using the Domain Name to divert Internet users searching for the Complainant, for commercial gain. Such conduct amounts to registration and use of the Domain Name in bad faith.

##### **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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the HOYU Mark, save for the stylization (which may be discounted as they are incapable of representation in the Domain Name; see [WIPO Overview 3.1](#), section 1.10), is reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the HOYU Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here, "thailand", 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 Domain Name and the HOYU Mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 that 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 3.1](#), 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 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 Domain Name such as those enumerated in the Policy or otherwise.

The Panel considers that the record of this case reflects that:

- before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. Paragraph 4(c)(i) of the Policy, and [WIPO Overview 3.1](#), section 2.2.
- The Respondent (as an individual, business, or other organization) has not been commonly known by the Domain Name. Paragraph 4(c)(ii) of the Policy, and [WIPO Overview 3.1](#), section 2.3.
- The Respondent is not making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Paragraph 4(c)(iii) of the Policy, and [WIPO Overview 3.1](#), section 2.4.

- The record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Name.

Specifically, given the reputation of the HOYU Mark, and the lack of any explanation or evidence behind the Respondent's selection and use of the Domain Name, the Panel finds that the use of the Domain Name to resolve to a commercial website (a website purporting to offer gambling content), for which the Respondent is likely to receive revenue, unrelated to any ordinary meaning of the Domain Name does not amount to use in connection with a bona fide offering of goods and services.

Based on the available record, 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.

The Domain Name, which wholly incorporates the coined HOYU Mark, resolves to a page purporting to offer gambling content, a use unrelated to any meaning of the Domain Name (as there is no evidence of the term "hoyu" having a meaning somehow related to gambling) for which the Respondent most likely would receive commercial gain. In these circumstances where the Respondent has offered no plausible explanation for the registration of the Domain Name, the Panel finds that the Respondent registered and is using the Domain Name to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the HOYU Mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. Paragraph 4(b)(iv) of the Policy, and [WIPO Overview 3.0](#), section 3.1.4.

In support of the above conclusion, the Panel notes that the Respondent was most likely aware of the Complainant at the time of registration, the Panel notes that at the time the Domain Name was registered, the Respondent was aware that the Domain Name had previously been registered by a third party and had expired. The Respondent was therefore engaged in "drop-catching", at least in the sense that it acquired the Domain Name via the Registrar's "Expired Domain Transfer" service which it knew had recently been allowed to lapse. As the panel noted in *Supermac's (Holdings) Limited v. Domain Administrator, DomainMarket.com*, WIPO Case No. [D2018-0540](#), "Where registration occurs through drop-catching, the registrant is objectively aware that another person held the registration immediately prior. This, in effect, puts the registrant on notice that another person (the immediately prior registrant) may have rights in a trademark to which the domain name is identical or confusingly similar. Where, as in this case, the drop-catching registrant fails to take any steps to determine if such rights exist, then the registrant is taking the risk that such rights do exist". The fact that the Domain Name does not correspond to any dictionary term (nor is related to gambling) and it was used for a gambling website despite knowing that it was previously used by someone else, points towards the Respondent taking an unfair advantage from the power of attraction arising from the Complainant's prior use of the Domain Name.

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 Domain Name <hoyuthailand.com> be transferred to the Complainant.

/Nicholas Smith/

**Nicholas Smith**

Sole Panelist

Date: March 10, 2026