ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Connected Software Inc. v. Mark Stone
Case No. D2026-0444

1. The Parties

The Complainant is Connected Software Inc., United States of America ("United States"), represented by Dunlap Bennett & Ludwig PLLC, United States.

The Respondent is Mark Stone, United States.

2. The Domain Names and Registrar

The disputed domain names <emeraldchat.chat> and <emeraldchat.online> are registered with Namecheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 3, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 4, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 February 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 2, 2026.

The Center appointed William F. Hamilton as the sole panelist in this matter on March 6, 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 operates an online platform accessible at "www.emeraldchat.com". The Complainant's platform offers online social networking services, including text and video-based chat functionality.

The Complainant is the owner of a United States trademark registration No. 7,685,053 for EMERALD CHAT (the "Mark"), registered on February 11, 2025. The registration indicates a first use in commerce of the Mark on April 1, 2015, in connection with online social networking services.

The disputed domain names <emeraldchat.chat> and <emeraldchat.online> were registered on September 27, 2024, and May 11, 2024, respectively.

The disputed domain names resolve to virtually identical websites that offer services similar to those provided by the Complainant, including online chat functionality. The record indicates that the Respondent's websites reproduce the trademark EMERALD CHAT and include references to the Complainant's company name and physical address within their Privacy Policy and Emerald Chat Terms of Service Agreement.

The Respondent did not file a Response.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has rights in the Mark by virtue of its United States trademark registration and its use of the Mark in connection with online social networking services.

The Complainant submits that the disputed domain names are nearly identical to its EMERALD CHAT mark, as they incorporate the Mark in its entirety, differing only by the applicable generic Top-Level Domains ("gTLDs").

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. According to the Complainant, the Respondent is not affiliated with, authorized by, or otherwise connected to the Complainant, and has not been commonly known by the disputed domain names.

The Complainant asserts that the Respondent is using the disputed domain names to operate websites offering services similar to those of the Complainant. The Complainant submits that such conduct does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use but rather demonstrates an intent to mislead Internet users and to take unfair advantage of the Complainant's Mark. With respect to bad faith, the Complainant contends that the Respondent registered and is using the disputed domain names in bad faith, with knowledge of the Complainant and its rights in the Mark. The Complainant argues that the Respondent's reproduction of its name, website content, and company details evidences a deliberate attempt to impersonate the Complainant and to attract Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement.

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 Panel finds that the Complainant has established relevant rights in the EMERALD CHAT trademark for purposes of the Policy. See WIPO Overview 3.1, section 1.2.1.

The Panel notes that the disputed domain names reproduce the Complainant's mark EMERALD CHAT in its entirety. The Panel finds the Mark is immediately recognizable within the disputed domain names. Accordingly, the disputed domain names are identical to the Mark for the purposes of the Policy. See WIPO Overview 3.1, section 1.7.

The applicable gTLDs ".chat" and ".online" are generally disregarded for purposes of the confusing similarity test under the Policy, as they are viewed as a standard registration requirement and do not serve to distinguish a domain name from a complainant's mark.

Accordingly, the Panel finds that the disputed domain names are identical to the Complainant's mark for purposes of paragraph 4(a)(i) of the Policy.

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 that 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 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.

The Complainant asserts that it has not authorized the Respondent to use the Mark and that the Respondent is not affiliated with the Complainant in any way. There is no evidence in the record that the Respondent has been commonly known by the disputed domain names.

The Panel finds that the Respondent is using the disputed domain names to resolve to virtually identical websites offering services similar to those of the Complainant while creating the impression of an association with the Complainant. Such use does not constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy. Nor does it represent a legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy.

The Panel further notes that the gTLD ".chat" is directly descriptive of the services offered by the Complainant and therefore reinforces the association with the Complainant's mark. Similarly, the gTLD ".online" is a commonplace extension and is also descriptive of the nature of the Complainant's services which are offered at "www.emeraldchat.com". Therefore, the Panel finds that the composition of the disputed domain names carries a high risk of implied affiliation as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. See WIPO Overview 3.1, section 2.5.1.

In these circumstances, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, the Complainant must establish that the disputed domain names were registered and are being used in bad faith.

The Panel finds that the Respondent's conduct demonstrates knowledge of and targeting of the Complainant. As noted above, the Complainant operates its business at "www.emeraldchat.com". The Panel notes from the publicly available WhoIs record (see WIPO Overview 3.1, section 4.8) that the Complainant's domain name was created in 2015 and its United States trademark registration also records a first use date in 2015. The disputed domain names are almost identical to the Mark with the additional gTLDs closely related to the Complainant's business. Further, the Respondent's websites reproduce the Complainant's name and include references to the Complainant's company details, including its physical address, in their legal documentation. The Panel finds that the Respondent intended to create an association with the Complainant and to attract Internet users by giving the impression of a connection with the Complainant. In this regard, the Panel notes that bad faith under the Policy may be found where the respondent registers a domain name with knowledge of the complainant and with the intention of targeting that complainant (see WIPO Overview 3.1, section 3.2.1). The Panel further notes that the use of a domain name to impersonate or suggest an affiliation with a complainant is indicative of bad faith. See WIPO Overview 3.1, section 3.1.4.

In these circumstances, the Panel finds that the Respondent was aware of the Complainant and its Mark at the time of registration and registered the disputed domain names with the Complainant in mind to attract Internet users to the Respondent's websites for commercial gain by creating a likelihood of confusion with the Complainant's mark as to source, sponsorship, affiliation, or endorsement.

Accordingly, the Panel finds that the disputed domain names were registered and are being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

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 <emeraldchat.chat> and <emeraldchat.online> be transferred to the Complainant.

/William F. Hamilton/
William F. Hamilton
Sole Panelist
Date: March 24, 2026