

ADMINISTRATIVE PANEL DECISION

NXC Corp. v. Haytham Sabry
Case No. D2026-1392

1. The Parties

The Complainant is NXC Corp., Republic of Korea, represented by KAI International IP Law Firm, Republic of Korea.

The Respondent is Haytham Sabry, Egypt, represented by Al Tamimi & Company, Egypt.

2. The Domain Name and Registrar

The disputed domain name <nexonpartners.net> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 1, 2026. On April 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 1, 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 (Privacy service provided by Withheld Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 2, 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 April 6, 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 April 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 28, 2026. The Response was filed with the Center on April 26, 2026.

The Center appointed John Swinson as the sole panelist in this matter on May 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

According to the Complaint (including its Annexures), the Complainant was founded in Seoul, South Korea in 1994, and is currently a Japanese (formerly South Korean) video game publisher that specializes in online games for PC and mobile. The Complainant was first listed on the Tokyo Stock Exchange in December 2011, placed on JPX400 in 2015, added to the Nikkei Stock Index 300 in 2017, and added to the Nikkei 225 in 2020. The Complainant currently had more than 50 live games on multiple platforms, including mobile, available in more than 190 countries with major game franchises including “MapleStory”, “KartRider”, and “Dungeon&Fighter”.

More recently, the Complainant has moved into cryptocurrency investment and operations.

The Complainant had acquired USD 100 million worth of Bitcoin in late April 2021. The Complainant has major investments in the Korean cryptocurrency exchange Korbit and the European cryptocurrency exchange Bitstamp, in addition to establishing the online fintech platform Arques, and accepts cryptocurrency for in-game purchases.

The Complainant owns a large globally distributed portfolio of registered trademarks for the NEXON mark, among others, the earliest of which appears to be United States of America Registered Trademark Number 2481744 for the word mark NEXON, registered on August 28, 2001, in Class 41 (Online entertainment, namely, online interactive gaming).

The disputed domain name was registered on April 4, 2025 by the Respondent.

The Respondent has an address in Egypt. Shortly after registering the disputed domain name, the Respondent established a Limited Liability Company named Nexon Partners L.L.C-FZ. This company was established on April 10, 2025 in the Meydan Free Trade Zone in Dubai. The business licence for this company states that the company’s activities are: “Own account investment activities, such as by venture capital companies, investment clubs etc.” The Respondent is the sole shareholder of Nexon Partners L.L.C-FZ.

The Respondent has not established a website at the disputed domain name. The Respondent uses the disputed domain name for emails in respect of Nexon Partners L.L.C-FZ.

Nexon Partners L.L.C-FZ has established a bank account, rented shared office space, and conducted business activities consistent with its business licence.

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.

Notably, the Complainant contends that its NEXON mark is longstanding and well-known.

The Complainant also asserts that the Respondent was undoubtedly aware of the mark when it registered the disputed domain name.

The term “partners” should be disregarded as it is a common, generic term.

The Complainant has not granted permission to the Respondent to use NEXON or to register the disputed domain name.

The disputed domain name was used to create the Respondent’s website (which is a computer-generated parking page without advertisements), which incorporates the Complainant’s registered mark, thereby giving the false impression that the website is operated by the Complainant or that the Respondent is in some way associated with the Complainant. Moreover, the fact that nothing appears on the website connected to the disputed domain name further suggests that the registrant is merely holding the disputed domain name without making any legitimate use of it, apparently for the purpose of selling it to the rightful owner, which supports a finding of bad faith.

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.

The disputed domain name incorporates the additional term “partners”, which is a common and descriptive term widely used in the context of business and professional services, forming the composite expression “Nexon Partners”.

The Respondent notes that the term “nexon” is not exclusively associated with the Complainant across all jurisdictions and classes. Evidence of third-party trademark registrations incorporating the term “nexon” demonstrates that the term is capable of coexistence and independent use in different commercial contexts.

The Respondent is the founder, sole shareholder, and manager of Nexon Partners L.L.C-FZ, a duly incorporated entity in the United Arab Emirates. The Respondent’s business is fully operational and formally established.

The disputed domain name corresponds exactly to the Respondent’s corporate name and was registered in close proximity to the company’s formation as part of a bona fide business setup. This temporal alignment clearly demonstrates that registration of the disputed domain name was not opportunistic, but rather an integral component of establishing a legitimate business identity. The Respondent operates in the field of investment and financial services (Nice Class 36), specifically in own-account investment activities. This is a professional services sector in which the use of terms such as “partners” is standard and descriptive.

Importantly, this field of activity is entirely distinct from that of the Complainant, whose core business lies in the gaming and entertainment sector. There is no overlap in services, target audience, or commercial positioning, further confirming that the Respondent did not register the disputed domain name with any intention of targeting the Complainant.

The Respondent further notes that the trademark portfolio submitted by the Complainant in support of its Complaint does not include any registrations in Nice Class 36, which encompasses financial and investment services.

The Respondent further notes that the selection of the name “Nexon Partners” was the result of an independent naming process. The Respondent had initially considered the name “Nexus Partners” in connection with his financial services activities; however, it became apparent that numerous entities in the investment and financial sector already operate under the “Nexus” name. In seeking a more distinctive alternative, the Respondent selected the name “Nexon Partners” as a commercially suitable and available option within the financial services sector. The name was adopted independently and without reference to the Complainant or its business, which operates in an entirely different field

The Complainant's allegation of passive holding is factually incorrect. The Respondent has actively used the domain name in connection with its business operations, including email communications and financial transactions shortly after registration. Such use is incompatible with any suggestion of bad faith.

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 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 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 3.1](#), section 1.7.

Although the addition of other terms (here, "partners") 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 3.1](#), 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.

The Respondent has rebutted the Complainant's prima facie showing and asserts that it is operating a legitimate business using the disputed domain name. The Respondent provided a significant volume of evidence to show that the Respondent is the founder, sole shareholder of Nexon Partners L.L.C-FZ, that this business is operational, and has been operational before notice of this dispute. The evidence provided by the Respondent included:

- Corporate tax registration;
- Registered business address and operational facility;
- Ongoing commercial activity typical of this kind of business, such as receiving invoices for Microsoft subscriptions and other services;
- Active use of a domain name similar to the disputed domain name (i.e., using ".com" instead of ".net") for business communications, including inbound and outbound email correspondence.

The Panel carefully considered the Respondent's evidence in detail, and concludes that, more likely than not, the Respondent is operating a bona fide business using the disputed domain name.

The Respondent's business does not appear to involve computer games or cryptocurrency. It appears to provide services directed at sophisticated businesses involved in complex investment transactions. For example, the Respondent has submitted email communications in connection with the email [...]@nixonpartners.com, showing email correspondence related to its business dealings with lawyers, appointments for video conferences, use of non-disclosure agreements, and access to data rooms to conduct due diligence investigations. It is unlikely that the Complainant's customers would be the kind of customers that the Respondent is seeking to attract.

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.

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 3.1](#), section 3.2.1.

The Complainant asserts and provides evidence that its NEXON mark is very well-known and longstanding.

The Complainant also asserts that "the Respondent was undoubtedly aware of the mark when it registered the disputed domain name".

The Respondent does not assert that he was unaware of the Complainant when he selected the disputed domain name. However, awareness without more does not establish bad faith.

There is no evidence that the Respondent registered the disputed domain name because of the Complainant or to attract customers looking for the Complainant. As stated above in respect of the second element of the Policy, the Respondent's business is of a different nature to the Complainant's business and attracts a different kind of customer. In short, the Respondent operates in an entirely different commercial sector, and there is no evidence to demonstrate that the Respondent sought to capitalize on the Complainant's reputation or has engaged in any conduct that could reasonably be interpreted as targeting.

The Respondent also provided evidence that other businesses legitimately use “nexon” as part of their name or branding. The Respondent asserts that the Respondent’s adoption of the name “Nexon Partners” was driven by independent commercial considerations. The Panel considers this to be believable. Although this on its own is not definitive, this further supports the conclusion that the Respondent’s adoption of the name “Nexon Partners” was likely independent of the Complainant’s reputation.

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

The evidence in the case file as presented does not indicate that the Respondent’s aim in registering the disputed domain name was to profit from or exploit the Complainant’s trademark. The Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/John Swinson/

John Swinson

Sole Panelist

Date: May 20, 2026