

ADMINISTRATIVE PANEL DECISION

Cisco Technology, Inc. v. CÔNG TY TNHH GIẢI PHÁP DỮ LIỆU TRỰC
TUYÊN BA MIỀN

Case No. D2026-1780

1. The Parties

The Complainant is Cisco Technology, Inc., United States of America ("United States"), represented by Fenwick & West, LLP, United States.

The Respondent is CÔNG TY TNHH GIẢI PHÁP DỮ LIỆU TRỰC TUYÊN BA MIỀN, Viet Nam.

2. The Domain Name(s) and Registrar(s)

The disputed domain name <thietbimangcisco.com> is registered with Nhan Hoa Software Company Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 24, 2026. On April 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 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 (Nguyen The Anh) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 4, 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 May 6, 2026.

On May 4, 2026, the Center informed the parties in Vietnamese and English, that the language of the registration agreement for the disputed domain name is Vietnamese. On May 6, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 May 8, 2026. In accordance with the Rules, paragraph 5(a), the due date for Response was May 28, 2026. The Respondent sent email communications on May 15 and 21, 2026. After Complainant's request, the proceeding was suspended on May 27, 2026, and reinstituted on July 17, 2026.

The Center appointed Karen Fong, Georges Nahitchevansky and Pham Nghiem Xuan Bac as panelists in this matter on August 20, 2026. The Panel finds that it was properly constituted. Each member of 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 owns a portfolio of trade marks, copyrights and domain names relating to its business and that of its licensees including, Cisco Systems, Inc., the public face of the CISCO group worldwide. Cisco provides networking and communications equipment and software, financing, retail store services, training and certification programs and blogs. Cisco has used the CISCO trade mark to market and sell its products since 1984. Cisco Systems, Inc. is traded on NASDAQ and employs more than 75,000 people globally.

The Complainant is the owner of CISCO trade mark registrations in numerous countries including:

- United States Trade Mark Registration No. 1542339 registered on June 6, 1989; and
- Viet Nam Trade Mark Registration No. 37471 registered on July 13, 1999;

(individually and collectively referred to as the "Trade Mark").

The Complainant also owns domain names incorporating the Trade Mark, including <cisco.com>, <cisco.info> and <cisco.biz>.

The Respondent, based in Viet Nam, registered the disputed domain name on February 29, 2020. It resolves to a website (the "Website") displaying the CISCO name and logo and offering for sale CISCO branded products as well as competitor products. The Website also claims to be a "Trusted Partner" offering "100% genuine products" and a "Cisco Global Warranty".

5. Parties' Contentions

A. Complainant

The Complainant has registered rights in CISCO and argues that its trade mark is internationally famous, having been found to be "well-known" in prior UDRP decisions. The disputed domain name incorporates the Trade Mark. The prefix "thietbimang" which is Vietnamese for "networking equipment" or "networking devices" does not distinguish the disputed domain name from the Trade Mark. Instead, it compounds the confusing similarity as this describes the Complainant's business.

The Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name. Given the Complainant's established rights in the Trade Mark, the Respondent cannot have rights or legitimate interests in the disputed domain name. The Respondent has not been commonly known by the disputed domain name at the time of registration. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making a legitimate noncommercial or fair use of the disputed domain name. The Complainant asserts that the disputed domain name resolves to a website that is designed to mislead users to believe that the site is operated by an authorized seller of Cisco's products when this is not the case. The Respondent does not accurately and prominently disclose its lack of any relationship with the Complainant. Moreover, the Respondent is not using the site to sell only Cisco trade marked goods but also products from a competitor brand.

The Complainant argues that the Respondent had actual or constructive knowledge of the Complainant and the Trade Mark when the Respondent registered the disputed domain name. Moreover, the Complainant alleges that the Respondent registered and uses the disputed domain name to intentionally attract, for commercial gain, Internet users to the Website by creating a likelihood of confusion as to the source, sponsorship, and/or affiliation with the Respondent's Website and the goods/services offered on the Website.

B. Respondent

The Respondent did not submit a formal Response but sent informal email communications stating that the disputed domain name has been used to introduce Cisco-related networking products and support government and enterprise projects in Viet Nam, sourced through authorized distributors. The Respondent denied any intent to mislead consumers, impersonate Cisco, or infringe its trade mark rights, describing the site as descriptive of its business rather than for large-scale retail. The Respondent expressed respect for the Complainant's intellectual property rights and willingness to cooperate in good faith, including discussing a possible transfer of the disputed domain name to reach an amicable settlement.

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Vietnamese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for the following main reasons:

- The content on the Website is in the English language indicating that the Respondent is proficient in English;
- The Complainant would be unfairly prejudiced by the time and expense it would take to translate the Complaint and evidence into Vietnamese when the Respondent is proficient in English.

The Respondent has not challenged the Complainant's language request, and its email communications to the Center were in fact in English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues

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 identity or confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's Trade Mark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

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

The entirety of the Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

While the addition of the term “thietbimang” before the Trade Mark may bear on assessment of the second and third elements, the Panel finds the addition of the word does not prevent a finding of confusing similarity between the disputed domain name and the Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Based on the available record, 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.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. 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 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 which the Respondent has not rebutted with any relevant evidence such as those enumerated in the Policy or otherwise. The Respondent is not affiliated with or related to the Complainant. There is no evidence that the Respondent has registered the disputed domain name as a trade mark or acquired trade mark rights, or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services.

Nor does the Respondent meet the conditions for an unauthorized reseller to be making a bona fide offering of goods or services. ([WIPO Overview 3.1](#), section 2.8). Under the criteria set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903, such a claim requires, among other things, that the Respondent use the Website to sell only trade marked goods and accurately disclose the true nature of its relationship with the trade mark owner. Neither condition is met here. Respondent’s Website sells products of a competing third-party brand, and rather than appropriately disclosing the absence of any authorisation from Complainant, the Website prominently displays Cisco’s corporate logo and falsely describes the Respondent as a “Trusted Partner” offering “100% genuine products” and a “Cisco Global Warranty”, despite having no such authorisation. If anything, the Website is designed to create the opposite impression — that the Respondent is an authorized or official Cisco channel.

The Panel has considered the Respondent’s informal email communications summarised above, but they do not establish rights or legitimate interests for the reasons above, nor does the Respondent’s stated willingness to discuss a transfer or settlement assist it under this element — particularly as the Respondent apparently did not follow up on the Complainant’s settlement communications.

Accordingly, the Complainant has sustained its burden of proving, by a preponderance of the evidence, that the Respondent lacks rights or legitimate interests in the disputed domain name, and the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out circumstances, in particular but without limitation, which, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith. The Respondent was clearly aware of the Complainant and the Trade Mark when it registered the disputed domain name, decades after the Complainant began using the mark. This is evident from the composition of the disputed domain name itself, which combines CISCO with a Vietnamese descriptive term for networking equipment, and is confirmed by the Respondent's own communications and by the content of the Website.

The Website prominently displays Cisco's corporate logo and uses the phrase "Trusted Partner", together with unauthorised claims of "100% genuine" products, a "Cisco Global Warranty", wrongfully creating the impression of a formal affiliation, authorisation, or endorsement by the Complainant. Notably, the Website contains no disclaimer of any connection to the Complainant; if anything, it is designed to suggest the opposite. By combining the Complainant's famous mark with competing third-party products, the Respondent has intentionally attracted Internet users to its commercial website by exploiting this confusion for commercial gain, within the meaning of paragraph 4(b)(iv) of the Policy.

The Respondent's stated lack of intent to infringe does not alter this conclusion. The Panel assesses the objective circumstances surrounding the registration and use of the disputed domain name, and those circumstances establish, on the balance of probabilities, both registration and use in bad faith. The Respondent could readily have chosen a domain name that did not incorporate the CISCO mark, together with a website that did not present itself as an official Cisco channel, in order to sell genuinely sourced CISCO products in Viet Nam.

For the reasons set out above, the Panel concludes that the disputed domain name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy, and the third element of the Policy has been established.

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 <thietbimangcisco.com> be transferred to the Complainant.

/Karen Fong/

Karen Fong

Presiding Panelist

/Georges Nahitchevansky/

Georges Nahitchevansky

Panelist

/Pham Nghiem Xuan Bac/

Pham Nghiem Xuan Bac

Panelist

Date: September 3, 2026