ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Melnor Inc. v. 鲁旺龙(lu wanglong)
Case No. D2026-2262

1. The Parties

The Complainant is Melnor Inc., United States of America ("United States"), represented by Auito IP Law, PLLC, United States.

The Respondent is 鲁旺龙 (lu wanglong), China.

2. The Domain Name and Registrar

The disputed domain name <melnorwatertimers.com> is registered with Xiamen ChinaSource Internet Service Co., Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on May 27, 2026. On May 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 28, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 29, 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 in English on June 4, 2026.

On May 29, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On June 4, 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 in English and Chinese of the Complaint, and the proceedings commenced on June 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 26, 2026.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on July 2, 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, Melnor Inc., is a company based in the United States that manufactures and sells lawn and garden watering products. The materials provided by the Complainant show that the Complainant has been engaged in this business since 1946 and currently offers a range of watering products, including water timers, sprinklers, nozzles, and related accessories, including through its official website.

The Complainant has shown that it owns trademark registrations for the MELNOR mark, including, among others, the following:

- United States Patent and Trademark Office ("USPTO") Registration No. 5,231,483 for MELNOR, registered on June 27, 2017; and
- USPTO Registration No. 7,589,422 for MELNOR, registered on December 3, 2024.

The disputed domain name was registered on March 12, 2025. According to the evidence filed, the disputed domain name resolves to a commercial website prominently displaying the Complainant's MELNOR trademark and offering products presented as MELNOR-branded watering products, including water timers, sprinklers, nozzles, and related accessories. The website also reproduces content relating to the Complainant's corporate history, features product categories corresponding to those found on the Complainant's official website, and advertises products bearing the Complainant's trademark. The Panel notes that on the date of this Decision, this website is still online.

The Respondent is an individual reportedly based in China.

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 the disputed domain name incorporates its MELNOR trademark in its entirety, together with the descriptive term "water timers", which directly refers to the Complainant's products and does not prevent a finding of confusing similarity.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant states that it has not authorized the Respondent to use its MELNOR trademark, that the Respondent is not commonly known by the disputed domain name, and that the disputed domain name has been used for a commercial website displaying the Complainant's trademark, reproducing its corporate history and product categories, and offering purported MELNOR products for sale. According to the Complainant, such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It submits that the Respondent registered the disputed domain name with knowledge of the Complainant's long-established MELNOR trademark and intentionally used it to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark. The Complainant further submits that the Respondent's website reproduces the Complainant's branding, product categories, and corporate history, falsely presents itself as an official Melnor website, and has caused actual consumer confusion, thereby demonstrating bad faith registration and use under paragraph 4(b)(iv) of the Policy.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. 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 and amended Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the disputed domain name is composed entirely of English-language terms, the website associated with the disputed domain name is presented in English and targets English-speaking consumers, the disputed domain name incorporates the Complainant's English-language MELNOR trademark together with the descriptive term "water timers", requiring the Complaint to be translated into Chinese would result in unnecessary cost and delay, and the Respondent would not be prejudiced by the use of English given its registration of an English-language domain name and operation of an English-language commercial website.

The Respondent did not make any submissions with respect to the language of the proceeding.

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 Select 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 Decision on the Merits

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 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, “water” and “timers”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 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.

The Panel notes that the Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its MELNOR trademark or to register a domain name incorporating such mark. There is no evidence that the Respondent is in any way affiliated with, or otherwise has any relationship with, the Complainant. Further, there is also no evidence that the Respondent has been commonly known by the disputed domain name. Instead, upon review, the Panel notes that the evidence shows that the disputed domain name resolves to a commercial website prominently displaying the Complainant’s MELNOR trademark, reproducing the Complainant’s corporate history and product categories, and offering what are purported MELNOR-branded products for sale. The Panel finds that such use falsely suggests an affiliation with, or endorsement by, the Complainant and does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. Panels have consistently held that the use of a domain name for illegitimate activity, including impersonation or passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Finally, the Panel notes that the disputed domain name wholly incorporates the Complainant’s MELNOR trademark together with the descriptive term “water timers”, which directly refers to and overlaps with the Complainant’s products. In these circumstances, the Panel considers that the disputed domain name carries a risk of implied affiliation with the Complainant. Its composition falsely suggests sponsorship, endorsement, or authorization by the Complainant and does not support any finding of rights or legitimate interests on the part of the Respondent. See WIPO Overview 3.1, section 2.5.1.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name years after the Complainant had established rights in its MELNOR trademark. Given the composition of the disputed domain name, which incorporates the Complainant's trademark in its entirety together with the descriptive term "water timers", which is clearly indicative of the Complainant's business and product offerings, the Panel finds that the Respondent knew, or at least should have known, of the Complainant's trademark rights when registering the disputed domain name. Additionally, a simple Internet search, or even a trademark register search, conducted prior to registration would also have shown the Complainant's rights. This finding is also further supported by the Respondent's subsequent use of the disputed domain name for a commercial website prominently displaying the Complainant's MELNOR trademark, reproducing the Complainant's corporate history and product categories, and offering purported MELNOR-branded products for sale. In these circumstances, the Panel finds that the disputed domain name was registered 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 3.1, section 3.2.1.

As to use in bad faith, the Panel accepts that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's MELNOR trademark as to the source, sponsorship, affiliation, or endorsement of the website at the disputed domain name and the products offered on it. The Respondent's use of the disputed domain name to operate a website prominently displaying the Complainant's trademark, reproducing the Complainant's corporate history and product categories, and offering purported MELNOR-branded products for sale is a clear application of the bad faith circumstances set out by paragraph 4(b)(iv) of the Policy. The Panel further notes that the evidence includes a statement from the Complainant's Commercial Marketing Manager attesting to several instances of consumers who believed they had purchased products from the Complainant's official website but had instead placed orders through the website at the disputed domain name and did not receive the products. This uncontested statement further supports the finding that the Respondent intentionally sought to create a likelihood of confusion with the Complainant's trademark for commercial gain. Additionally, panels have consistently held that the use of a domain name for illegitimate activity, including impersonation or passing off, constitutes evidence of bad faith. See WIPO Overview 3.1, section 3.4.

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 name <melnorwatertimers.com> be transferred to the Complainant.

/Deanna Wong Wai Man/
Deanna Wong Wai Man
Sole Panelist
Date: July 8, 2026