

ADMINISTRATIVE PANEL DECISION

Jaden Smith v. Nguyen Van Duong
Case No. D2026-2306

1. The Parties

The Complainant is Jaden Smith, United States of America ("United States"), represented by Venable, LLP, United States.

The Respondent is Nguyen Van Duong, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <jadensmith.shop> is registered with TuringSign Inc. d/b/a Cosmotown (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 28, 2026. On May 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 2, 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 (Registrant Unknown / The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 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 amendment to the Complaint on June 3, 2026.

The Center verified that the Complaint together with the amendment to 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 June 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 7, 2026.

The Center appointed Dawn Osborne as the sole panelist in this matter on July 13, 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, a well known United States singer and actor, is the owner of the mark JADEN SMITH registered, inter alia, as United States trademark registration 4525547 registered on May 6, 2014 for entertainment services and United States trademark registration 4651440 registered on December 9, 2014 for sound recordings and digital media.

The disputed domain name, registered on May 16, 2025, has been used for a site featuring the Complainant's mark (including in its masthead) to sell unauthorised merchandise purporting to be related to the Complainant and claiming that the site was the official site of the Complainant.

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 is identical to the Complainant's mark for the purposes of the Policy, merely adding the generic Top-Level Domain ("gTLD") ".shop".

The Respondent is not commonly known by the disputed domain name and has no permission from the Complainant to use the Complainant's mark. The disputed domain name has been used for a website making prominent use of the Complainant's mark including in its masthead and images of the Complainant claiming to be the official site of the Complainant in order to sell unauthorised merchandise. This is deceptive and is not a bona fide offering of goods and services or a noncommercial legitimate fair use. The Respondent has no rights or legitimate interests in the disputed domain name.

The Respondent registered the disputed domain name to direct it to a site to confuse Internet users into believing the website, its merchandise and the disputed domain name are associated with the Complainant and its mark for commercial gain in full knowledge of the rights of the Complainant, thereby disrupting the Complainant's business. The disputed domain name has been registered and used 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 and a 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 which essentially consists of the Complainant's JADEN SMITH mark for the purposes of the Policy. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 Respondent is not commonly known by the disputed domain name (as made clear by the data registration details of the disputed domain name) and is not authorized by the Complainant.

The Respondent has used the disputed domain name for a site making prominent use of the Complainant's JADEN SMITH mark including in its masthead and claims to be the official store of the Complainant to sell merchandise that is not authorised by the Complainant. This is deceptive and is not a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Panels have held that the use of a domain name for illegal activity here, passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 is using the disputed domain name to claim to be an official store of the Complainant making prominent use of the Complainant's mark including in its masthead to sell unauthorised merchandise. The use of the Complainant's name and mark shows the Respondent is aware of the Complainant and his rights and business. The Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark, thereby disrupting his business.

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.

Panels have held that the use of a domain name for illegal activity, here passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 name <jadensmith.shop> be transferred to the Complainant.

/Dawn Osborne/

Dawn Osborne

Sole Panelist

Date: July 21, 2026