ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Sack Consulting Inc. v. 郑明理(zheng ming li), Asad Muradov, Veroni LLC
Case No. D2026-2343

1. The Parties

The Complainant is Sack Consulting Inc., United States of America ("United States"), represented by Nelson Mullins Riley & Scarborough LLP, United States.

The Respondents are 郑明理(zheng ming li), China ("Registrant A") and Asad Muradov, Veroni LLC, Georgia ("Registrant B").

2. The Domain Names and Registrars

The disputed domain name <happyresilia.shop> ("Domain Name A") is registered with DNSPod, Inc.; and the disputed domain name <resiliaoil.com> ("Domain Name B") is registered with CloudFlare, Inc. DNSPod, Inc. and CloudFlare, Inc. are hereinafter referred to as the "Registrars".

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on May 29, 2026 in relation to the Domain Names and two others. On June 1, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the four disputed domain names. On June 1, 2026, June 2, 2026 and June 3, 2026, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (DATA REDACTED and Redacted for Privacy) and contact information in the Complaint.

The Center sent an email communication to the Complainant on June 5, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint in English on June 5, 2026 in relation to three disputed domain names and withdrew the Complaint against one of the disputed domain names.

On June 5, 2026, the Center informed the parties in Chinese and English, that the language of the Registration Agreement for Domain Name A is Chinese. On June 5, 2026, the Complainant requested English to be the language of the proceeding. The Respondents did not submit any comment on the Complainant's submission.

On June 8, 2026, the Complainant requested that the proceeding be suspended pending possible settlement discussions following the receipt of an informal email from the registrant of the concerned domain name. On July 15, 2026, the Center confirmed that following settlement with the registrant, the proceeding was dismissed in relation to that registrant. On July 15, 2026, the Complainant filed a second amended Complaint in relation to the above two Domain Names.

The Center verified that the Complaint together with the amended Complaints 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 Respondents in Chinese and English of the Complaint, and the proceedings commenced on July 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 2, 2026. The Respondents sent email communications to the Center on July 16, 2026. On July 16, the Complainant requested that the proceeding be suspended again pending possible settlement discussions following the receipt of an informal email from one of the Respondents. The proceeding was reinstituted on August 13, 2026, following the Complainant's request.

The Center appointed Karen Fong as the sole panelist in this matter on September 9, 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 is an online health and nutritional supplements company founded in September 2024. One of its products is an oil of oregano supplement under the Brand RESILIA. The RESILIA supplements may be purchased online at the Complainant's principal website at "www.resilia.shop".

Since launch, the Complainant has marketed and advertised the RESILIA supplements on social media platforms such as Tik Tok, Instagram, YouTube and Facebook. The Complainant asserts that it has spent USD 2.8 million on marketing and advertising since launch and has been averaging USD 4.5 million in sales revenue per month.

The Complainant owns the following two trade marks:

- United States Trade Mark Registration No. 8398331 for RESILIA filed on September 19, 2025 and registered on August 18, 2026; and
- United States Trade Mark Registration No.8398689 for RESILIA OIL OF OREGANO filed on October 30, 2025 and registered on August 18, 2026.

(individually and collectively the "Trade Mark").

Registrant A registered Domain Name A on May 1, 2026 and Registrant B registered the Domain Name B on November 15, 2025. The Domain Names resolve to websites which display the Trade Mark prominently and purport to offer for sale the Complainant's RESILIA products (the "Websites").

The Complainant asserts that it submitted a website take down request to the webhost of Domain Name B on or around April 24, 2026, and the Website was taken down. Shortly thereafter on May 1, 2026, Domain Name A was registered.

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 Domain Names.

Notably, the Complainant contends that the Domain Names are confusingly similar to the Trade Mark in which it has rights, that the Respondents have no rights or legitimate interests with respect to the Domain Names, and that the Domain Names were registered and are being used in bad faith. The Complainant requests transfer of the Domain Names.

B. Respondents

The Respondents did not formally reply to the Complainant's contentions. Registrant A sent an email to the Center asserting that it failed to check trade mark regulations prior to registration. It further asserted that the Domain Name A "remains unused" with no active or commercial operation and would do the necessary to relinquish the Domain Name. Registrant B sent an email to the Center asserting that it did not own or control Domain Name B and has no domain name to transfer.

6. Discussion and Findings

6.1. Preliminary Issues

A. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the Domain Name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple Domain Name registrants pursuant to paragraph 10(e) of the Rules.

The Domain Name registrants did not formally comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the Panel notes the following:

(1) Both the Domain Names comprise the Trade Mark as part of the Domain Names;

(2) Both Domain Names resolve to "imposter" Websites bearing the Trade Mark and which purport to offer for sale and sell the Complainant's RESILIA products;

(3) The timing of the takedown request in relation to Domain Name B and the timing of the subsequent registration of Domain Name A as described in paragraph 4 above suggest a link between the two Domain Names; and

(4) The Respondents failed to file formal responses. The email responses filed – there having been no active website connected to Domain Name A and Registrant B having no domain name to transfer are not true according to the evidence file.

The evidence submitted points to the fact that all the Domain Names are subject of common control by the Respondents. The above pattern evidences common conduct based on the registration and use of the Domain Names and that such conduct interferes with the Trade Mark. The Respondents had the opportunity but did not settle the proceeding. As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different Domain Name registrants (referred to below as "the Respondent") in a single proceeding.

B. Language of the Proceeding

The language of the Registration Agreement for Domain Name A 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 was filed in English. The Complainant requested that the language of the proceeding be English for the following reasons:

- The Domain Names are in the Latin/English alphabet;
- The Websites are in English indicating familiarity with the English Language; and
- The Complainant is a United States based corporation and is not familiar with Chinese. Having to translate the Complaint into Chinese will put an unnecessary burden on the Complainant in terms of expense and delay.

The Respondent has not challenged the Complainant's language request and the informal responses filed were 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 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 confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trade mark and the disputed domain names. WIPO Overview 3.1, section 1.7.

Based on the available record, the Panel finds 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 Panel finds the entirety of the Trade Mark is reproduced within the Domain Names. Accordingly, the Domain Names are 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 "happy" before the Trade Mark may bear on assessment of the second and third elements, the Panel finds the addition of this word does not prevent a finding of confusing similarity between the Domain Names 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 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 Domain Names such as those enumerated in the Policy or otherwise.

Based on the available record, 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.

Registrant B registered Domain Name B on November 15, 2025, and Registrant A registered Domain Name A on May 1, 2026. Both Domain Names resolve to "imposter" Websites which prominently display the Trade Mark and purport to offer for sale the Complainant's RESILIA products.

Section 3.2.2 of the WIPO Overview 3.1 provides that:

"Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent's claim not to have been aware of the complainant's mark."

In the present case, the Panel need not rely on any inference that the Respondent should have known of the Trade Mark. Although bad faith registration is assessed as at the date each Domain Name was registered, the subsequent use of a domain name may shed light on the Respondent's knowledge and intent at the time of registration. The Websites reproduce the Trade Mark and purport to sell the Complainant's own RESILIA products. They could not have been created by a party unaware of the Complainant. The Panel therefore finds that the Respondent had actual knowledge of the Complainant and its Trade Mark when it registered the Domain Names, and it registered the Domain Names in order to target the Complainant.

The Domain Names were registered after the filing date of the application for the Trade Mark and after the Complainant had commenced use of it. In any event, the Respondent's conduct demonstrates that it targeted the Complainant's rights (WIPO Overview 3.1, section 3.8.2).

Finally, as noted in section 3.2.1 of the WIPO Overview 3.1, a clear absence of rights or legitimate interests, coupled with no credible explanation for the respondent's choice of domain name, is a further indicator of bad faith.

Accordingly, the Panel finds that the Domain Names were registered in bad faith.

The Domain Names are also being used in bad faith. The unauthorised use of the Complainant's Trade Mark and offer for sale of the Complainant's products on the Websites without authorisation are calculated to mislead Internet users to believe its affiliation with the Complainant.

The content of the Websites was calculated to give the impression they have been authorised by or connected to the Complainant when this is not the case. These Websites were set up to deliberately mislead Internet users that they are connected to, authorised by, or affiliated with the Complainant. The Respondent employed the fame of the Trade Mark to mislead Internet users into visiting the Websites instead of the Complainant's particularly as the Websites do not have any information as to the relationship with the Complainant. From the above, the Panel concludes that the Respondent has intentionally attempted to attract, for commercial gain, by misleading Internet users into believing that the Websites and the products purportedly offered for sale and sold on them are those of or authorised or endorsed by the Complainant.

It is highly likely that Internet users, when typing the Domain Names into their browser or finding them through a search engine, would have been looking for a site operated by the Complainant rather than the Respondent. The Domain Names are likely to confuse Internet users trying to find the Complainant's official website. Such confusion will inevitably result due to the fact that all the Domain Names comprise the Trade Mark as the dominant element of the Trade Mark.

The Panel therefore also concludes that the Domain Names were registered and are being used in bad faith under paragraph 4(b)(iv) of the Policy.

Based on the available record, the Panel finds 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 names <happyresilia.shop>, and <resiliaoil.com> be transferred to the Complainant.

/Karen Fong/
Karen Fong
Sole Panelist
Date: September 23, 2026