ADMINISTRATIVE PANEL DECISION

GNC Holdings, LLC v. jian tongjuan and nina zhang
Case No. D2026-2366

1. The Parties

The Complainant is GNC Holdings, LLC, United States of America ("United States" or "U.S."), represented by The Webb Law Firm, United States.

The Respondents are jian tongjuan, China, and nina zhang, China.

2. The Domain Names and Registrars

The disputed domain name <beyondrawco.com> is registered with Realtime Register B.V.

The disputed domain name <thebeyondraw.com> is registered with Dynadot Inc (collectively, the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 1, 2026. On June 2, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On 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 Respondent (Redacted for Privacy / Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 4, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file a separate complaint for the disputed domain name associated with a different underlying registrant 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 on June 9, 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 Respondents of the Complaint, and the proceedings commenced on June 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 30, 2026. The Respondents did not submit any response.

Accordingly, the Center notified the Respondents' default on July 1, 2026.

The Center appointed Daniel Kraus as the sole panelist in this matter on July 3, 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

The Complainant is a Delaware-registered business corporation headquartered in Pittsburgh, Pennsylvania, United States. The Complainant is one of the largest global specialty retailers of dietary and nutritional products, including vitamins, minerals, herbal and other specialty supplements, sports nutrition, diet, and energy products in both oral and topical forms. The Complainant has operated in the health and nutrition space for over fifty years and markets products both through physical retail locations and online channels worldwide under a portfolio of trademarks, including the BEYOND RAW family of marks.

The Complainant's Trademark Rights

The Complainant own numerous registered trademark rights in the mark BEYOND RAW across multiple jurisdictions. For the purposes of this Decision, the Panel notes in particular the following representative registrations:

- BEYOND RAW, United States, Registration No. 3,946,340, registered April 12, 2011 (application filed August 10, 2010), covering dietary and nutritional supplement products;
- BEYOND RAW, Canada, Registration No. TMA831,459, registered September 7, 2012;
- BEYOND RAW, European Union, Registration No. 010326131, registered March 1, 2012;
- BEYOND RAW and Design, China, Registration No. 13661812, registered on September 7, 2015; and
- GNC BEYOND RAW, China, Registration No. 72529093, registered on December 14, 2023.

The Complainant additionally holds registrations for BEYOND RAW in Mexico (Nos. 1240970, registered September 30, 2011 and 1223259, registered June 20, 2011), Australia (No. 1408026, registered February 8, 2011), and Hong Kong, China (No. 301827964), and further Chinese registration for BEYOND RAW LIT (No. 52337088). Copies of these registrations and renewal certificates were submitted as Annexes 5–15 to the Complaint. All marks are owned by the Complainant. The Complainant has been using the mark BEYOND RAW commercially since at least 2010 in the United States and international markets.

Other Relevant Background

The Complainant operates its official BEYOND RAW product lines through its website at "www.gnc.com". On April 27, 2026, the Complainant sent a cease and desist letter to the registrant of <thebeyondraw.com> identifying its trademark registrations and demanding cessation of infringing activity.

The Disputed Domain Names

The disputed domain name <thebeyondraw.com> was registered on October 10, 2025, by the registrant identified by Dynadot Inc. as nina zhang, with an address in Hebei Province, China.

The disputed domain name <beyondrawco.com> was registered on May 4, 2026, that is, one week after receipt of the Complainant's cease and desist letter, by the registrant identified by Realtime Register B.V. as jian tongjuan, with an address in Hubei Province, China.

Although the disputed domain name <beyondrawco.com> was registered through Realtime Register B.V., Dynadot Inc. is listed as the reseller on that registration.

The Panel attempted to access the domain name <thebeyondraw.com> pursuant to its general powers articulated inter alia in paragraphs 10 and 12 of the Rules. That domain name currently redirects to the disputed domain name <beyondrawco.com>. Both domain names thus resolve to the same destination website.

Prior to this redirect, the domain name <thebeyondraw.com> operated an independent website which prominently displayed the registered symbol "®" alongside the BEYOND RAW mark and described Beyond Raw products in the first person as the operator's own products. The website reproduced product images and verbatim advertising materials copied from the Complainant's official GNC website.

The website at the domain name <beyondrawco.com> presents itself as an official Beyond Raw brand website. It includes a "The GNC Science Advantage" section stating "Beyond Raw was built from inside GNC's sports nutrition division," acknowledging GNC as the origin of Beyond Raw products. Notably, the links on the website at the domain name <beyondrawco.com> direct users to purchase Beyond Raw-branded products through authorized third-party retail channels including Amazon.com, Walmart.com, and GNC.com. The site features Beyond Raw branding, product listings, consumer reviews, and marketing language, and displays the copyright notice "© 2024 Beyond Raw. All rights reserved."

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the three elements required under the Policy for a transfer of the disputed domain names.

On the first element, the Complainant submits that both disputed domain names incorporate the entirety of its BEYOND RAW registered trademark as the dominant feature. The addition of the definite article "the" as a prefix in the domain name <thebeyondraw.com> and the abbreviation "co" as a suffix in the domain name <beyondrawco.com> do not prevent a finding of confusing similarity.

On the second element, the Complainant contends that neither Respondent has been authorized to use the BEYOND RAW mark, that neither is commonly known by the disputed domain name, and that neither is making a bona fide or legitimate use of the domain names. Instead, the Respondents are impersonating the Complainant's brand and passing themselves off as the authorized source of BEYOND RAW products.

On the third element, the Complainant submits that the Respondents had actual knowledge of the BEYOND RAW mark when registering the disputed domain names, as evidenced by the use of the registered trademark symbol "®" alongside the mark on the previous website associated with the disputed domain name <thebeyondraw.com> and the verbatim reproduction of GNC's product descriptions and images. The Complainant further contends that the registration of the disputed domain name <beyondrawco.com> following receipt of the cease and desist letter, combined with the subsequent redirection of the disputed domain name <thebeyondraw.com> to the domain name <beyondrawco.com>, evidences a pattern of coordinated bad faith conduct.

On consolidation, the Complainant requests that the Panel consolidate the disputes regarding two disputed domain names against the nominally separate registrants on the grounds that both domain names are under common control, citing: (i) the redirect relationship between the two domain names; (ii) the shared registration infrastructure; (iii) the similar pattern of China-based registrants using disposable Outlook email addresses with randomized handles; (iv) the coordinated naming scheme targeting the same trademark; and (v) the temporal sequence linking registration of the second domain name to receipt of the cease and desist letter addressed to the first domain name owner.

B. Respondents

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

6. Discussion and Findings

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 disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not 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 disputed 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 is persuaded by the following cumulative factors:

First and most compelling, the domain name <thebeyondraw.com> currently redirects to the domain name <beyondrawco.com>. The Panel agrees with the approach taken in *On AG, On Clouds GmbH v. Web Commerce Communications Limited et al.*, WIPO Case No. D2021-2263, and *Eli Lilly and Company v. Candie Deloach et al.*, WIPO Case No. D2026-0843, that redirect relationships between disputed domain names are a particularly probative indicator of common control.

Second, both disputed domain names were registered through the same underlying registration channel. While the domain name <thebeyondraw.com> lists Dynadot Inc. as registrar and <beyondrawco.com> lists Realtime Register B.V. as the registrar of record, Dynadot Inc. appears as the reseller on the <beyondrawco.com> registration. At the functional level, both domain names were procured through the Dynadot infrastructure. Shared registrar or registration channel is an expressly recognized indicator that could suggest common control under WIPO Overview 3.1, section 4.11.2.

Third, the registrant contact information for both domain names follows a strikingly similar pattern. Both registrants are located in China and provide Chinese mobile numbers under the "+86" country code. Both use email addresses composed of randomly generated, non-identifiable alphanumeric strings which are characteristic of disposable accounts used to obscure identity in bad-faith coordinated registrations.

Fourth, both disputed domain names target the BEYOND RAW trademark in a complementary naming scheme, one appending the suffix "co" (<beyondrawco.com>) and the other prepending the article "the" (<thebeyondraw.com>) and both were operated with substantively similar content impersonating the Complainant's brand.

Fifth is the temporal sequence of events. The Complainant sent a cease and desist letter to the registrant of the domain name <thebeyondraw.com> on April 27, 2026. The second domain name, <beyondrawco.com>, was registered exactly one week later, on May 4, 2026. Immediately thereafter, the website at the domain name <thebeyondraw.com> was taken down and the domain name reconfigured to redirect traffic to <beyondrawco.com>. This precise sequence, receipt of a cease and desist letter targeting the first domain name, registration of a new infringing domain name, and modification of the first domain name to redirect to the second, could only have been orchestrated by a single entity with simultaneous administrative access to both domain name registration and is a strong indicator that both domain names are under common control. See *The Gap Inc., et al. v. Shoaib Ahmad, et al.*, WIPO Case No. D2022-3201.

The Panel therefore finds that the disputed domain names are under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. Both nominally identified registrants were provided with notice of these proceedings at all known contact addresses, including by postal mail, and both were afforded the opportunity to respond. Consolidation serves the interest of procedural efficiency and avoids inconsistent outcomes with respect to what is plainly a single coordinated course of conduct directed at a single complainant and a single trademark.

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

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 Complainant holds numerous registered trademark rights in the mark BEYOND RAW across multiple jurisdictions, including in particular U.S., Canada, the European Union, Mexico, Australia, and China. These rights predate the registration of both disputed domain names by many years.

The Panel finds the BEYOND RAW mark is clearly and fully recognizable within both disputed domain names. The domain name <thebeyondraw.com> incorporates the entirety of the BEYOND RAW mark, merely prepending the definite article "the." The domain name <beyondrawco.com> incorporates the entirety of the BEYOND RAW mark, appending the common abbreviation "co". Accordingly, the disputed domain names are 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, "the" and "co", may bear on the 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 names and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8. The Complainant correctly cites *The Gap, Inc., Gap (Apparel), LLC, Gap (ITM) Inc. v. Domain Whois Privacy Service / Carole Posey*, WIPO Case No. D2018-1967, as illustrative case for this principle. The generic Top-Level Domain ".com" is disregarded as a standard technical registration requirement. WIPO Overview 3.1, section 1.11.

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 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 disputed domain names such as those enumerated in the Policy or otherwise.

None of the three illustrative safe harbor circumstances enumerated in paragraph 4(c) of the Policy are available to the Respondent here. The Respondent has not been authorized by the Complainant to use the BEYOND RAW mark in any capacity. There is no evidence that the Respondent has ever been commonly known by the disputed domain names or by any name corresponding to BEYOND RAW. There is no indication of legitimate noncommercial or fair use: to the contrary, the websites associated with the disputed domain names were operated for apparent commercial purposes, either directly passing off as the source of BEYOND RAW-branded products or directing consumers to purchasing channels (Amazon, Walmart, GNC) from which the Respondent may derive affiliate or commercial benefit.

Panels have held that the use of a domain name for passing off can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1. The Respondent's prior website at the domain name <thebeyondraw.com> — which reproduced the Complainant's product images and advertising materials verbatim, used first-person language to present Beyond Raw products as the Respondent's own, and displayed the registered trademark symbol alongside the BEYOND RAW mark constitutes a paradigmatic example of passing off. The current website at the domain name <beyondrawco.com>, which presents itself as an official BEYOND RAW product portal while acknowledging the Complainant as the underlying source, perpetuates the same misrepresentation and equally cannot provide a basis for any rights or legitimate interests.

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 finds that the Respondent's conduct falls within paragraph 4(b)(iv) of the Policy, which provides that bad faith is evidenced by circumstances showing that the Respondent "intentionally attempted to attract, for commercial gain, Internet users to [its] web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [its] web site or location or of a product or service on [its] web site or location." The disputed domain names reproduce the BEYOND RAW mark in full, and the associated websites presented themselves, whether through direct first-person impersonation or through implicit affiliation with the Complainant's GNC brand, as official or authorized sources of BEYOND RAW products, thereby creating a manifest likelihood of confusion.

The Panel further observes the following circumstances:

First, the Respondent registered the domain name <thebeyondraw.com> in October 2025, more than fourteen years after the Complainant's U.S. registration for BEYOND RAW and during which time the Complainant had developed substantial commercial use of the mark. The previous website at the domain name <thebeyondraw.com> displayed the "®" symbol alongside the BEYOND RAW mark, unambiguously demonstrating actual knowledge of the Complainant's registered rights at the time of registration. A registrant who knowingly incorporates another's registered trademark into a domain name and then uses the "®" symbol on the corresponding website cannot credibly claim innocent registration. This constitutes compelling evidence of bad faith registration. WIPO Overview 3.1, section 3.2.2. Further, registration of a well-known mark as a domain name can by itself create a presumption of bad faith.

Second, the Respondent engaged in the systematic reproduction of the Complainant's website content, including product photographs and verbatim advertising copy from the Complainant's "www. gnc.com" website. This deliberate appropriation of the Complainant's intellectual property in the circumstances of this case reinforces the finding of bad faith under paragraph 4(b)(iv) of the Policy.

Third, and of particular significance, the registration of the domain name <beyondrawco.com> on May 4, 2026, one week after receiving the Complainant's cease and desist letter of April 27, 2026, followed by the immediate reconfiguration of the domain name <thebeyondraw.com> to redirect traffic to the newly registered domain name, demonstrates not only that the Respondent was fully aware of the Complainant's rights at the time of registering the second domain name, but also that it deliberately sought to evade enforcement action rather than comply with its legal obligations. This sequence of conduct is itself emblematic of bad faith and constitutes conduct potentially falling within paragraph 4(b)(iii) of the Policy insofar as it disrupts the Complainant's business. See *The Gap Inc., et al. v. Shoaib Ahmad, et al.*, WIPO Case No. D2022-3201.

Fourth, the current website at the domain name <beyondrawco.com> presents itself as an official BEYOND RAW brand resource, bearing the copyright notice "© 2024 Beyond Raw. All rights reserved." and directing consumers to third-party retailers. The Respondent does so without any authorization from the Complainant, exploiting the Complainant's trademark, brand identity, and goodwill for apparent commercial gain.

Panels have held that the use of a domain name for 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 names 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 names <beyondrawco.com> and <thebeyondraw.com> be transferred to the Complainant.

/Daniel Kraus/
Daniel Kraus
Sole Panelist
Date: July 20, 2026