ADMINISTRATIVE PANEL DECISION

Raya App, Inc. v. Raymond Cheung Cheung, Ray AI
Case No. D2026-2398

1. The Parties

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

The Respondent is Raymond Cheung Cheung, Ray AI, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <rayapp.net> is registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 2, 2026. On June 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 3, 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 (UNKNOWN) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 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 June 19, 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 Respondent of the Complaint, and the proceedings commenced on June 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 17, 2026.

The Center appointed Jeremy Speres as the sole panelist in this matter on July 21, 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 has, since 2015, operated a private, membership-based, social network application under the RAYA mark. The Complainant's mark has been recognized as being well known by a prior panel in a case decided under the Policy. See *Raya App, LLC v. Sebastiano Rindi*, WIPO Case No. D2025-2384.

The Complainant owns United States Trademark Registration No. 4888928 RAYA in classes 9, and 45, having a registration date of January 19, 2016, and a use in commerce date of February 25, 2015.

The Complainant operates its main website from its domain name <rayatheapp.com> (registered in 2014) and also uses the domain name <rayaapp.com> (registered in 2017).

The disputed domain name was registered on March 13, 2026, and currently resolves to a website featuring the following text: "rayapp.net – We're under construction. Please check back for an update soon."

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 Respondent registered and is using the disputed domain name in bad faith because it deliberately adopted a typosquatted variation of the Complainant's well-known RAYA mark to create initial interest confusion and exploit the Complainant's reputation.

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 or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark is recognizable 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.

Here, the disputed domain name incorporates the entirety of the RAYA mark. To the extent that the disputed domain name might be read as a combination of "ray" and "app", a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by UDRP panels to be confusingly similar to the relevant mark for purposes of the first element. WIPO Overview 3.1, section 1.9.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

In light of the Panel's findings in relation to third element, there is no need to consider the second element.

C. Registered and Used in Bad Faith

The Panel notes that the disputed domain name is composed of the common terms "ray" and "app". The Panel also notes from the WhoIs record for the disputed domain name that the Respondent's organization is listed as "Ray AI", and the Respondent is listed as "Raymond Cheung Cheung", with "Ray" being a common abbreviation of "Raymond".

It is therefore at least plausible that the Respondent may have intended the disputed domain name to be used for an Artificial Intelligence ("AI") application named "Ray AI", inspired by his personal name "Raymond", without any intention to target the Complainant. Importantly, the Panel acknowledges that the information in the WhoIs record is not determinative of this point, and the Panel does not treat these WhoIs details as establishing that the Respondent possesses rights or legitimate interests. The Panel also notes that the Respondent's address is incomplete and that WhoIs records are easily fabricated. The Panel thus recognizes that the WhoIs record alone does not, without more, mean that the Respondent did in fact have such a non-abusive intention in mind. It does, however, point to one possible, non-abusive use case for the disputed domain name, which must be factored into the Panel's assessment of the likelihood of bad faith and weighed into the balance of probabilities assessment.

The Panel has independently[1] conducted Internet searches for the second-level portion of the disputed domain name – "rayapp". The results concern many different, third-party "Ray" applications. The Complainant's RAYA offering only appears some way down the results list and is overshadowed by the many other "Ray" applications apparently on offer, including some involving artificial intelligence. This shows that there are many other "Ray" applications that might, without any cybersquatting intent, desire to use the disputed domain name for some legitimate purpose, and it highlights that the disputed domain name is capable of non-abusive usage.

The Panel has considered the Internet Archive entries for the disputed domain name. It appears that the disputed domain name has, at various times, itself been used for businesses trading as "Ray App" in industries unrelated to the Complainant, including ones targeted at Chinese users. This directly illustrates that the disputed domain name is capable of use that does not abuse the Complainant's rights.

The Complainant has not presented any direct evidence of bad faith usage of the disputed domain name. Outside of the disputed domain name itself, there is no evidence of any attempt at impersonation, no phishing or other malicious usage, and the Respondent does not, as far as the Panel can tell from a basic search of UDRP cases, have any history of cybersquatting. In this regard, the Complainant makes much of the fact that Mail Exchange ("MX") records have been configured for the disputed domain name. However, MX records, on their own and without more, do not evidence bad faith, merely that the disputed domain name has been configured to receive and send email. The Panel has independently checked the publicly available records of numerous, prominent security vendors and found that none of them have flagged the disputed domain name for phishing or any other malicious activity, which points away from the Complainant's suggestion of malicious use.

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[1] In accordance with its powers articulated inter alia in paragraphs 10 and 12 of the Rules, the Panel is entitled to conduct limited independent research into matters of public record. WIPO Overview 3.1, section 4.8.

Yes, the disputed domain name is very similar to the Complainant's own domain name <rayaapp.com>. However, the question under the third element is not whether the disputed domain name is close to the Complainant's mark (although that can, in the right circumstances, support an inference of targeting), but rather whether that proximity establishes, on the balance of probabilities, that the Respondent targeted the Complainant. In the absence of any other evidence of bad faith apart from the similarities between domain name and mark, and in the face of the evidence showing that the disputed domain name is capable of non-abusive usage by numerous other parties, it is at least equally likely that the Respondent registered the disputed domain name for a non-abusive purpose as for an abusive one.

Consider what the circumstances would look like if it is accepted, purely for the sake of argument, that the Respondent did in fact register the disputed domain name in good faith with some unrelated, non-abusive "Ray" application in mind, but had not gotten around to using the disputed domain name yet, which is not an altogether unrealistic scenario given the relatively recent registration date. It seems likely to the Panel that the circumstances in that *arguendo* scenario would look no different to those presently pertaining in the record, thus supporting the Panel's conclusion of at least equal probabilities. As the onus is on the Complainant to prove its case on balance of probabilities, the Panel finds that there is insufficient evidence of bad faith targeting of the Complainant.

Given the (as yet unsupported) possibility that the disputed domain name was intended for typosquatting on the Complainant's mark, the Panel considers that should new material evidence come to light in future that is reasonably unavailable to the Complainant at the time of the present proceeding demonstrating that the disputed domain name is targeting or has targeted the Complainant, it may be possible for the Complainant to refile the Complaint, subject to the usual considerations on refiling. WIPO Overview 3.1, section 4.18.

The Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Jeremy Speres/
Jeremy Speres
Sole Panelist
Date: July 27, 2026