

ADMINISTRATIVE PANEL DECISION

NOOUS, SAS v. Wai Lok Chan (aka Dennis Chan), AhLok.com
Case No. D2026-2775

1. The Parties

The Complainant is NOOUS, SAS, France, represented by Morvilliers Sentenac & Associés, France.

The Respondent is Wai Lok Chan (aka Dennis Chan), AhLok.com, Hong Kong, China, self-represented.

2. The Domain Name and Registrar

The disputed domain name <noous.com> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed in French with the WIPO Arbitration and Mediation Center (the “Center”) on June 25, 2026. On June 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Titulaire Inconnu) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 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 amended Complaints in English on July 2 and 7, 2026, and a further amended Complaint on July 20, 2026, in which the Complainant agreed that the language of the proceeding would be English.

The Center verified that the Complaint together with the amended Complaints and the further 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 July 23, 2026. In accordance with the Rules, paragraph 5(a), the original due date for Response was August 12, 2026. In accordance with the Rules, paragraph 5(b), the due date for Response was extended to August 16, 2026, at the request of the Respondent. The Response was filed in English with the Center on August 14, 2026.

The Center appointed Matthew Kennedy as the sole panelist in this matter on August 26, 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.

On September 4, 2026, the Complainant made an unsolicited supplemental filing. On September 5, 2026, the Respondent made an unsolicited supplemental filing.

4. Factual Background

The Complainant is a French human resources consulting company. It was formerly named “3 X Consultants” but adopted its current company name “NOOUS” in January 2020. The Complainant holds French trademark registration number 5161212 for NOOUS, registered on October 24, 2025 (application filed July 3, 2025), specifying services in classes 35, 41 and 42. The Complainant has also registered the domain name <noous.co> that it has used since at least March 3, 2020, in connection with a website in French and English where it provides information about itself and its services. The Complainant has registered other domain names, including <noous.net> and <noous.org>, which do not appear to resolve to any active website. According to evidence presented by the Complainant, the top result of a Google search for “noous”, conducted in 2026, relates to itself.

The Respondent is identified as an individual based in Hong Kong, China, and a domain name.

The disputed domain name was created on January 11, 2009. According to archived screenshots presented in evidence, the disputed domain name was used from 2009 in the subdomain <bbs.noous.com> in connection with a bulletin board in Chinese titled “Noous 討論區” (meaning “Noous Discussion Forum”) that covered topics including computer hardware and software. From as early as 2014, the disputed domain name resolved to a website in Chinese regarding the creation of a database using Oracle software and observation of memory using a Linux tool. Since at least 2023, the disputed domain name has resolved to a blank page or a connection timeout error message. It is configured for use with email, although the timing of that configuration is contested.

The Complainant sent a cease-and-desist letter to the Registrar regarding the disputed domain name on May 20, 2026, and seeking the name and contact information of the Respondent.

5. Parties’ Contentions

A. Complainant

The Complainant requests that the Panel order a transfer of the disputed domain name.

The Complainant contends that the disputed domain name is identical to its NOOUS trademark, its company name, and its domain names. Even if the disputed domain name resolved in 2014 to a site in an Asian country dealing with Oracle software, it now resolves to a blank page or an error message. People seeking the services of the Complainant may be directed to the disputed domain name without realizing that it is not the Complainant’s site. Confusion with the Complainant’s services is reinforced by the fact that the Complainant’s own domain name is <noous.co>. Emails have been wrongly addressed to the disputed domain name and prospects have told the Complainant that they have searched for the Complainant at the disputed domain name or that there has been a loss of misdirected contacts.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent does not have a trademark, company name, or trade name corresponding to “noous”, which is not a common term. The Respondent does not prove any usefulness or legitimate interest in the “Noous” name.

The disputed domain name has been registered and is being used in bad faith. The fact that the Respondent hides behind anonymity alone demonstrates bad faith. The disputed domain name has not been used for years and its mere retention is intended to prevent the Complainant from reflecting its trademark in a corresponding domain name, in the popular and neutral extension “.com”. The fact that the Complainant uses an identity anonymization service, combined with the fact that the disputed domain name has not been effectively exploited for many years and the impossibility for the Complainant to contact the registrant despite its efforts, constitute a set of factors revealing the bad faith surrounding the maintenance of this registration. Obviously, the Respondent continues to renew the disputed domain name solely to prevent the Complainant from holding this strategic domain name. People who visit the website associated with the disputed domain name looking for the Complainant may have the impression that the Complainant has a problem with its website, which harms its brand and image.

In its supplemental filing, the Complainant submits that the MX records for the disputed domain name are dated August 13, 2026. A technical check dated July 25, 2025, found no MX record. Therefore, the material shows no substantiated website or email activity for more than a decade after March 2014. On the evidence supplied in the Response, it is a post-notification reconfiguration consistent with a measure undertaken to create the appearance of current use for the purpose of this proceeding. The technical chronology supports the conclusion that this evidence cannot establish use, or demonstrable preparations to use, the disputed domain name before notice of this dispute, within the terms of paragraph 4(c)(i) of the Policy. This conclusion concerns the credibility and purpose of the asserted 2026 email use. The technical evidence does not, by itself, establish the intent accompanying the registration of the disputed domain name in 2009, which is a separate legal and factual question.

B. Respondent

The Respondent requests that the Panel deny the remedy requested in the Complaint and make a finding of Reverse Domain Name Hijacking.

While the Respondent acknowledges that the disputed domain name corresponds to the Complainant's NOOUS trademark, it submits that the Complainant had no rights whatsoever when the Respondent registered the disputed domain name in 2009.

The Complainant has failed to establish that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent registered the disputed domain name to develop an independent noncommercial discussion forum project. The term “noous” was selected as an invented/dictionary-adjacent term intended to serve as a brandable name for this community platform. It is derived from the English word “nous” (meaning “common sense” or “mind”), with an extra “o” because the dictionary term was taken and to facilitate a specific symmetrical logo design. The Respondent has used an original logo for the “noous forum” since 2009, nearly 11 years before the Complainant adopted the name “Noous”. The Respondent's website transitioned in 2013 into a personal blog for sharing IT technical knowledge and in 2014 it hosted tutorials regarding Oracle software and Linux. The Respondent now uses the disputed domain name for email communications and various Google Workspace services, which is entirely noncommercial and fair.

The Complainant has failed to establish that the disputed domain name was registered and is being used in bad faith. Bad faith registration is chronologically impossible. The Respondent could not have targeted, known of, or acted in bad faith against an entity or trademark that did not exist until 11 years after the disputed domain name was registered. None of the bad faith factors in paragraph 4(b) of the Policy is present. Inactivity does not demonstrate bad faith in this case as the disputed domain name was acquired in good faith in 2009. The error message is a technical issue caused by hosting resource limitations; it is not passive holding in bad faith as the disputed domain name remains used for email and Google Workspace. Using standard privacy services provided by the Registrar is a common practice to protect personal data and is not evidence of bad faith.

The Respondent requests that the Panel make a finding of Reverse Domain Name Hijacking against the Complainant. The Complainant knew or should have known of the defect in its Complaint. The Complainant ignored well-established UDRP precedent. The Complainant is using the UDRP as a harassment tool.

In its supplemental filing, the Respondent submits that the change in its passive-DNS log on August 13, 2026, was not the creation of a new email service but rather an update to ensure optimal mail delivery and technical compliance with Google's recommended configuration. The Respondent submits unedited screenshots of standard email headers and message metadata from 2013, 2017, and July 2, 2026. Most importantly, the core legal timeline remains unanswered, as bad faith registration cannot exist retroactively where the disputed domain name registration in 2009 predates the Complainant's incorporation and trademark rights by over a decade.

6. Discussion and Findings

6.1. Procedural Issue: Unsolicited Supplemental Filings

The Complainant made an unsolicited supplemental filing on September 4, 2026, three weeks after the filing of the Response and nine days after the appointment of the Panel. The Respondent made an unsolicited supplemental filing in reply on September 5, 2026.

Paragraph 10(a) of the Rules provides that "[t]he Panel shall conduct the administrative proceeding in such manner as it considers appropriate in accordance with the Policy and these Rules". Paragraph 10(b) of the Rules provides that "[i]n all cases, the Panel shall ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case". Although paragraph 12 of the Rules empowers the Panel, in its sole discretion, to request further statements or documents from either of the Parties, this does not preclude the Panel from accepting unsolicited filings.

In the present case, the Complainant's unsolicited supplemental filing is a technical note prepared by its IT department. It addresses the Respondent's statement that the disputed domain name is used for email and Google Workspace services, based on a Google Admin screenshot annexed to the Response. It explains what the Complainant believes that screenshot and the passive-DNS material supplied to the Complainant's IT Department do, and do not, establish.

The Panel notes that the Google Admin screenshot was not reasonably anticipated in the Complaint. The supplemental filing is relatively brief and its acceptance will not unduly delay the proceeding. The Respondent has already taken the opportunity to reply to it.

Therefore, the Panel exercises its discretion to accept the Parties' respective supplemental filings and will take them into account according to their relevance, materiality and weight.

6.2. Substantive Issues

Paragraph 4(a) of the Policy provides that the Complainant must prove each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The burden of proof of each element is borne by the Complainant. Failure to demonstrate any one element will result in denial of the Complaint.

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. See 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 NOOUS trademark for the purposes of the Policy. Given the global nature of the Internet and the Domain Name System, the jurisdiction in which the Complainant's trademark rights arise is not considered relevant to the first element of the Policy. The services in respect of which the trademark is registered, and the date of its registration, are not considered relevant to the first element of the Policy either. See [WIPO Overview 3.1](#), sections 1.1.2 and 1.2.1.

The entirety of the NOOUS mark is reproduced within the disputed domain name. The only additional element in the disputed domain name is a generic Top-Level Domain ("gTLD") extension (".com") which, as a standard requirement of domain name registration, may be disregarded in the assessment of identity or confusing similarity for the purposes of the Policy. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. See [WIPO Overview 3.1](#), sections 1.7 and 1.11.1.

Therefore, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Given the Panel's findings in Section 6.C below regarding the third element of the Policy, it is unnecessary to consider the second element.

C. Registered and Used in Bad Faith

The Panel notes that the third element of paragraph 4(a) of the Policy contains two requirements that apply conjunctively. A complainant must show both that the disputed domain name has been registered in bad faith and also that it is being used in bad faith. The former requires a demonstration that the Respondent knew, or should have known of the Complainant and/or the Complainant's trademark at the time when it registered or acquired the disputed domain name and that it registered the disputed domain name with a bad faith intention targeting the Complainant and/or its mark.

In the present case, the disputed domain name was registered in 2009, over 16 years prior to the registration of the Complainant's NOOUS trademark in 2025. It was also years prior to the filing of the Complainant's trademark application in 2025, and prior to the Complainant's adoption of NOOUS as its company name in 2020. The Panel recalls that where a respondent registers a domain name before a complainant's trademark rights accrue, panels will not normally find bad faith on the part of the respondent.

See [WIPO Overview 3.1](#), section 3.8.1. The Panel sees no exceptional circumstances that might establish that the Respondent's intent in registering the disputed domain name in this case was to unfairly capitalize on the Complainant's nascent, as yet unregistered, trademark rights. See [WIPO Overview 3.1](#), section 3.8.2. Indeed, the Complainant does not claim that there are any such exceptional circumstances. While it alleges that the circumstances reveal bad faith surrounding the maintenance of the registration, it does not suggest that the Respondent could or should have been aware of the existence of itself or its mark at the time of registration of the disputed domain name 17 years ago.

Accordingly, the Panel finds that the Respondent did not register the disputed domain name in bad faith targeting of the Complainant or its trademark rights because the Complainant had no trademark rights at the time when the Respondent registered the disputed domain name. See [WIPO Overview 3.1](#), section 3.8.1.

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

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. See [WIPO Overview 3.1](#), section 4.16.

The Respondent requests that the Panel make a finding of Reverse Domain Name Hijacking against the Complainant.

The Panel notes that the Complainant has legal representation in this proceeding. The Complainant knew that the disputed domain name was registered many years before it acquired trademark rights. The Complainant did not argue that the Respondent could or should have been aware of the existence of itself or its mark at the time of registration of the disputed domain name, declining to mention in the body of the Complaint the year in which its trademark was registered. It claimed that the Respondent hides behind anonymity and that this alone demonstrates bad faith, yet domain name registrant data is widely anonymized to comply with privacy regulations such as the General Data Protection Regulation of the European Union. While the Complainant may feel aggrieved by instances of actual confusion between the disputed domain name and its own domain name (although it provides no evidence of any such instances), it must have known that its Complaint could not succeed on the element of bad faith as regards registration, which is an essential requirement of the UDRP. Despite this, it pursued its Complaint, putting the Respondent to time and effort to defend himself.

Therefore, the Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: September 7, 2026