

ADMINISTRATIVE PANEL DECISION

HeyGen Technology Inc. v. Nguyen Anh huy
Case No. D2026-2828

1. The Parties

The Complainant is HeyGen Technology Inc., United States of America ("United States"), represented by Coates IP LLP, United States.

The Respondent is Nguyen Anh huy, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <heygenaffi.top> (the "Domain Name") is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 29, 2026. On June 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On June 30, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (The RDAP server redacted the value, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 1, 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 July 8, 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 July 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 3, 2026.

The Center appointed Nicholas Smith as the sole panelist in this matter on August 6, 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 a United States company founded in 2020 that from 2023 has offered a range of AI-powered video and image generation services under the word mark HEYGEN ("HEYGEN Mark") and from its website at "www.heygen.com" ("Complainant's Website").

The Complainant has held a trademark registration for the HEYGEN Mark in numerous jurisdictions, including the United States, since 2025 (Registration No. 7,725,074 registered on March 11, 2025, for various services in connection with the creation of audio/visual content in class 42).

The Domain Name was registered on May 16, 2026. The Domain Name resolves to a website (the "Respondent's Website") that initially prompts the user to verify their identity, and then following verification, redirects the user to the Complainant's Website.

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 Name.

Notably, the Complainant contends that:

- a) It is the owner of the HEYGEN Mark, having registered the HEYGEN Mark in the United States and other jurisdictions. The Domain Name is confusingly similar to the HEYGEN Mark as it merely adds the terms "affi" (an abbreviation of the word "affiliate") and the generic Top-Level Domain ("gTLD") ".top" to the mark.
- b) There are no rights or legitimate interests held by the Respondent in respect of the Domain Name. The Complainant has not granted any license or authorization for the Respondent to use the HEYGEN Mark. The Respondent is not commonly known by the HEYGEN Mark, nor does it use the Domain Name for a bona fide purpose or legitimate noncommercial purpose. Rather the Respondent is using the Domain Name to pass itself off as the Complainant for commercial gain by redirecting users to the Complainant's Website and potentially obtaining benefits from this practice through an affiliate program. Such use is not a legitimate use of the Domain Name.
- c) The Domain Name was registered and is being used in bad faith. The Respondent is using the Domain Name to divert Internet users searching for the Complainant in order to track users and potentially force Complainant to pay unearned affiliate commissions to the Respondent. Such conduct amounts to registration and use of the Domain Name 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 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 entirety of the mark is reproduced within the Domain Name. Accordingly, the Domain Name is 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 "affi" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 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 Domain Name such as those enumerated in the Policy or otherwise.

The Panel considers that the record of this case reflects that:

- before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. Paragraph 4(c)(i) of the Policy, and [WIPO Overview 3.1](#), section 2.2.
- the Respondent (as an individual, business, or other organization) has not been commonly known by the Domain Name. Paragraph 4(c)(ii) of the Policy, and [WIPO Overview 3.1](#), section 2.3.
- the Respondent is not making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Paragraph 4(c)(iii) of the Policy, and [WIPO Overview 3.1](#), section 2.4.

- the record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Name.

The Respondent has used the Domain Name to impersonate the Complainant by redirecting visitors to the Complainant's Website. Such conduct, which may involve the false representation that the Respondent is in some way connected to the Complainant does not, on its face, amount to the use of the Domain Name for a bona fide offering of goods or services or a legitimate noncommercial or fair use. See *International Business Machines Corporation v. Chauncey McPufferson, Bitly*, WIPO Case No. [D2026-1936](#) and *The Middleby Corporation, Middleby Marshall Inc. v. ilino*, WIPO Case No. [D2026-2078](#).

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.

The Panel finds that the Respondent must have been aware of the Complainant and its reputation in the HEYGEN Mark at the time the Respondent registered the Domain Name as the Respondent has chosen to redirect the Domain Name to the Complainant's Website. The registration of the Domain Name in awareness of the HEYGEN Mark and in the absence of rights or legitimate interests amounts under these circumstances to registration in bad faith.

The Panel finds the use of the Domain Name by the Respondent is in bad faith. Paragraph 4(b)(iv) of the Policy states that evidence of bad faith may include a respondent's use of a domain name to intentionally attempt to attract, for commercial gain, Internet users to the respondent's website or other online location, by creating a likelihood of confusion with the complainant's mark. The Domain Name redirects to the Complainant's Website. Panels have found that the use of a confusingly similar domain name to redirect to or mimic a complainant's website can be bad faith under Paragraph 4(b)(iv) of the Policy as it enables the Respondent to falsely represent that the Domain Name is controlled by the Complainant. [WIPO Overview 3.1](#), section 3.1.4.

Furthermore, to the extent the Respondent is obtaining commissions through an affiliate program by redirecting users to the Complainant's Website, such conduct, when it involves a confusingly similar domain name, has been found to be bad faith under the Policy, see *Avid Dating Life Inc. v. Who's privacy service / Chen sizhu c/o Dynadot Privacy*, WIPO Case No. [D2012-1265](#) (finding bad faith registration and use of typo-variants that redirect traffic to the Complainant's site and earn commission through the Complainant's affiliate program).

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 Domain Name <heygenaffi.top> be transferred to the Complainant.

/Nicholas Smith/

Nicholas Smith

Sole Panelist

Date: August 13, 2026