ADMINISTRATIVE PANEL DECISION

MTG CO., LTD. (株式会社 MTG) v. Doms Most, MostDomCorps
Case No. D2026-3151

1. The Parties

The Complainant is MTG CO., LTD. (株式会社 MTG), Japan, represented by IP Twins SAS, France.

The Respondent is Doms Most, MostDomCorps, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <sixpad-usa.com> is registered with Network Solutions, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 17, 2026. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 20, 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 (Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 28, 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 the same day. The Respondent sent email communications to the Center on July 29 and August 5, 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 August 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2026. Other than its prior email communications, the Respondent did not submit a formal Response. On September 10, 2026, the Center informed the Parties that it would proceed to Panel appointment.

The Center appointed Matthew Kennedy as the sole panelist in this matter on September 18, 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 Japanese manufacturer of beauty devices and health appliances, established in 1996. The Complainant manufactures and distributes various products under the brand SIXPAD, including electrical muscle stimulation ("EMS") training gear, functional wear, body care and training items. It launched the SIXPAD brand with a worldwide marketing campaign. It holds the following trademark registrations:

– Japanese trademark registration number 5755852 for SIXPAD, registered on April 3, 2015, specifying goods in classes 10, 11 and 28;

– European Union trademark registration number 014646525 for SIXPAD, registered on April 12, 2016, specifying goods in class 25; and

– United States trademark registration number 5178941 for a figurative TRAINING GEAR SIXPAD mark, registered on April 11, 2017, specifying goods in class 10.

The above trademark registrations are current. The Complainant also filed a United States trademark application, serial number 98034151, for SIXPAD on June 8, 2023, which is currently pending. The Complainant also uses the domain name <sixpad.jp> to redirect to the domain name <mtgec.jp> that it uses in connection with a website in Japanese and English where it provides information about itself and its products, including SIXPAD products. The Complainant operates an Instagram account named "sixpad_europe" that prominently displays its SIXPAD mark and has over 345,000 followers.

The Respondent is a domain name investor.

The disputed domain name was created on May 21, 2021. According to an archived screenshot presented by the Complainant, as at April 20, 2024, the disputed domain name resolved to a website that prominently displayed the Complainant's figurative TRAINING GEAR SIXPAD mark and purportedly offered the Complainant's SIXPAD products for sale. The website was not operated by the Complainant, who made a trap purchase on the website in April 2026 but did not receive the product purchased.

According to the Respondent, it acquired the disputed domain name on June 27, 2026. An archived screenshot presented by the Complainant shows that, as at July 2, 2026, the disputed domain name directed to an error message. At the time of this proceeding, the disputed domain name resolves to a landing page offering it for sale and advising that it is listed on the MostDomain – Premium Domain Name Marketplace. The landing page describes the disputed domain name as "A domain well-suited for an official US online store or distributor of SIXPAD EMS training devices and fitness equipment. This domain offers a strong brand presence for US customers seeking advanced personal training solutions". The site also offers a "complimentary logo design" and displays a logo that resembles an item of the Complainant's training wear.[1]

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[1] The Panel notes its general powers articulated inter alia in paragraphs 10 and 12 of the Rules and has visited the landing page currently associated with the disputed domain name to verify the Respondent's statements about its use of the disputed domain name. The Panel considers this process of verification useful in assessing the case merits and reaching a decision. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1]"), section 4.8.

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 disputed domain name is confusingly similar to its SIXPAD mark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not authorized the use of its earlier marks or terms similar thereto in the disputed domain name in any manner or form. The disputed domain name directs to an error message and has been used to create a fake website to impersonate the Complainant and defraud Internet users.

The disputed domain name has been registered and is being used in bad faith. The Respondent's choice of the disputed domain name cannot have been accidental and must have been influenced by the fame of the Complainant and its earlier trademarks. The disputed domain name previously resolved to a website impersonating the Complainant. The current use of the disputed domain name cannot be deemed a good faith use in all the circumstances of this case.

B. Respondent

The Respondent submits that it purchased the disputed domain name on June 27, 2026 through an expired/deleted domain name procedure, with the intention to resell it as part of the Respondent's domain name investment business. The alleged website activity, impersonation, and trap purchase in April 2026 occurred before the Respondent owned or controlled the disputed domain name and was not done by the Respondent, its company, or anyone acting on its behalf. After acquiring the disputed domain name, the Respondent did not restore the former website selling SIXPAD products, process any orders, collect any payments, or conduct any phishing, impersonation, fraud, or harmful activity; it only displayed the disputed domain name as available for sale.

The Respondent does not claim to be affiliated with the Complainant, SIXPAD, or any related brand. It also has no intention to mislead customers, impersonate the Complainant, or use the disputed domain name for any bad faith purpose. The Respondent's position is that it acquired the disputed domain name legally through a legitimate domain marketplace/registrar process, paid the required amount, and did not engage in the activities alleged in the Complaint.

In its initial email communication, the Respondent states that, if the previous owner or a related party would like to re-acquire the disputed domain name, the Respondent is willing to discuss selling it back at a price determined by itself based on its acquisition cost and domain name valuation. In its subsequent email communication, the Respondent states that it remains open to communicating in good faith to resolve this matter properly.

6. Discussion and Findings

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.

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 3.1, section 1.7.

The Complainant has shown rights in respect of a SIXPAD trademark for the purposes of the Policy. See WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. The disputed domain name adds the letters "usa" (a geographic reference to the United States), separated from the mark by a hyphen but, despite this, the mark remains clearly recognizable within the disputed domain name. The only other 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 confusing similarity for the purposes of the Policy. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. See WIPO Overview 3.1, sections 1.7, 1.8, and 1.11.1.

Therefore, 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. See WIPO Overview 3.1, section 2.1.

In the present case, the disputed domain name combines the SIXPAD mark with the geographic reference "-usa", implying that it will resolve to a website of the Complainant or an affiliate directed at the United States market. The implied affiliation is made express on the landing page associated with the disputed domain name, which touts it as "well-suited for an official US online store or distributor of SIXPAD EMS training devices and fitness equipment". However, the Complainant submits that it has not authorized the use of its mark in the disputed domain name in any manner or form. In view of these circumstances, the Panel does not consider that this constitutes a bona fide offering of goods and services that would create rights or legitimate interests for the purposes of the second element of the Policy. Nor is this a legitimate noncommercial or fair use of the disputed domain name.

Further, the Respondent is identified as "Doms Most, MostDomCorps" and it appears to do business as "MostDomain", none of which resembles the disputed domain name. Nothing on the record indicates that the Respondent has been commonly known by the disputed domain name.

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 name.

The Respondent submits that it acquired the disputed domain name legally through a legitimate domain marketplace/registrar process. However, the mere fact of registration of a domain name does not create rights or legitimate interests for the purposes of the Policy, otherwise no complaint could ever succeed, which would be an illogical result. The Respondent also submits that it does not use the disputed domain name for any bad faith purpose. Accordingly, the Respondent has not rebutted the Complainant's prima facie showing.

Based on the 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. The first circumstance is as follows:

"(i) circumstances indicating that [the respondent has] registered or [the respondent has] acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of [the respondent's] documented out-of-pocket costs directly related to the [disputed] domain name;"

In the present case, the Panel accepts the Respondent's submission that it acquired the disputed domain name in June 2026. This was years after the registrations of the Complainant's SIXPAD mark. "Sixpad" is not a dictionary word (although it is a combination of two dictionary words) but the disputed domain name wholly incorporates it, adding only the geographic reference "-usa". The landing page associated with the disputed domain name makes express reference to SIXPAD as a brand of EMS training devices and fitness equipment, and displays a logo featuring an item of the Complainant's training wear. In view of these circumstances, the Panel finds that the Respondent knew of the Complainant and its mark at the time when it acquired the disputed domain name.

As regards use, the Panel accepts that the only active use made of the disputed domain name since it was acquired by the Respondent is in connection with a landing page offering it for sale. Generally speaking, prior UDRP panels have found that the practice as such of registering a domain name for subsequent resale (including for a profit) would not by itself support a claim that the respondent registered the domain name in bad faith with the primary purpose of selling to a trademark owner (or its competitor). See WIPO Overview 3.1, section 3.1.1. However, in the present case, the Respondent confirms that it acquired the disputed domain name with the intention to resell, and that it will determine the price of the disputed domain name "based on its acquisition cost and domain valuation" (emphasis added). These circumstances indicate that the Respondent has acquired the disputed domain name primarily for the purposes of selling it for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name. The landing page associated with the disputed domain name expressly touts it as suitable for "an official US online store or distributor of SIXPAD EMS training devices and fitness equipment". This indicates that the Respondent is aiming to profit from the trademark value of the disputed domain name. Accordingly, the Panel finds that the circumstances of this case fall within the terms of paragraph 4(b)(i) of the Policy.

Therefore, 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 name <sixpad-usa.com> be transferred to the Complainant.

/Matthew Kennedy/
Matthew Kennedy
Sole Panelist
Date: September 22, 2026