

ADMINISTRATIVE PANEL DECISION

TNG Worldwide, Inc. v. 王涛

Case No. D2026-3679

1. The Parties

The Complainant is TNG Worldwide, Inc., United States of America ("United States"), represented by Dykema Gossett PLLC, United States.

The Respondent is 王涛, China.

2. The Domain Name and Registrar

The disputed domain name <farmsbotanicals.com> is registered with Vantage of Convergence (Chengdu) Technology Co., Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on August 17, 2026. On the following day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 19, 2026, 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 (Vantage of Convergence (Chengdu) Technology Co., Ltd.) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 2026, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. In the email, the Center also informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. The Complaint had included a request that the language of the proceeding be English and the Complainant also filed an amended Complaint in Chinese on August 26, 2026. The Respondent did not submit any comment on the Complainant's request regarding the language of the proceeding.

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 in Chinese and English of the Complaint, and the proceedings commenced on August 31, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 20, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 21, 2026.

The Center appointed Matthew Kennedy as the sole panelist in this matter on October 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 manufactures and markets personal care, hospitality, and household products. One of brands is GINGER LILY FARMS, a line of vegan, cruelty-free, plant-based personal care and household products. The GINGER LILY FARMS line includes hand soaps, body washes, shampoos, conditioners, lotions, dish soaps, laundry products, dispensers, refill systems, and related products. The Complainant holds the following United States trademark registrations:

- number 3,999,251 for GINGER LILY FARMS, registered on July 19, 2011, with a claim of first use in commerce on January 4, 2009, specifying goods in class 3, with a disclaimer of the exclusive right to use “GINGER LILY” apart from the mark as shown;
- number 5,489,935 for GINGER LILY FARMS, registered on June 12, 2018, with a claim of first use in commerce on June 1, 2016, specifying goods in class 3, with a disclaimer of the exclusive right to use “GINGER LILY” apart from the mark as shown; and
- number 6,220,956 for GINGER LILY FARMS and device (“the Ginger Lily Farms logo”), registered on December 15, 2020, with claims of first use in commerce on June 1, 2016 and January 5, 2017, specifying goods in classes 3 and 4, with a disclaimer of the exclusive right to use “GINGER LILY” apart from the mark as shown.

The above trademark registrations are current. The Complainant operates a website in connection with the domain name <tngworldwide.com> where it offers for sale, inter alia, the GINGER LILY FARMS line of products. The product labels show the Ginger Lily Farms logo above the word “botanicals”.

The Respondent is an individual based in China whose name may be transliterated as “Wang Tao”.

The disputed domain name was registered on November 8, 2025. It resolves to a website in English that prominently displays the GINGER LILY FARMS mark in the same stylized script as the Complainant's Ginger Lily Farms logo, without the device in the mark. The website purportedly offers for sale multipacks, hand soap, and body products. It displays images of the Complainant's products such as moisturizing shampoo in which the product labels show the Ginger Lily Farms logo above the word “botanicals”. The footer displays the GINGER LILY FARMS mark above the following text: “Plant-Powered clean. Discover our concentrated cruelty-free foaming dish soaps with max grease-fighting power and fresh, natural scents”. The “Refund and Returns Policy” contains specific conditions regarding sales of body-piercing jewelry and engraved items, inter alia.

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 GINGER LILY FARMS mark. The associated website content confirms that the Respondent selected the disputed domain name to target the Complainant's GINGER LILY FARMS mark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use the Complainant's GINGER LILY FARMS mark or to register any domain name incorporating, targeting, or otherwise trading upon that mark or variations thereof. The Respondent is not commonly known by the GINGER LILY FARMS mark or the disputed domain name. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. The Respondent's website creates the false impression that it is an official or authorized Ginger Lily Farms website.

The disputed domain name has been registered and is being used in bad faith. The Respondent's actual knowledge of the Complainant and its GINGER LILY FARMS mark is demonstrated by the Respondent's own website, which is devoted to purported GINGER LILY FARMS products, prominently displays the Complainant's GINGER LILY FARMS mark, and reproduces the Complainant's product photographs, packaging, product descriptions, marketing copy, and overall commercial presentation. The Respondent could not have created such a website without knowledge of the Complainant and its GINGER LILY FARMS brand. The Respondent's bad faith is further evidenced by the false and fabricated nature of his website. The site provides no meaningful identification of the operating entity and includes copied refund and returns policy language unrelated to the products purportedly offered on the website.

B. Respondent

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

6. Discussion and Findings

6.1 Procedural Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English and included a request that the language of the proceeding be English. Although the amended Complaint was submitted in Chinese, the Complainant stated that this was not intended to waive the Complaint in English; rather, the Complainant requested that both be included in the case file. The Complainant submits that the Respondent is capable of understanding English given that the disputed domain name contains common English words and the associated website displays content in English.

Despite the Center sending an email regarding the language of the proceeding, the notification of Complaint, and the Written Notice in both Chinese and English, the Respondent did not make any submission with respect to the language of the proceeding or indicate any interest in otherwise participating in this proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English. The Panel would have accepted a Response in Chinese, but none was filed.

6.2 Substantive Issues

Paragraph 4(a) of the Policy provides that a 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; and
- (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 Complainant has shown rights in respect of a GINGER LILY FARMS trademark for the purposes of the Policy. See [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name incorporates part of the mark (i.e., “FARMS”) as its initial element, omitting the other elements of the mark (i.e., “GINGER LILY”) and adding the term “botanicals”. “FARMS” is not the subject of a disclaimer in the Complainant’s trademark registrations. There is a prima facie case of confusing similarity for the purposes of standing under the first element of the Policy. This is confirmed by the content of the website associated with the disputed domain name, which displays the GINGER LILY FARMS mark and images of products labelled with the Ginger Lily Farms logo above the word “botanicals”, purportedly offering them for sale. These circumstances indicate that the Respondent seeks to target the trademark through the disputed domain name. 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 and 1.15.

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 resolves to a website that displays the GINGER LILY FARMS mark as its title, using the same stylized script as the Complainant’s Ginger Lily Farms logo. The terms “ginger lily” are used as shown in the Complainant’s trademark registrations (i.e. with “farms”) hence the disclaimer does not apply. The website shows images of the Complainant’s products labelled with the

Ginger Lily Farms logo, purportedly offering them for sale. The footer refers to GINGER LILY FARMS as if Complainant were the operator of the site. Whether the products offered for sale are genuine or counterfeit, the website gives the impression that it is an official or authorized Ginger Lily Farms website. However, the Complainant submits that it has not authorized, licensed, or otherwise permitted the Respondent to use the Complainant's GINGER LILY FARMS mark. Prior UDRP panels have held that the use of a domain name for illegitimate activity such as impersonation of a complainant, as here, can never confer rights or legitimate interests on a respondent. See [WIPO Overview 3.1](#), section 2.13.1.

Further, the Registrar has verified that the Respondent's name is “王涛”, which may be transliterated as “Wang Tao” and does not resemble the disputed domain name. Nothing in 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 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 name such as those enumerated in the Policy or otherwise.

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 fourth circumstance is as follows:

“(iv) by using the [disputed] domain name, [the respondent has] intentionally attempted 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 as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] web site or location.”

In the present case, the disputed domain name was registered on November 8, 2025, years after the registration of the Complainant's GINGER LILY FARMS mark. The disputed domain name contains part of the mark and resolves to a website that displays the entire GINGER LILY FARMS mark as its title in the same stylized script as the Complainant's Ginger Lily Farms logo, and displays images of the Complainant's products labelled with the Ginger Lily Farms logo, purportedly offering them for sale. In view of these circumstances, the Panel finds that the Respondent knew of the Complainant and its GINGER LILY FARMS mark when he registered the disputed domain name.

As regards use, the disputed domain name resolves to a website purportedly offering for sale the Complainant's GINGER LILY FARMS products. Whether the products are genuine or counterfeit, the website gives the false impression that it is an official or authorized Ginger Lily Farms website. Given the Panel's findings in Section 6.2B above, the Panel finds that the disputed domain name is intended to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or of the products on that website within the terms of paragraph 4(b)(iv) of the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 <farmsbotanicals.com> be transferred to the Complainant.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: October 12, 2026