

## **ADMINISTRATIVE PANEL DECISION**

Bliss Planet Limited v. Nicholas Matthews, Curtis Armstrong,  
Jerry Lee, Tucker Knight  
Case No. D2026-3997

### **1. The Parties**

The Complainant is Bliss Planet Limited, Hong Kong, China, represented by Beijing Chofn Intellectual Property Co., Ltd., China.

The Respondents are Nicholas Matthews, Curtis Armstrong, Jerry Lee and Tucker Knight, United States of America ("United States").

### **2. The Domain Names and Registrar**

The disputed domain names <elfbarhq.shop>, <getelfbar.shop>, <shopelfbar.shop> and <theelfbar.shop> are registered with Dynadot Inc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 7, 2026. On September 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 8, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Privacy / Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 10, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on September 15, 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 Respondents of the Complaint, and the proceedings commenced on September 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on October 9, 2026.

The Center appointed Kaya Köklü as the sole panelist in this matter on October 15, 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 company incorporated in Hong Kong, China, which is internationally active in the field of selling smoke-free products. In markets like the United States and United Kingdom, the Complainant’s products belong to the top-selling brands in terms of sold units. The Complainant offers its smoke-free products under the brand ELFBAR. While ELFBAR trademark applications in the United States are pending since 2022, the Complainant is the owner of various already registered ELFBAR trademarks, including European Union Trademark Registration No. 018365272, registered on May 19, 2021, for ELFBAR, covering protection for tobacco and smoke-free products in class 34.

The Respondents are reportedly located in the United States, while their true identity remains unclear due to seemingly false and/or incomplete contact information.

The disputed domain names were registered on the following dates:

- <elfbarhq.shop> was registered on July 18, 2026
- <getelfbar.shop> was registered on May 12, 2026
- <shopelfbar.shop> was registered on May 26, 2026
- <theelfbar.shop> was registered on July 16, 2026

According to undisputed screenshots provided by the Complainant, the disputed domain names resolved to websites in German language purportedly offering smoke-free products of the Complainant. On these websites, the ELFBAR trademark as well as official product images of the Complainant were prominently used. Also, on these websites, it was expressly claimed to be either an official ELFBAR online shop or at least to be operated by an authorized dealer of the Complainant in Germany. In addition, all associated websites provided for a “© 2026 ELFBAR” copyright notice, while none of them contained a visible disclaimer describing the (lack of) relationship with the Complainant.

At the time of the Decision, access to all websites was blocked for security reasons due to potential phishing threats.

#### **5. Parties’ Contentions**

##### **A. Complainant**

In its Complaint and Amended Complaint, the Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

## **B. Respondents**

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

## **6. Discussion and Findings**

### **6.1. Consolidation of Multiple Respondents**

The amended Complaint was filed in relation to nominally four different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

In light of the criteria set out above, the Panel finds that the Complainant has provided unrebutted indications that all four disputed domain names are likely under common control for the following reasons:

The disputed domain names were all registered within a period of only two months and with the same Registrar. Additionally, the disputed domain names resolved to highly similar, partly even identical websites and contact information. The disputed domain names further display an overall similar nature and composition pattern.

The Panel concludes that the Respondents are more likely than not somehow connected. Hence, the Panel accepts that the disputed domain names are under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

### **6.2. Substantive Issues**

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

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

As per paragraph 4(a) of the Policy, the complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

Concerning the uncontested information provided by a complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in a complaint as true. [WIPO Overview 3.1](#), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.1](#) and, where appropriate, will decide consistently with the consensus views captured therein.

#### **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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the ELFBAR trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the ELFBAR mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the ELFBAR mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here "shop", "get", "the" or "hq", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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 disputed domain names. Particularly, the Complainant put forward that the Respondent is neither a business partner of the Complainant nor a licensee of its ELFBAR trademark and that the Respondent is not commonly known by the term "elfbar" in combination with the terms "shop", "get", "the" or "hq". 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 names such as those enumerated in the Policy or otherwise.

The Panel further finds that the Respondent cannot claim rights or legitimate interests as a potential reseller or distributor under the Oki Data principles, particularly considering that the websites associated with the disputed domain names falsely claimed to be the Complainant's official online shop respectively to be operated by an authorized dealer, without any disclaimer clarifying the non-existing relationship with the Complainant.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

In the present case, the Panel notes that the Respondent must have had the Complainant and its ELFBAR trademark in mind when registering the disputed domain names. It is obvious to the Panel that the Respondent has deliberately chosen the disputed domain names, which comprise the Complainant's ELFBAR trademark in its entirety, to target and mislead Internet users searching for the Complainant and its smoke-free products.

With respect to the use of the disputed domain names in bad faith, the Panel finds that the Respondent uses the disputed domain names in order to generate traffic to its own websites by deliberately misleading third parties in a false belief that the associated websites are either operated or at least authorized by the Complainant. In particular, the Panel notes that the associated websites explicitly claimed to be the Complainant's official online shop or at least to be operated by authorized dealers, although none of these claims is true. The prominent use of the Complainant's ELFBAR mark including official product pictures of the Complainant is, in view of the Panel, additional evidence that the Respondent intentionally tries to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant and its ELFBAR trademark as to the source, sponsorship, affiliation or endorsement of the associated website.

The fact that, at the time of the Decision, the websites associated with the disputed domain names are no longer accessible due to potential phishing threats does not prevent a finding of bad faith. Quite the opposite, together with the Respondent's failure to respond to the Complaint, this even supports the Panel's conclusion that the Respondent registered and is using the disputed domain names in bad faith.

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 names <elfbarhq.shop>, <getelfbar.shop>, <shopelfbar.shop> and <theelfbar.shop> be transferred to the Complainant.

*/Kaya Köklü/*

**Kaya Köklü**

Sole Panelist

Date: October 23, 2026