

## ADMINISTRATIVE PANEL DECISION

Get Weird, LLC v. Asad Qyoom  
Case No. DCO2024-0003

### 1. The Parties

The Complainant is Get Weird, LLC, United States of America ("United States"), represented by ESCA Legal, United States.

The Respondent is Asad Qyoom, Pakistan.

### 2. The Domain Name and Registrar

The disputed domain name <officialantisocialsocialclub.co> is registered with NameCheap, Inc., (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 10, 2024. On January 11, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 11, 2024, 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 (WithheldforPrivacy ehf.) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 18, 2024, 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 amendment to the Complaint on January 22, 2024.

The Center verified that the Complaint together with the amendment to the 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 January 29, 2024. In accordance with the Rules, paragraph 5, the due date for Response was February 18, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 22, 2024.

The Center appointed George R. F. Souter as the sole panelist in this matter on March 8, 2024. 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.

### **Language of the Proceedings**

Although the disputed domain name is a country code Top-Level Domain (“ccTLD”) of the Spanish-speaking Republic of Colombia, the language of the registration is English, the Complainant is a United States corporation, and the Respondent’s address is in Pakistan. The Panel finds that English is the appropriate language for these proceedings.

## **4. Factual Background**

The Complainant is a United States corporation, which, since 2015, has been selling, inter alia, apparel, action figures, cell phone and computer accessories and bags, athletic bags, bedding, cigar lighters, footwear, housewares, jewelery, stickers and watches, and has been offering e-mail store and online store services, under its ANTI SOCIAL SOCIAL CLUB trademark. As of 2023, the Complainant has a customer base of 1.6 million, spread across 187 countries.

The Complainant has widely registered its ANTI SOCIAL SOCIAL CLUB; including United States registration number 6,348,457, registered on May 11, 2021, and European Union registration number 018260581, registered on November 27, 2020.

The disputed domain name was registered on March 29, 2023, and resolves to a website offering for sale counterfeit versions of genuine goods sold by the Complainant. Evidence of such trading has been supplied to the Panel by the Complainant.

## **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 it has never granted permission to the Respondent to use its ANTI SOCIAL SOCIAL CLUB trademark in connection with the registration of a domain name, or otherwise.

### **B. Respondent**

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

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

It is well-established in prior decisions under the Policy that the generic Top-Level Domain (“gTLD”) or ccTLD indicator of a domain name may be disregarded when comparing a trademark with a disputed domain name. The Panel finds that the “.co” indicator may be disregarded in the present case.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy, and the Panel so finds. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)Overview 3.0"), section 1.7.

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 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 3.0](#), section 2.1.

Having reviewed the circumstances of the present case, the Panel finds that 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.

Panels have held that the use of a domain name for illegal activity such as the sale of counterfeit goods can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 considers that the mere copying of a trademark in which a complainant has rights in a disputed domain name, as is the circumstance of the present case, leads inevitably to a finding of bad faith, and so finds.

It is well-established in prior decisions under the Policy that the use of a disputed domain name in connection with the sale of counterfeit goods constitutes use in bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds the third element of the Policy has been established.

## **7. Decision**

For the foregoing reasons, in accordance with paragraph 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <officialantisocialsocialclub.co> be transferred to the Complainant.

*/George R. F. Souter/*

George R. F. Souter

Sole Panelist

Date: March 22, 2024