

ADMINISTRATIVE PANEL DECISION

Office Ally, Inc. v. 张伟 (Wei Zhang)

Case No. DCO2025-0075

1. The Parties

The Complainant is Office Ally, Inc., United States of America ("United States"), represented by Nelson Mullins Riley & Scarborough, LLP, United States.

The Respondent is 张伟 (Wei Zhang), China.

2. The Domain Name and Registrar

The disputed domain name <officeally.co> is registered with Chengdu West Dimension Digital Technology Co., Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 10, 2025. On September 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 12, 2025, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 16, 2025, 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 in English on September 18, 2025.

On September 12, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On September 18, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 September 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 10, 2025.

The Center appointed Hong Yang as the sole panelist in this matter on October 15, 2025. 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 an American-based healthcare technology company that offers cloud-based solutions to healthcare providers, independent physician associations and health plans. It has been providing its software platform to customers under the OFFICE ALLY brand since 2000.

The Complainant owns a registered trademark containing the term OFFICE ALLY, namely, United States Registration No. 7153725 for OFFICE ALLY (word and design), registered on September 5, 2023.

The disputed domain name was registered on November 14, 2024. At the time of filing of the Complaint, the disputed domain name resolved to an inaccessible website, where the access was blocked with a warning that attackers might steal your information including passwords and messages from the IP address associated with the disputed domain name. Furthermore, the Panel notes the Complainant submits that the Respondent registered in recent years at least three other domain names identical or confusingly similar to distinctive trademarks held by independent third parties, for which the Respondent was found with registration and use in bad faith by all the three relevant UDRP proceedings. See *Old Dominion Freight Line, Inc. v. 张伟 (Wei Zhang)*, WIPO Case No. [DCO2024-0087](#); *Cache-Cache v. Wei Zhang*, WIPO Case No. [D2022-2277](#); *“Dr. Martens” International Trading GmbH, “Dr. Maertens” Marketing GmbH v. WhoisGuard Protected, WhoisGuard Inc. / Wei Zhang*, WIPO Case No. [D2020-0624](#).

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.

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. The Complainant requested that the language of the proceedings be English for several reasons, including the fact that: (1) the disputed domain name is comprised of the terms “office” and “ally”, both in the English language; and (2) the Complainant does not communicate in Chinese,

and the use of Chinese would entail substantial expenses, imposing an unnecessary burden and undue delay on the Complainant. Moreover, English is commonly used in international communication.

The Respondent has, moreover, been notified by the Center, in both Chinese and English, of the language of the proceedings and of the Complaint. The Respondent did not make any submissions with respect to the language of the proceedings, nor did the Respondent file any Response in Chinese or English.

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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), 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.

6.2. Substantive Issues

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The applicable country code Top-Level Domain ("ccTLD"), here ".co" in the disputed domain name do not change this finding, since the TLD, as a standard registration requirement, is generally disregarded in the assessment under the first element. [WIPO Overview 3.0](#), section 1.11.1.

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 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.

The Panel notes that the composition of the disputed domain name itself affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation, incorporating the Complainant's mark in its entirety.

Further, the available record shows that the Respondent is not affiliated or otherwise authorized by the Complainant, nor has it held any registration of the OFFICE ALLY mark anywhere. There is no evidence indicating that the Respondent is commonly known by the disputed domain name.

The disputed domain name resolved to an inaccessible website without any substantial contents, showing that the Respondent did not make any use of or have made any demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, neither did the Respondent make any legitimate noncommercial or fair use of the disputed domain name. It corroborates that the Respondent has no rights or legitimate interests in the disputed domain name.

The access was blocked with a warning of potential attacks and stealing of personal information, the Panel thus infers that the disputed domain name was possibly used for illegitimate activities aiming to steal individuals' accounts and passwords.

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.

In the present case, the Panel notes that the Respondent has used without any license or authorization the Complainant's trademark alone and in full in the disputed domain name. The Complainant's trademark OFFICE ALLY has been in use since 2000 and the Complainant's registration of its mark predates the Respondent's registration of the disputed domain name. This signals the Respondent's intention to target the Complainant and to trade off its mark. Moreover, the Respondent has not provided any explanation for his reason to register the disputed domain name. Thus, the Panel considers that the Respondent should have known of the Complainant's mark at the time of registering the disputed domain name.

The disputed domain name does not resolve to an active website. The Panel notes the composition of the disputed domain name incorporating the Complainant's trademark in its entirety, the failure of the Respondent to submit a response, and the implausibility of any good faith use to which the disputed domain name may be put, and finds that the non-use of the disputed domain name does not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

Moreover, the available record indicates that the Respondent has registered at least three domain names that respectively correspond to marks held by three independent third parties, for which the Respondent was found with registration and use in bad faith in all the relevant UDRP proceedings. Panels have found a pattern of abuse where the respondent registers, simultaneously, or otherwise, multiple trademark-abusive domain names corresponding to distinct marks of individual brand owners. [WIPO Overview 3.0](#), section 3.1.2 Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

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 <officeally.co> be transferred to the Complainant.

/Hong Yang/

Hong Yang

Sole Panelist

Date: October 29, 2025