

## **ADMINISTRATIVE PANEL DECISION**

Dashing joys Limited v. Daniel Adamik  
Case No. DIE2025-0010

### **1. The Parties**

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

The Respondent is Daniel Adamik, Ireland.

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

The disputed domain name <maryliq.ie> is registered with IE Domain Registry Limited (“IEDR or the “Registry”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 18, 2025, via email. On December 18, 2025, the Center transmitted by email to IEDR a request for registrar verification in connection with the disputed domain name. On December 19, 2025, IEDR 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 December 19, 2025, providing the registrant and contact information disclosed by IEDR, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on December 26, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IE Dispute Resolution Policy (the “IEDR Policy”), the WIPO Dispute Resolution Rules of Procedure for .IE Domain Name Registrations (the “Rules”), and the WIPO Supplemental Rules for .IE Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

The Center received email communications from the Respondent on December 29, 2025, and January 19, 2026. The proceeding was suspended between January 6, 2026, and March 17, 2026. In accordance with the Rules, paragraphs 2.1 and 4.1, the Center formally notified the Respondent of the Complaint, and the proceeding commenced on March 20, 2026. In accordance with the Rules, paragraph 5.1, the due date for Response was April 20, 2026. Accordingly, the Center notified Commencement of Panel Appointment Process on April 21, 2026.

The Center appointed James Bridgeman as the sole panelist in this matter on April 30, 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 designer and manufacturer of vaping devices, pods, and accessories which it markets under the MARYLIQ trademark; and is the owner of

- European Union Trade Mark (EUTM), MARYLIQ registration number 018856250, registered on August 4, 2023 for goods in class 34.

The disputed domain name was registered on October 3, 2023, and does not resolve to any active website.

There is no information available about the Respondent except for that provided in the Complaint, the Registry's Whois for the disputed domain name and the information provided by the Registry in response to the request by the Center for details of the registration of the disputed domain name for the purposes of this proceeding and an email message received by the Center from the Respondent on December 29, 2025, in which he acknowledged that he is the current registrant of the disputed domain name and had no commercial interest in maintaining ownership of it.

#### **5. Parties' Contentions**

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

The Complainant claims rights in the MARYLIQ mark established by its ownership of the trademark registration described below and use of the mark by the Complainant and its predecessor in title HG Innovation Limited, since October 2, 2023.

Both the Complainant and HG Innovation Limited are affiliated companies, within the same corporate group, and their relationship is expressly demonstrated by transfer of ownership of the registration of EUTM MARYLIQ trademark to the Complainant by HG Innovation Limited on January 17, 2024.

Accordingly, the Complainant submits the commercial use of the MARYLIQ mark by HG Innovation Limited, inures to the benefit of the Complainant, and such use must be attributed to the same source for purposes of assessing priority, rights, and bad faith under the IEDR Policy.

The Complainant firstly alleges that the disputed domain name is identical or misleadingly similar to a protected identifier being the MARYLIQ trademark in which the Complainant has rights, because it contains the mark in its entirety and a side by side comparison to the disputed domain name and the Complainant's mark shows that the Complainant's mark is clearly recognizable in the disputed domain name.

Furthermore, it is argued that MARYLIQ is a distinctive, unique word, derived from the Complainant's primary brand LOST MARY and the element "LIQ" which is an abbreviation for the word "liquid".

Additionally, the Complainant argues that pursuant to section 1.11.1 of the [WIPO Overview 3.0](#)<sup>1</sup>, the applicable Top-Level Domain extension .ie is views as a standard registration requirement and as such is disregarded when applying the first element of the test in IEDR Policy paragraph 1.1.1.

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<sup>1</sup> WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)) was superseded by WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)).

Secondly, the Complainant alleges that the Respondent has no rights in law or legitimate interests in respect of the disputed domain name arguing that:

- the Respondent is not in the identity of the Complainant's distributor or partner. The Complainant has never directly or indirectly authorized the Respondent to use the trademark MARYLIQ and the corresponding domain name in any form;
- the disputed domain name has not been used since its registration;
- it is impossible for the disputed domain name to obtain relevant legal rights and interests by becoming widely known;
- there is no reasonable explanation to show that the long-term holding by the Respondent of the disputed domain name is in good faith; and
- the Complainant searched various national and regional trademark databases in the name of the Respondent and did not find that the Respondent had trademark rights in the name of MARYLIQ.

In addition, the Complainant argues that its principal brand LOST MARY and sister brands ELF BAR and ELFLIQ were already present and well-known in the Irish market prior to the registration of the disputed domain name; and in this regard, the Complainant refers to documents exhibited in an annex to the Complaint demonstrating the use of the ELF BAR, ELFLIQ and LOST MARY marks. The Complainant argues that the naming convention of the MARYLIQ mark follows the Complainant's established brand logic, indicating that the Respondent's registration was opportunistic and anticipatory.

Thirdly the Complainant alleges that the disputed domain name was registered and is being used in bad faith, arguing that the Respondent was aware of the Complainant's prior rights to the MARYLIQ trademark when registering the disputed domain name.

The Complainant argues that the disputed domain name was registered on October 3, 2023, almost contemporaneously with, or even slightly after, the official shipment of the "Maryliq" product line to Ireland.

In this regard the Complainant refers to an invoice dated October 2, 2023 issued by HG Innovation Limited for shipment of "Maryliq" branded product through Dublin Airport.

The Complainant adds that the disputed domain name has remained unused since its registration, which considered in combination with other factors:

- the disputed domain name's exact correspondence with the Complainant's registered trademark;
- the Respondent's lack of any rights or legitimate interests in the disputed domain name;
- the foreseeable connection between the disputed domain name and the Complainant's brand portfolio, including the naming conventions and anticipated brand extensions;
- the Complainant's prior registration and widespread recognition of the Complainant's related trademarks and brands in the relevant market; and
- the Respondent's failure to demonstrate any bona fide use, development, or business plan for the disputed domain name;

collectively demonstrate a pattern of opportunistic intent.

Accordingly, the Complainant argues that the Respondent's conduct constitutes bad-faith registration and use under the IEDRP Policy.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions, but sent emails communications to the Center on December 29, 2025, and January 19, 2026, expressing its willingness to transfer the disputed domain name to the Complainant.

## 6. Discussion and Findings

Pursuant to IEDR Policy paragraph 1, the Complainant is required to establish that:

- 1.1.1 the disputed domain name is identical or misleadingly similar to a protected identifier in which the Complainant has rights; and
- 1.1.2 the Respondent has no rights in law or legitimate interests in respect of the disputed domain name; and
- 1.1.3 the disputed domain name has been registered or is being used in bad faith.

The Panel notes the similarity between the IEDR Policy and the Uniform Domain Name Dispute Resolution Policy (the “UDRP”), and that because of that similarity panels established under the IEDR Policy have adopted and applied the jurisprudence of the UDRP in particular as reflected in the [WIPO Overview 3.1](#), when determining complaints relating to the “.ie” country code Top-Level Domain (“ccTLD”). The Panel adopts and applies that convention where appropriate in the following determination.

Notwithstanding the Respondent’s consent to the transfer of the disputed domain name, the Panel considers it appropriate, in the exercise of its discretion, to proceed to a substantive determination on the merits. [WIPO Overview 3.1](#), section 4.10.

### A. Identical or Confusingly Similar to a protected identifier in which the Complainant has rights

The Complainant has provided uncontested evidence that it has rights in the MARYLIQ mark established by its ownership of the EUTM registration described above and use of the mark by its predecessor in title on vapes and related products.

The disputed domain name consists of the Complainant’s MARYLIQ mark in its entirety in combination with the ccTLD extension “.ie”.

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 ccTLD extension “.ie” is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

The entirety of the MARYLIQ mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the IEDR Policy. [WIPO Overview 3.1](#), section 1.7.

The Panel finds therefore that the disputed domain name is identical to the MARYLIQ mark in which the Complainant has rights. The first element of the IEDR Policy has been established.

### B. Rights in Law or Legitimate Interests

Paragraph 3.1 of the IEDR Policy provides a list of circumstances in which the Respondent may demonstrate rights to, or legitimate interests, in a disputed domain name.

Although the overall burden of proof in proceedings under the IEDR Policy is on a 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 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 IEDR Policy or otherwise.

The Panel finds the second element of the IEDR Policy has been established.

### **C. Registered or Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 1.1.3 of the IEDR Policy, paragraph 2.1 of the IEDR Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name 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.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the IEDR Policy. [WIPO Overview 3.1](#), section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, the composition of the disputed domain name, which incorporates the entirety of the Complainant's MARYLIQ mark, the Respondent's expressed willingness to transfer the disputed domain name, the absence of any substantive response to the Complainant's contentions and the lack of any evidence of actual or contemplated good-faith use, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the IEDR Policy.

The Panel finds that the Complainant has established the third element of the IEDR Policy

### **7. Decision**

For all the foregoing reasons, in accordance with paragraphs 5 of the IEDR Policy and 14 of the Rules, the Panel orders that the disputed domain name <maryliq.ie> be transferred to the Complainant.

*/James Bridgeman/*

**James Bridgeman**

Sole Panelist

Dated: May 8, 2026