

ADMINISTRATIVE PANEL DECISION

BookBeat AB v. 任艺伟 (Yi Wei Ren)

Case No. DME2025-0001

1. The Parties

The Complainant is BookBeat AB, Sweden, represented by Abion GmbH, Switzerland.

The Respondent is 任艺伟 (Yi Wei Ren), China.

2. The Domain Name and Registrar

The disputed domain name <bookbeat.me> 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 January 8, 2025. On January 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 13, 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, Yi Wei Ren) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 13, 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 January 17, 2025.

On January 13, 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 January 17, 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 January 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 10, 2025.

The Center appointed Hong Yang as the sole panelist in this matter on February 12, 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 a Swedish company in the field of online subscription service for audiobooks and e-books, having presence in around 30 countries in Europe. It is also active online via its official website and on social media. In 2023, it surpassed SEK 1 billion in sales and 915,000 paying users.

The Complainant owns a portfolio of trademarks containing the wording "BookBeat" covering multiple jurisdictions, including the following: European Union Trade Mark No. 013916631 for BOOKBEAT, registered on September 18, 2015; United Kingdom Trademark No. UK00913916631 for BOOKBEAT, registered on September 18, 2015; International Trademark Registration No. 1498161 for BOOKBEAT, registered on October 14, 2019.

The Complainant also operates on the Internet its official website "www.bookbeat.com".

The disputed domain name was registered on November 14, 2024. According to the evidence provided by the Complainant, at the time of filing of this Complaint, the disputed domain name redirects to a professional online domain names market where the disputed domain name is offered for sale at USD 1,450 or for lease at USD 99.69 per month. Furthermore, the Complainant submits that the Respondent registered in the past one year four 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 four relevant UDRP proceedings. See *Sopra Steria Group v. 任艺伟 (Yi Wei Ren)*, WIPO Case No. [DCO2023-0099](#); *Syngenta Participations AG v. 任艺伟 (Yi Wei Ren)*, WIPO Case No. [D2024-0982](#); *Mölnlycke Health Care AB v. 任艺伟 (Yi Wei Ren)*, WIPO Case No. [D2024-4671](#); and *Talend S.A.S. v. 任艺伟 (Yi Wei Ren)*, WIPO Case No. [D2024-4700](#).

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 Preliminary 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 proceeding be English for several reasons, including the fact that: (1) the disputed domain name is formed by words in Latin characters; (2) the disputed domain name has been registered under the country code Top-Level Domain (“ccTLD”), “.me” (the term “me” being used in English as a pronoun), indicating that the Respondent appears to understand the English language; and, (3) the Complainant is a Swedish company, and the use of Chinese would impose undue burden of additional expense and delay on the Complainant.

The Respondent has, moreover, been notified by the Center, in both Chinese and English, of the language of the proceeding, and the deadline for filing a Response in Chinese or English. The Respondent did not make any specific submissions with respect to the language of the proceeding, nor did the Respondent file any Response.

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[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 entirety of the mark is reproduced 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 ccTLD, “.me” in the disputed domain name, does not change this finding, since the ccTLD, as a standard registration requirement, is generally disregarded under the first element test. [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 carries a high risk of implied affiliation, given that it is identical to the Complainant's trademark. [WIPO Overview 3.0](#), section 2.5.1. Further, available record shows that the Respondent is not affiliated or otherwise authorized by the Complainant or held any registration of the BOOKBEAT mark anywhere. There is no evidence indicating that the Respondent may be commonly known by the disputed domain name.

At the time of filing of the Complaint, the disputed domain name redirects to an online domain names market where the disputed domain name is offered for sale or lease. The Panel is convinced that the Respondent has capitalized on the mark of the Complainant. Such use does not amount to any use of the disputed domain name for a bona fide offering of goods or services, nor for any legitimate noncommercial or fair use.

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 BOOKBEAT is distinctive and well-known in its industry, and the Complainant's registration and use of its mark much predates the Respondent's registration of the disputed domain name. Moreover, the disputed domain name is nearly identical to the Complainant's domain name <bookbeat.com>, and the Respondent has not provided any explanation for his reason to register the disputed domain name. Thus, the Panel considers that the Respondent knew or should have known the Complainant's mark at the time of registering the disputed domain name. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4

At the time of filing of the Complaint, the disputed domain name redirects to a domain name trading platform where the Respondent offered the disputed domain name for sale at a price of USD 1,450, which is likely far in excess of the documented out-of-pocket costs directly related to the disputed domain name. The Panel infers that the Respondent has registered the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring it to the Complainant or its competitors for valuable consideration in an attempt to unfairly exploit the Complainant's mark. This constitutes registration and use in bad faith under paragraph 4(b)(i) of the Policy.

Furthermore, the available record also indicates that the Respondent has registered at least four domain names that respectively correspond to marks held by four 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

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 <bookbeat.me> be transferred to the Complainant.

/Hong Yang/

Hong Yang

Sole Panelist

Date: February 27, 2025