



Asian Domain Name Dispute Resolution Centre

hong kong

(Hong Kong Office)

## ADMINISTRATIVE PANEL DECISION

---

<b>Case No.</b>	HK-2001332
<b>Complainant:</b>	Wistron Corporation (緯創資通股份有限公司)
<b>Respondent:</b>	Domain Administrator
<b>Disputed Domain Name(s):</b>	< chinawistron.com >

---

### 1. The Parties and Contested Domain Name

The Complainant is Wistron Corporation (緯創資通股份有限公司), of NO.5, HSIN AN ROAD, SCIENCE-BASED INDUSTRIAL PARK, HSINCHU, TAIWAN, R.O.C..

The Respondent is Domain Administrator, of 1928 E. Highland Ave. Ste F104 PMB# 255, Phoenix, AZ 85016, U.S.A..

The domain name at issue is <chinawistron.com>, registered by Respondent with NameSilo LLC, of 1300 E. Missouri Avenue, Suite A-110, Phoenix, AZ 85014.

### 2. Procedural History

The Complainant filed the Complaint with the Asian Domain Name Dispute Resolution Centre (ADNDRC) (Hong Kong Office) on 27 March 2020. On 1 April 2020, ADNDRC sent a New Case Notification email to NameSilo, LLC, the registrar of the disputed domain name (“the Registrar”). The Registrar responded by email the same day disclosing details of the registrant of the domain name at issue and that the domain name at issue was created on 11 September 2019.

A Notification of Deficiencies of the Complaint was sent by ADNDRC to the Complainant on 14 April 2020. The Complainant amended the Complaint accordingly and the duly amended Complaint was sent to ADNDRC on 15 April 2020.

On 15 April 2020, ADNDRC confirmed that the Complaint had complied with the Uniform Domain Name Dispute Resolution Policy (“the Policy”) and its Rules.

The Respondent was formally notified of the Complaint on 16 April 2020 and was told to submit a Response on or before 6 May 2020 pursuant to Article 5 of the Rules. ADNDRC indicated to the parties on 7 May 2020 that it did not receive a Response from the Respondent.

ADNDRC informed the parties on 15 May 2020 that Ms. Dora Chow has been appointed as the Panelist. In accordance with the Rules., a decision will be rendered by the Panelist on or before 29 May 2020 unless there is exceptional circumstance.

### 3. Factual background

1. The Complainant is the owner of the trademark “Wistron” in many countries..
2. The table below specifies goods/services of some of the trademarks. As to the registration certificates of such trademarks.

Trademark	Area	Reg. No.	Goods/Services
Wistron	China	10138724	Tablet computer support, touch inquiry machine, insect trapping power device, safety helmet, diving equipment, electronic blackboard, electronic notice board, advertising machine, subtitle machine, digital electronic billboard, electric iron, photocopier, computer, camera strap , Multi-function multimedia player, digital media player, portable digital media player, built-in hard disk digital media player, built-in Blu-ray digital media player, Blu-ray disc player, smart Blu-ray player, with internet connection Function Digital media player, networked digital media and Blu-ray player, wireless music receiving speaker, networked home theater player, MP3 / MP4 player and other digital sound players, digital video disc player, film transistor LCD panel , LCD TV, Networked LCD TV, Smart LCD TV, Smart Display, Stereoscopic LCD TV, Smart TV, Plasma TV, Palm TV, Light Guide Plate, Naked Stereoscopic LCD Panel , Naked-eye stereoscopic LCD TV, biochip tester, food bacteria analysis Instrument, observation instrument, glasses, optical lens, electronic game instrument used with external display screen or display, electronic game instrument used with computer, car cigarette lighter, fluorescent starter, battery, wire, cable, digital video disc, Fire buckets, fire boxes, fire pumps, automatic sprinklers for firefighting, firefighting nozzles, water sprays for firefighting, fire sprinklers, foam sprinklers for firefighting, fire hydrants, fire sprinkler systems, firefighting equipment, driving recorders, welding Devices, hair curlers, chargers for mobile phones, uninterruptible power supplies, uninterruptible power supplies, power connection switches, vending machines, electronic locks, electronic anti-theft devices, rulers, electronic weight devices, calorie calculators, calculators Pedometers, electroplating equipment, industrial X-ray mechanical equipment, computer network dedicated stored-value cards, time

			<p>recorders, solar collectors for power conversion, postmark verifiers, ATMs, computer metering dispensers, dictation dictation machines, Product electronic labels, voting machines, lottery machines, plotters, scales, measuring tools, measuring instruments, optical products, industrial operations Remote control electrical equipment, lightning arresters, alarms, exposed X-ray film, electric door openers, electric clothes, electrical appliances for makeup removal, electrical conductors, sensors, fluorescent screens, light guides (optical fibers), asbestos covers for firefighters, photography Appliance kits, set-top boxes, audio and video receivers, flat and stereo video conversion boxes (set-top boxes), home theater equipment (audio-visual equipment), cold cathode fluorescent backlight modules (components for fluorescent screens), tablet computers, mobile phones, light-emitting diodes Backlight module (components for video display), sensor (electric) for touch panel, controller (general electronic original) for touch panel, glass (for touch panel) covered with charged conductor, electrolysis Device, DNA chip, global positioning system (GPS) equipment, speedometer for vehicle, sound alarm, self-defense alarm, electronic anti-theft device, power distribution cabinet (electricity)</p>
Wistron	China	5036117	<p>Flat panel display module, vehicle-mounted display, personal digital video player, color thin film transistor liquid crystal display panel module, color active matrix flat panel display module, passive matrix flat panel display module, camera</p>
Wistron	China	3237471	<p>Digital TV; AV Fax; Photomask (Electronic Components for Integrated Circuits); Integrated Circuit Foot; Printed Circuit Board; DC to DC Transformer Module; Fax; Computer Fax; TV; Speaker; Language Learning Machine; Semiconductor; Semiconductor Chip; Power Supply; Power Adapter; Electronic Circuit; Integrated Circuit; Chip; Filter; Microprocessor Chip; Silicon Crystal; Remote Control; Printed Circuit Board</p>
Wistron	China	1983367	<p>Circuit boards; Digital TV; Printed circuit boards; Data transmission lines; Photomasks (electronic components for integrated circuits); Audio-visual fax machines; Set-top boxes; Digital cameras; Digital cameras; Computer fax machines; Integrated circuits; Remote control; Fax machines Chips; speakers; televisions; transistors; silicon crystals; electronic circuits; semiconductor wafers; microprocessor chips; printed circuit boards; language learning machines; semiconductors</p>
Wistron	China	10138698	<p>Promote computers and their components,</p>

			peripherals, electronic materials, office machines and equipment products for others
Wistron	EU	010378602	<p>Weighing, signalling, checking (supervision), life-saving and teaching apparatus and instruments; Apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; Apparatus for recording, transmission or reproduction of sound; Magnetic data carriers, recording discs; Automatic vending machines and mechanisms for coin-operated apparatus; Cash registers, calculating machines, data processing equipment and computers; Fire-extinguishing apparatus; Electric devices for attracting and killing insects; safety helmet; Divers' apparatus; Radiation-protective clothing; Asbestos screens for firemen; electronic blackboard; Electronic notice boards; AD player; Character Generator; Digital Signage; Electric iron; Photocopier; computer software; database management software; database synchronization software; computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; computer software for integrating telephone communication through internet; computer programs for accessing, browsing and searching online databases; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; cloud computing operating system; software for medical and home care purpose; ATM Control Unit; UTM (Unified Threat Management); computer program; Monitors [computer programs]; computer hardware; computer host; main board; micro-processors; memory board; computer monitor; solid state memory; hard disk drive; Micro Hard Disk Driver; Micro Hard Disk storage; Central processing units; Disk drives; Readers [data processing equipment]; data storage device; Data processing apparatus; programmable data access processor; random access memory device; random access memory module; random access memory; Computer memories; flash memory; work station; computer terminal; computer; micro-computer; portable</p>

			<p>computer; notebook; handheld computer; Laptop computers; tablet PC; Panel PC; Media Tablet; Personal Computer (PC); thin client [ computers]; desktop computer; Container Computer; Dental Computer; All In One PC; computer touch screens; flat panel display screens; Industrial LCD Monitor; Medical Display; floating-point unit chip; read only memory chip; computer networks for storage of data; data coupler; data carrier; network card; display card; expansion card; memory card for computer; Interfaces for computers; Computer peripheral devices; Digital photo frame; Electronic book; electronic paper; personal digital assistant (PDA); electronic device for measuring, analyzing, recording, receiving and transmitting information of medical apparatus; Digital handheld electronic device with the function of sending and receiving calls, facsimile, email; Electronic equipment for point-of-sales (POS) systems, namely, point-of-sale terminals , bar code readers, optical readers, advertisement display monitors, keyboards, printers, scanners, radio transmitters, radio receivers, computer hardware, and computer operating software; Protective covers and cases for the foregoing product; tablets; Electronic publications [downloadable]; Electronic pens; Electronic agendas; Electronic dictionary; Electronic manual; electronic organizers; electronic notepads; electronic schoolbag; calculating machine; VOD set-top box; digital VOD set-top box; smart set top box; 2D/3D video conversion box; Multimedia player; digital media player; portable media player; hard disk drive built-in media player; Optical and magneto-optical disc players and recorders for audio, video and computer data; Networked media player; Network music streaming devices and speakers; Networked home theater player; home theater equipment with the function of networking and receiving wireless music, and can be used with other digital media; DVD player; TFT LCD panel; CCFL backlight unit; LCD TV (liquid crystal display television); CCFL backlight LCD TV; LED backlight LCD TV; Connected LCD TV; Smart LCD TV; smart monitor; 3D LCD TV; Google TV; PDP TV (plasma display panels television); digital television; hand held television; wireless digital electronic apparatus to secure and protect data and images on all forms of wireless equipment including mobile telecommunications equipment using an automatic synchronisation process and alarm notification of the loss or theft of the wireless equipment including mobile telecommunications equipment; Media Encoder; LED</p>
--	--	--	---

			<p>backlight unit; Light guide plate; Touch panel module; Naked-eye 3D LCD panel; Naked-eye 3D LCD TV; bio-chips; testing machine for biochip; Diagnostic apparatus for testing food; instrument for observation; optical mirrors; Video game machines for use with external display screen or monitor; video game machine for use with computer; Cigar lighters for automobiles; Starters for fluorescent lights; Battery; electric wires; electric cable; digital video disc; automatic Sprinkler machine for fire protection; Outlet for fire protection; Firefighting equipment, namely, fire fighting Sprinklers that spray mist; Firefighting equipment, namely, fire fighting Sprinklers that spray liquids on fires; Firefighting equipment, namely, fire fighting Sprinklers that spray foam on fires; fire hydrant; Sprinkler systems for fire protection; Fire Equipment; speed detector; Car video recorders; Electronic personal emergency response device; Electronic communication devices; video conference device; VoIP (Voice over IP); Digital Phone; ISDN Phone; Conference Phone; Video Phone; Media Phone; Media Video Phone; mobile phone; smart phone; Nursing Call System; mobile phone; DECT Phone; VoPLC (Voice over Power Line Communication); VoLTE (Voice over Long Term); Video Conference phone; Video Conference system; Router; Network Security Router; network bridge; network hub; network gateway; Switch; Network Security Switch; network firewall; internet apparatus; network server; global positioning system (GPS) devices; signal converter; optical fiber signal receiver; network adapter; network signal repeater; Network signal booster; network signal adapter; signal booster; wireless base station; IP PBX; Soft Switch; Call Manager; Media Gateway; Trunking Gateway / Analog Trunk Gateway; RAID Card; FC-Switch; PCIe SAN (PCIe -Storage Area Network) Devices; (MEGA) Data Center Storage Devices/Rack; integrated circuit; Welding apparatus; mobile phone battery charger; uninterruptible power supply; uninterruptible power supply; vending machine; electronic lock; Electronic security devices; Electric fence; ruler; electronic weight meter; calorie meter; pedometer; Mounting cabinet for electroplating apparatus; Cabinets for electronic equipment; Industrial X-ray apparatus; prepaid card for internet; Time lapse image recorder; Information display terminals / Kiosk; Solar panels for production of electricity.</p>
Wistron	EU	007452774	Computers; personal computer; desktop computer; notebook computers; handheld computer; laptop

		<p>computer; computer hardware and computer software; computer peripherals; personal digital assistants; computer carrying bags; housing for electronic goods; computer terminals; liquid crystal display: computer monitors; liquid crystal display monitor; flat monitor; computer motherboards; computer disk drives; optical character recognition disk drives; redundant array of independent disks; computer memories; computer keyboards; computer mouse; light pens; speakers; screen filters; bar code readers; printers; wireless internet slates, namely, computer touch screens consisting of a liquid crystal display for viewing of and interaction with web pages; circuit boards, printed circuit boards; circuit carrier boards; multiplexers; personal computer memory cards; video cards; audio cards; computer workstations comprised primarily of computers, monitors, keyboards, mouse, peripherals; scanners, namely, scanners for use in recording documents, scanners for use with computers and with word processors; film scanners; film adapters, namely, transparent media adapters to enable the scanning of film; data recognition equipment to recognize handwriting and fingerprint data, namely, optical character recognition apparatus, fingerprint scanners, and fingerprint sensors; blank compact discs; blank digital video discs; computer chips; integrated circuits; integrated circuit racks; very large scale integrated circuits; electronic circuit; semiconductors; semiconductor chips; microcircuit coder and decoders; silicon transistors; microprocessor chips; microprocessor control cards; computer networking equipment for broadband networks, satellite networks, local area networks, and digital subscriber line networks, namely, routers, modems, bridges, switches, switchboards, computer network interface cards, base stations, transmitters, transceivers, receivers, repeaters, multiplexers, remote controllers, line amplifiers, line multipliers; computer network hubs, namely, switches, soft switches, routers, and computer gateways for residential and business use over voice-over-internet protocols, asynchronous transfer mode networks, synchronous fiber optic networks, IIP-PBX, ethernet, internet and intranets; game boxes and game machines for playing electronic games for use with televisions and computers; computer software for computer network management and network operation, prerecorded computer software for communications over storage area networks, prerecorded computer software on magnetic discs and tapes for networking, video conferencing, telecommunications and managing</p>
--	--	---

			<p>stored computerized data; computer servers for connecting household appliances; telecommunications servers, namely, voice-over-internet protocol servers, rack-mount servers, video-on-demand servers; integrated service digital network terminal adapters; optical and magnetic data recorders and players, namely, optical compact disc players, recorders, and rewritable recorders, digital audio tape recorders and players, digital video recorders and players, and MP3 recorders and players; language learning machines, namely, digital audio tape players for use in language learning; optical signal receivers, transceivers, and generators; networking and server power supplies, power adapters; television sets; digital television; personal computer-televisions; internet set-top boxes; computer set-top boxes; set-top boxes with built-in computers; television set top boxes for decoding and demodulating broadcast signals; digital television cards; cable television control boxes; coaxial cable carriers, transceivers, and converters; storage boxes for storing computer data, comprising disks and memory chips; digital terrestrial broadcast boxes for decoding and demodulating broadcast signals from satellite; satellite receivers; digital satellite receiver decoder; telephone, internet telephones, video telephones, wireless mobile telephones; answering machines; fax machines; handheld wireless access protocol equipment, namely, mobile phones, pagers, two-way radios, smart phones, data transmission cables, converters, filters, satellite antennas and antenna modules, subscriber identity module cards; computer-based facsimile equipment, namely, computer fax machines, audio-visual fax machines; video-conferencing equipment, namely, video camera, video display generator, video telephone; digital cameras, namely, personal computer cameras, dual mode digital camera, digital still cameras, digital camcorders; digital projectors; ethernet network interface card, wireless network cards; power supplies; computer add-on card; optical fiber signal receiver; signal converter; access communication apparatus; communication adapter module; input/output device; color image fiber optical transceiver.</p>
Wistron	US	4407628	<p>safety helmets; divers' apparatus, namely, rebreathers; radiation-protective clothing; asbestos screens for firemen; electronic blackboards; electronic notice boards; advertisement media player; character generator, namely, optical character recognition apparatus; digital signage; photocopier; computer software for use in database management and in the electronic storage of data; database management</p>



		<p>software; database synchronization software; computer software for the redirection of messages, emails and other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; computer software for integrating telephone communication through a global computer network; computer programs for accessing, browsing and searching online databases; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; cloud computing operating systems; software for medical and home care purposes for use in database management and in the electronic storage of data; ATM control units; UTM (Unified Threat Management) apparatus in the nature of computer hardware, namely, a network security apparatus with multi-functions, including network firewalling; computer programs for use in database management and in the electronic storage of data computer monitors; computer hardware; computer host, namely, circuit boards; main circuit board; micro-processors; memory boards; computer monitoring programs. solid state computer memory; hard disk drive; micro hard disk driver; micro hard disk storage drives; central processing units; disk drives; data processing equipment, namely, readers; data storage devices, namely, blank tapes and flash drives for storage of computer data; data processing apparatus; programmable data access processor; random access memory device card; random access memory module; random access memory card; computer memories; flash memory card; computer work stations comprising computers, computer monitors, computer keyboards, computer hardware, computer peripherals and computer operating software; computer terminals; computers; micro-computers; portable computers; notebook computers; handheld computers; laptop computers; tablet personal computers; panel personal computers; media tablet computers; personal computer; thin client computers; desktop computers; container computers; dental computer hardware; all-in-one personal computer; computer touch screens; flat panel display screens; industrial LCD monitors;</p>
--	--	--

		<p>medical flat panel display screens; floating-point unit computer chips; read-only memory chips; network storage units, namely, computer hardware for high-speed processing and storage of data using multiple CPUs; blank magnetic data carrier; network cards, namely, LAN (local area network) computer cards for connecting portable computer devices to computer networks; video display cards; computer expansion boards; memory cards for computers; interfaces for computers; computer peripheral devices; digital photo frames for displaying digital pictures, video clips and music; electronic books featuring digital painting and drawing recorded on computer media; electronic papers, namely, books, magazines and manuals featuring digital painting and drawing recorded on computer media; personal digital assistant; electronic device for measuring, analyzing, recording, receiving and transmitting information of medical apparatus, namely, computer hardware. digital handheld electronic devices personal computer with the function of sending and receiving calls, facsimiles, e-mail and other digital data; equipment for point-of-sale (POS) systems, namely, point-of-sale terminals, bar code readers, optical readers, advertisement display monitors, keyboards, printers, scanners, radio transmitters, radio receivers, computer hardware and computer operating software; point-of-sale apparatus, namely, point-of-sale terminals; protective covers and cases for point-of-sale apparatus; PC tablets; downloadable electronic publications in the nature of books and magazines in the fields of music, videos, films, books, television, games and sports; electronic pens; electronic agendas; downloadable electronic dictionaries; electronic manuals recorded on computer media; electronic personal organizers; electronic notepads, namely, tablet computers; electronic schoolbags, namely, portable devices for educational and learning purposes which enable students to bring electronic books to school; electronic and entertainment products, namely, computers, cameras and televisions; calculating machines; camera straps; camera bags; digital cameras; video-on-demand set-top box; digital video-on-demand set-top box; smart set-top box; 2D/3D video conversion set-top box; multimedia player; digital media player; portable media player; hard disk drive built-in media player; optical and magneto-optical disc players and recorders for audio, video and computer data; networked media players; digital players in the nature of music streaming devices and speakers therefor; home theater digital audio and video players; home</p>
--	--	--

		<p>theater equipment comprising loudspeakers, amplifiers, sub woofers, audio-video receivers, DVD players, optical disc players, radio tuners, radios, computer hardware and computer software with the function of networking and receiving wireless music, which can be used with other digital media; DVD players. thin film transistor liquid crystal display panels; cold cathode fluorescent lamp backlight television units; televisions; wireless digital electronic apparatus to secure and protect data and images on all forms of wireless equipment including mobile telecommunications equipment using an automatic synchronization process and alarm notification of the loss or theft of the wireless equipment including mobile telecommunications equipment; media encoder; light emitting diode backlight module; light guide plate, namely, electric switch plates; touch panel module; cover lens, namely, lens filters; naked-eye 3D LCD panel; bio-chips for scientific and research purposes; testing machines for bio-chips; diagnostic apparatus for testing food; instruments for observation, namely, microscopes, magnifying lenses and magnifying glasses; eyeglasses; optical mirrors; starters for fluorescent lights; batteries; electric wires; electric cables; pre-recorded digital video discs featuring motion picture films, music videos, artistic performances, documentaries, dramas, comedies and cartoons; fire boxes, namely, fire alarms; pump machines for fire protection, namely, controlled volume pumps; automatic sprinkler machines for fire protection; outlets in the nature of fire alarms for fire protection; firefighting equipment, namely, firefighting sprinklers that spray mist; firefighting equipment, namely, fire fighting sprinklers that spray liquids on fires; firefighting equipment, namely, firefighting sprinklers that spray foam on fires; fire hydrants; sprinkler systems for fire protection; fire equipment namely, fire extinguishing apparatus; laser speed detectors; car blackboxes, namely, apparatus for recording of sound, images or data. electronic personal emergency response devices comprised of a data processor and a user input device for connecting the data processor to an emergency response entity through a communication network and allowing audio and data communication between the processor and the entity; video conference devices, namely, wireless television set for providing video conferencing and telephone service over the Internet; voice over Internet protocol devices phone adapter; telephones; computer system for nursing calls; voice over power line communication devices namely, telephones;</p>
--	--	---

		<p>voice over long term equipment devices namely, telephones; wireless television set for providing video conferencing and telephone service over the Internet; network routers; network security routers; network bridges; network hubs; network gateways routers in the nature of computer control hardware, network switches, network security switches; network firewalls; Internet apparatus, namely, network servers; global positioning system (GPS) devices; signal converters; optical receivers; network adapters; network signal repeaters; signal boosters, namely, digital signal processors; network signal adapters; signal boosters, namely, digital signal processors; wireless base station, namely, network router; Internet protocol private branch exchange telephone systems; soft electric switches; call managers, namely, a call-processing system in which software tracks all active Voice over Internet Protocol network components including phones, gateways, conference bridges, transcoding resources and voicemail boxes among others; media gateway routers; trunking gateway routers in the nature of computer control hardware; analog trunk gateway routers in the nature of computer control hardware; Redundant Array of Independent Disks (RAID) memory card; fiber channel computer switch. peripheral component interconnect express storage area network devices, namely, external computer hard drives; (MEGA) data center storage devices, namely, hard disk drives; (MEGA) data center storage racks namely, hard disk drives; electronic integrated circuits; welding transformers; mobile phone battery chargers; uninterruptible power supply; electronic locks; electronic security devices, namely, locks; electric fences; graduated rulers; electronic weight meters; electronic calorie measuring meters; pedometers; racks and mountings specifically adapted for use with audio, visual, computer and telecommunications equipment; industrial x-ray apparatus, namely, x-ray tubes other than for medical purposes; prepaid card for internet, magnetically encoded; time lapse image recorder; public media stations, namely, computer docking stations; public media kiosks, namely, information display terminals comprising computers, computer hardware, computer peripherals, and computer operating software, for use in providing directory assistance in shopping malls, airports, railroad stations and bus stops and to provide assistance with monetary transactions; solar panels for production of electricity; robots for personal, educational and hobby use and structural parts</p>
--	--	--

			therefore.
Wistron	US	2916567	Computers; personal digital assistants; computer carrying bags; housing for electronic goods; computer terminals; computer monitors; computer motherboards; computer disk drives; optical character recognition disk drives; redundant array of independent disks; computer memories; computer keyboards; computer mouse; light pens; speakers; screen filters; bar code readers; printers; wireless internet slates, namely, computer touch screens consisting of a liquid crystal display for viewing of and interaction with web pages; circuit boards, printed circuit boards; circuit carrier boards; multiplexers; personal computer memory cards; video cards; audio cards; computer workstations comprised primarily of computers, monitors, keyboards, mouse, peripherals; scanners, namely, scanners for use in recording documents, scanners for use with computers and with word processors; film scanners; film adapters, namely, transparent media adapters to enable the scanning of film; data recognition equipment to recognize handwriting and fingerprint data, namely, optical character recognition apparatus, fingerprint scanners, and fingerprint sensors; blank compact discs; blank digital video discs; computer chips, integrated circuits, integrated circuit racks; very large scale integrated circuits; semiconductors, semiconductor chips, microcircuit coder and decoders, silicon transistors, microprocessor chips, microprocessor control cards; computer networking equipment for broadband networks, satellite networks, local area networks, and digital subscriber line networks, namely, routers, modems, bridges, switches, switchboards, computer network interface cards, base stations, transmitters, transceivers, receivers, repeaters, multiplexers, remote controllers, line amplifiers, line multipliers; computer network hubs, namely, switches, soft switches, routers, and computer gateways for residential and business use over voice-over-internet protocols, asynchronous transfer mode networks, synchronous fiber optic networks, IIP-PBX, ethernet, internet and intranets. game boxes and game machines for playing electronic games for use with televisions and computers; computer software for computer network management and network operation, prerecorded computer software for communications over storage area networks, prerecorded computer software on magnetic discs and tapes for networking, video conferencing, telecommunications and managing stored computerized data; computer servers for

			connecting household appliances; telecommunications servers, namely, voice-over-internet protocol servers, rack-mount servers, video-on-demand servers; integrated service digital network terminal adapters; optical and magnetic data recorders and players, namely, optical compact disc players, recorders, and rerecorders, digital audio tape recorders and players, digital video recorders and players, and MP3 recorders and players; language learning machines, namely, digital audio tape players for use in language learning; optical signal receivers, transceivers, and generators; networking and server power supplies, power adapters; television sets; personal computer-televisions; internet set-top boxes; computer set-top boxes; set-top boxes with built-in computers; television set top boxes for decoding and demodulating broadcast signals; digital television cards; cable television control boxes; coaxial cable carriers, transceivers, and converters; storage boxes for storing computer data, comprising disks and memory chips; digital terrestrial broadcast boxes for decoding and demodulating broadcast signals from satellite; satellite receivers; digital satellite receiver decoder; telephone, internet telephones, video telephones, wireless mobile telephones; answering machines; fax machines; handheld wireless access protocol equipment, namely, mobile phones, pagers, two-way radios, smart phones, data transmission cables, converters, filters, satellite antennas and antenna modules, subscriber identity module cards; computer-based facsimile equipment, namely, computer fax machines, audio-visual fax machines. video-conferencing equipment, namely, video camera, video display generator, video telephone; digital cameras, namely, personal computer cameras, dual mode digital camera, digital still cameras, digital camcorders; digital projectors.
Wistron	Taiwan	01228311	Flat display module, global satellite positioning receiver, camera, vehicle-mounted display, personal digital video player, color thin film transistor liquid crystal display module, color active matrix flat panel display module, passive matrix flat panel display module
Wistron	Taiwan	01598829	Electrical equipment for trapping insects; safety helmets; diving equipment; asbestos baffles for firefighters; electronic blackboards; electronic notice boards; electronic advertising media player boards; subtitle machines; electronic advertising boards; electric irons; photocopy machines; database management software; Library synchronization software; computer software that transfers messages,

			<p>Internet e-mail, and / or other data from data memory on a personal computer or server to one or more electronic handheld devices; provides two remote computer stations Computer software for synchronizing information between computers; computer software that provides integrated telephone communications through the computer's global information network; computer programs for accessing, browsing, and searching online databases; making, downloading, transmitting, receiving, editing, compressing, encoding, Computer software to decode, play, store, and manage text, images, images, and electronic publications; computer hardware and software for cloud computing operations and management; medical and home care software; central control processors for bank teller machines; Integrated communication device with firewall, virus detection and removal software, and URL filtering function; computer program ; Monitor program; microprocessor; computer monitor; solid-state memory; hard disk; micro hard disk drive storage; central processing unit; magnetic disk drive; data reader; data processing device; programmable data access processor ; Random access memory; random access memory module; random access memory; flash memory; computer; microcomputer; tablet computer; industrial touch tablet computer; multimedia tablet computer; compact computer; container type Computers; dentist computer; all-in-one computer; car computer; computer touch screen; flat panel display; industrial LCD computer monitor; medical grade computer monitor; floating-point arithmetic chip; read-only memory chip; network storage equipment; data coupling Data carrier; display card; expansion card; computer memory card; electronic paper display; personal digital assistant; digital handheld electronic appliances with sending and receiving telephone, fax, e-mail, and other digital data, that is, computer hardware Body; electronic equipment of POS system, that is, computer host, cash register, computer terminal, bar code Pick-up, code readers, advertising displays, keyboards, printers, scanners, radio transmitters and receivers, computer hardware and computer operating software; point-of-sale management terminals; laptop bags; personal digital assistants Bags; special cases for personal digital assistants; microphone protective cases; record sets; mobile phone cases; optical disc finishing boxes; computer digital tablets; electronic publications; electronic pens; electronic memo pads; electronic dictionaries; electronic manuals; electronic memo</p>
--	--	--	--

			<p>pads; Portable computer (electronic schoolbag); digital photo frame; computer; camera strap; camera equipment set; on-demand video box; on-demand video digital set-top box; smart networked video box; flat / stereoscopic video conversion box; multifunctional multimedia playback Digital media player; portable digital media player; built-in hard disk digital media player; built-in blu-ray digital media player; blu-ray disc player; smart blu-ray player; digital media player with networking function ; Networked digital media and Blu-ray player; Wireless music receiving speaker; With networked and wireless music Receiving function and home theater equipment consisting of TV, audio amplifier and audio speakers that can be used in conjunction with other digital media; MP3 / MP4 players and digital sound players; digital audio and video disc players; thin film transistor LCD panels; cold Cathode fluorescent tube backlight module; LCD TV; Network LCD TV; Smart LCD TV; Smart Display; Stereoscopic LCD TV; Smart TV; Plasma TV; Handheld TV; Digital Media Conversion Device; light-emitting diode backlight module (liquid crystal display component); light guide plate (liquid crystal display component); touch panel module; touch panel; touch module; optical glass; glass covered with a conductive conductor on the surface Top-view stereo display LCD panel; Top-view stereo display LCD TV; Laboratory freezer; Biochip; Biochip tester; Food bacteria content analyzer; Observation instrument; Glasses; Optical lens; Electronic play instrument for display screen or monitor; car cigarette lighter; fluorescent lamp starter; battery; fire bucket; fire box Fire pumps; automatic sprinklers for firefighting; firefighting water outlets; water sprays for firefighting; firefighting sprinklers; foam sprinklers for firefighting; fire hydrants; fire sprinkler systems; firefighting equipment; radar overspeed warning devices; driving image recorders Self-defense call device; communication equipment; digital telephone; integrated service digital Internet telephone; conference telephone; multimedia telephone; multimedia video telephone; communication equipment for nurse stations and patient rooms; mobile phones; digital enhanced (pan-European digital) wireless Telephone; Power Internet Phone; Internet Phone with Long-term Evolution Technology; Video Conference Phone; Video Conference Device; Internet Equipment; Global Positioning System Equipment; Signal Enhancer; Radio Base Station; Internet Phone Switcher;</p>
--	--	--	---



			<p>Software Network Telephone switches; Internet telephony management servers; Media gateways, media network gateway switch controllers; trunk gateways / analog trunk gateways; disk array cards; fiber optic switches; large database storage devices</p> <p>Electric welding equipment; hair curlers; uninterruptible power supply; uninterruptible power supply; Switch; Vending machine; Electronic lock; Electronic anti-theft device; Electronic fence; Ruler; Electronic weight device; Calorie calculator; Pedometer; Special cabinet for electronic equipment; Special rack for electronic equipment; Electroplating equipment; Industrial X-ray machinery Equipment; computer network dedicated stored-value cards; time recorders; public information stations; solar collector boards for power conversion; entertainment robots; medical computer hardware; ultrasonic sensors; downloadable software.</p>
Wistron	Taiwan	01026301	<p>Set-top boxes, digital satellite receivers, amusement machines for use with computers, cable TV receivers, digital terrestrial TV receivers, internet phones, video phones, all-in-one kids computers, home network hubs, digital TVs, digital TV cards Compact Terminal, Compact Network Terminal, Windows Network Terminal, Car Computer, Integrated LCD Computer, LCD Monitor, Wireless Personal Internet Terminal, E-Book, Smart Handheld Device, Personal Digital Assistant (PDA), palmtop computer, smart mobile phone, portable information machine, stock financial machine, portable e-book, computer camera, digital camera, digital camera, dual-mode digital camera, server, computer workstation, disk array fault tolerance Devices, hard disk expanders, computer racks, servers, area storage, computer hardware and software, personal computers, desktop computers, notebook computers, integrated LCD screen computers, integrated cathode ray tube display screens Computer, laptop, laptop, computer tv, portable computer, multiple processors Brain, network server, rack server, on-demand video system server, internet voice protocol server, computer motherboard, computer terminal, computer set-top box, keyboard, mouse, light pen, barcode reader , Computer case, computer host, optical reader, disk drive, tape drive, wireless keyboard, wireless mouse, handwriting recognition machine, scanner, printer, computer network equipment, modem, hands-free phone data Machine, digital network user circuit series standard modem, cable modem, universal serial bus modem, modem card, personal computer memory card international association standard modem card,</p>

			<p>Ethernet interface card, universal string Bus Network Card, Personal Computer Memory Card International Association Standard Network Card, Wireless Network Card, Personal Computer Memory Card International Association Standard Wireless Network Card, Infinite Transmission Card, Personal Computer Memory Infinite Transmission Card, Universal Serial Bus unlimited transmission card, network card, home radio standard network card, wireless transmission device, Ethernet hub, Ethernet switching hub, Internet / Enterprise network access router, computer fax machine, high-speed LAN equipment, IEEE 802.11 standard wireless LAN base station, home radio network standard network base station, wireless network connection point, telecommunication equipment , Telephone, wireless phone, internet phone, mobile phone, video conferencing equipment, VoIP phone, VoIP phone, VoIP phone, VoIP software, VoIP switch , Home Internet gateway, power supply, power adapter, DC to DC transformer module, switching power supply, battery backup power supply, integrated circuit, magnetic disk drive, optical drive, computer Memory, data storage, printed circuit board, computer add-in card, interface card, video card, video graphics array display card, sound card, optical multiplexer, multiplexer, loop carrier, screen display, line gain, Line multiplier, remote control, line repeater, optical disc, optical fiber signal reproduction machine, tape with computer program recorded (Disc) and program cassette, fiber optic signal receiver, coaxial cable carrier, signal transceiver, signal converter, cable carrier, answering machine, facsimile, chip, color image fiber optic communication device, speaker, subscriber switch, hub , Bridge, Router, Network Switch, Asynchronous Transmission Mode Switch, Magnetic Disk Recording Computer Programs of Network Management System and Network Operating System, Internet TV Receiver, Digital Satellite Receiver Decoder, Home Communication Switch Connector, handheld wireless internet device, simple internet computer, network hub, data transmission line, converter, adapter, filter, satellite antenna, communication connection module, personal access communicator, satellite antenna module, antenna , Laptop bag, CD burner, platform scanner, film scanner, digital projector, printer, full flat display, plasma display, TV, integrated service digital network modem, asymmetric digital user circuit System modem, wireless LAN data transmitter, wireless data transmitter, low-end mobile phone, low noise Star</p>
--	--	--	--

			signal receiver, high-speed digital user loop equipment, network hub, voice packet gateway, voice data integration access device, synchronous optical fiber network, Hanka, photomask, transistor, circuit board, semiconductor, microcircuit coding Devices, silicon crystals, electronic circuits, semiconductor chips, micro-processing chips, printed circuit boards, integrated circuit feet, super large integrated circuits, control cards, audio-visual fax machines, language learning machines, TV computer goggles, radio networks Road bridge, gateway (internet connector), unlimited frequency terminal equipment, broadband microwave local area network equipment, wireless personal network equipment.
--	--	--	---

#### 4. Parties' Contentions

##### A. Complainant

The Complainant's contentions may be summarized as follows:

The ICANN Uniform Domain Name Dispute Resolution Policy provides, at Paragraph 4(a), that in the administrative proceeding, the complainant must prove that EACH of the following three elements is present:

Wistron Corp. (the company name in Chinese is “緯創資通股份有限公司”; the “Complainant”) headquarters in Taiwan and has expanded to include operations in China, Philippines, Czech, Malaysia, Indonesia, Vietnam, India, U.S.A. and Mexico. The Complainant is one of largest ODM companies producing computing, information and communication technology products for the world-renowned high-tech companies or brands, such as Apple, HP, Dell, Acer and SONY etc., with design, manufacturing and after-sales services. In addition, the Complainant's subsidiaries in China were named 纬创资通(中山)有限公司 and 纬创资通(昆山)有限公司.

The Complainant has registered trademark registrations of “Wistron” in many countries including China (all classes) as well as domain names associated to “Wistron,” including wistron.com, wistron.com.cn etc.

- i) The disputed domain name(s) is/are identical or confusingly similar to a trademark or service mark in which the Complainant has rights:
  1. As the part “.com” of the disputed domain is lack of distinctiveness, it is sufficient to compare “chinawistron” with Complainant's trademarks “Wistron.”
  2. Based on most people's experience, “chinawistron” can be treated as the combination of “China” and “wistron.” In this case, “China” is only a country name and also lack of distinctiveness. In other words, the distinctive part of the disputed domain name is only “wistron, ” which is as same as the Complainant's trademarks “Wistron.”

3. As the distinctive part of the disputed domain name and the Complainant's trademarks are both "wistron," people using the disputed domain name may believe they are connected to "wistron" provided by the Complainant's on-line services.
  4. In fact, the Complainant has received a complaint email from a France consumer stating he ordered a note book computer through the disputed domain name and he thought he dealt with the Complainant. However, he has paid to the Respondent but did not obtain the computer from the Complainant.
  5. As the above mentioned, the Complainant believed the paragraph 4(a)(i) of the Policy has been proved.
- ii) The Respondent has no rights or legitimate interests in respect of the domain name(s):
1. According to records of the official trademark database in China, the Complainant cannot find out any trademark registration of application regarding "wistron" or "chinawistron" in relation to the Respondent.
  2. The Complainant has never authorized the Respondent to register any domain name. Furthermore, there is no relation in commerce between the Complainant and the Respondent.
  3. As the above mentioned, the Complainant believed the paragraph 4(a)(ii) of the Policy has been proved.
- iii) The disputed domain name(s) has/have been registered and is/are being used in bad faith:
1. The Complainant registered many "Wistron" trademarks in the world, especially in China. The Respondent should know "Wistron" is the company name and trademark of the Complainant, especially in the business field run by the Respondent. In this circumstance, this fact proves the Respondent attempt to leverage the Complainant's goodwill and visibility to deceive the consumer all over the world by registering and using the disputed domain name in bad faith.
  2. As the foregoing, we received a letter alleging a customer from France was deceived by the Respondent. It is a strong fact to prove the disputed domain name is registered and used in bad faith by the Respondent.
  3. From the webpages of the disputed domain name, we found the English company name of the Respondent includes "Wistron" and the Chinese company name of the Respondent also include "緯創資通" in traditional Chinese and simplified Chinese. All are as same as the Complainant's English and Chinese company names, including our subsidiary companies in China. No one will believe these facts are just a coincidence. A normal people will believe the disputed domain names has been registered and is being in bad faith by the Respondent. Meanwhile, The Respondent misappropriated the photos of our subsidiary's factory area, and apparently intended to mislead others into believing that their website was set up by us.
- As the above mentioned, the Complainant believed the paragraph 4(a)(iii) of the Policy has been proved.

B. Respondent

The Respondent did not file a Response.

**5. Findings**

Language of the Proceedings

According to Article 11 (a) of the Rules, the language of the proceeding shall be the language of the registration agreement with the Registrar unless the Panel shall determine otherwise. In this case, the language of the registration agreement is English. The Panel also has an obligation to ensure that the parties are treated equally and each party is given a fair opportunity to present its case pursuant to Article 10(b) of the Rules. Having considered the use of English in the web site of disputed domain name before its lock down and the circumstances of the proceeding, the Panel rules that it is proper for these proceedings to continue in English.

The ICANN Uniform Domain Name Dispute Resolution Policy provides, at Paragraph 4(a), that each of three findings must be made in order for a Complainant to prevail:

- i. Respondent's domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- ii. Respondent has no rights or legitimate interests in respect of the domain name; and
- iii. Respondent's domain name has been registered and is being used in bad faith.

**A) Identical / Confusingly Similar**

The Complainant's company name and trade mark is "Wistron". Its web site is "wistron.com". The Complainant has registered "Wistron" as a registered trade mark in many countries in the world including China. The earliest registration of "Wistron" in China was Registration no 3237471 in class 9 which took effect on 21 Feb 2004. The disputed domain name "chinawistron.com" is made up of "China" and "wistron". "China" is the name of a country and "wistron" is the same as the company name and trade mark of the Complainant. Together they refer to Wistron in China. (.com" is a generic top level domain and will not be considered.)

The Complainant is a multi-national corporation with its headquarter in Taiwan. It's key products and services include design, manufacturing and after-sales support services for Notebook PC, desktop systems, server and storage systems, IA (information appliances), hand held devices, networking and communication products. The Complainant has subsidiaries in China. The Complainant adduced evidence (Annex 5) to show that a customer in France had complained to the Complainant regarding his order for a computer from China Wistron Technology Co Ltd (CWT), the company which operated the disputed domain name in Nanshan District, Shenzhen, China. He thought he was placing an order with the Complainant. The French customer paid CWT Euro 300 for a computer but received a USB cable. The French customer had sent emails and called CWT but received

no reply, he then realized the whole thing was a scam (“the Scam”). The French customer asked the Complainant for a refund of his Euro 300 or a computer be sent to him.

The Panel is satisfied that the disputed domain name is either identical or confusingly similar to a trade mark in which the Complainant has rights under Paragraph 4 (a)(i) of the Policy.

### **B) Rights and Legitimate Interests**

The Respondent did not file a Response.

Based on the evidence of the Scam submitted by the Complainant, CWT had failed to deliver the computer after receiving payment from a French customer. There is no evidence that the Respondent or CWT was using the disputed domain name in connection with a bona fide offering of goods.

The Panel is satisfied that the Respondent has no rights or legitimate interests in respect of the disputed domain name under Paragraph 4 (a) (ii) of the Policy.

### **C) Bad Faith**

Although the Respondent provided an address in Phoenix, Arizona, USA, there is no doubt that the Respondent had consented to the use of the disputed domain name by CWT otherwise CWT would not be able to set up a web site using the disputed domain name. By allowing CWT (a company unrelated to the Complainant but utilizing “Wistron” in its company name) to operate the disputed domain name, the Respondent was taking advantage of the reputation of the Complainant’s trade mark “Wistron” and drawing Internet traffic to the disputed domain name for commercial gain. Not only did the Respondent create confusion in the general public by creating the disputed domain name, the Scam showed that a consumer (in this case a French customer) had been tricked. The French customer paid Euro 300 thinking he was buying a computer and received a USB cable from CWT. The above clearly supports the presence of bad faith on the part of the Respondent.

Furthermore, under clause 3(b)(ii) of the registration agreement with the Registrar, the Respondent had warranted that the use of the disputed domain name and related services were not being procured for unlawful purpose, including but not limited to the infringement of any intellectual property right. This breach of warranty is further evidence showing bad faith on the part of the Respondent.

The Panel therefore finds the Respondent’s domain name has been registered and is being used in bad faith under Paragraph 4(a)(iii) of the Policy.

**6. Decision**

To conclude, the Panel has found sufficient proofs to satisfy Paragraph 4(a)(i), 4(a)(ii) and 4(a)(iii) of the Policy. The Panel therefore orders that the remedy as sought by the Complainant is to be granted. The disputed domain name <chinawistron.com> is to be transferred to the Complainant.



Dora Chow  
Sole Panelist

Dated: 28 May 2020