



Asian Domain Name Dispute Resolution Centre

hongkong

(Hong Kong Office)

ADMINISTRATIVE PANEL DECISION

Case No.	HK-2001343
Complainant:	Bytedance Ltd.
Respondent:	Jerzy Piskadlo
Disputed Domain Name(s):	<famous-tiktok-profile.club>

1. The Parties and Contested Domain Name

The Complainant is **Bytedance Ltd.**, of P.O. Box 31119 Grand Pavilion, Hibiscus Way, 802 West Bay Road, Grand Cayman, KY1 - 1205 Cayman Islands.

The Respondent is **Jerzy Piskadlo**, of Sikorskiego 4, Strzyzow, podkarpackie P 038-100, Poland.

The domain name at issue is *famous-tiktok-profile.club*, registered by Respondent with NameCheap.inc, of 4600 East Washington Street, Suite 33, Phoenix AZ 85034, United States.

2. Procedural History

Complainant (Bytedance Ltd.) filed a Complaint dated 17 April 2020, with the Hong Kong office of Asian Domain name Dispute Resolution Centre (“ADNDRC”), through its counsel, Paddy Tam, CSC Digital Brand Services Group AB of Stockholm, Sweden. By the allotted time up to 20 April 2020, the Respondent did not serve its response.

ADNDRC then appointed this Panelist, Karen Mills, who confirmed her availability, freedom from conflict, and ability to act impartially and independently. The file was then forwarded to this panelist by ADNDRC under cover letter dated 21 April 2020, by e-mail.

On 22 May, 2020 The Respondent advised ADNDRC by email that the submissions had been lost as spam.

On 25 May, 2020 this Panelist by email requested ADNDRC to provide Respondent with a replacement copy of the Complaint and attendant documentation.

By Administrative Order No. 1 of 29 May, 2020 this Panelist afforded the Respondent additional time of 10 calendar days for submission of the Response, and at the same time a

A handwritten signature in blue ink, appearing to be the name of the panelist, Karen Mills.

second copy of the Complaint and attendant documentation was also provided to Respondent.

On 1 June, 2020, the Respondent advised by email that he agreed to the transfer and had voluntarily attempted to request the Registrar to effect the transfer of the disputed domain name to the Claimant, but that the Registry required an award of the ADNDRC panel in order to do so.

3. Findings

In determining a domain name dispute, panels are instructed, under Article 15 (a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), to decide a complaint on the basis of the statements and documents submitted and in accordance with the Uniform Domain Name Resolution Policy (the "Policy"), the Rules and any rules and principles of law that it deems applicable.

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.

This Panelist had not as yet fully studied to what extent each of the above criteria are present in this case, because the Respondent had requested additional time to put in its response and the Panel was awaiting such receipt.

However in the interim, the Respondent had apparently seen the error in its ways and has unilaterally sought to comply with Complainant's request by voluntarily seeking to effect the transfer at the Registry.

Therefore, in effect, the parties have consented to the transfer: the Complainant in so requesting it in its Complaint, and the Respondent in its email and its request to the Registry to make such transfer, and therefore this award may effectively be considered as a Consent Award and examination of the required elements is no longer necessary.

4. Decision

This Panelist hereby decides and orders, based on the mutual consent of the Parties, that the captioned domain name caption be transferred to the Complainant promptly.



Karen Mills
Sole Panelist
8 June, 2020

(Optional)

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Parties' Consent

The Undersigned, Complainant and Respondent, in captioned matter, hereby agree and consent to the Award of the Panelist as set out hereinabove.

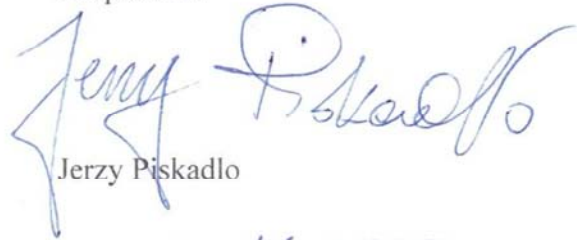
Complainant

/s/ CSC Digital Brand Services Group AB

Bytedance Ltd.

Date: June 18, 2020

Respondent



Jerzy Piskadlo

Date: 06.17.2020