



(Hong Kong Office)

ADMINISTRATIVE PANEL DECISION

Case No.	HK-2001398
Complainant:	Shenzhen Reo-link Digital Technology Co, Ltd
Respondent:	Dharminder nayer
Disputed Domain Name:	<reolink-support.com>

1. The Parties and Disputed Domain Name

The Complainant is **Shenzhen Reo-link Digital Technology Co, Ltd** of Room A208, 2F, Tsinghua Unisplit Science Park, No.13 Langshan Road, North High-Tech Zone, Song Pingshan Community, Xi Li Street, Nanshan District, Shenzhen, China.

The Respondent is **Dharminder nayer** of 49 Shivalik City Sector 127, Mohali, Punjab, India.

The domain name at issue is **<reolink-support.com>** (“Disputed Domain Name”).

The Registrar is **GoDaddy.com, LLC** Email: **abuse@godaddy.com**

2. Procedural History

On 27 September 2020, pursuant to the Uniform Domain Name Dispute Resolution Policy (“the Policy”), the Rules of the Uniform Domain Name Dispute Resolution Policy (“the Rules”) and the Asian Domain Name Dispute Resolution Centre Supplemental Rules (“the Supplemental Rules”), the Complainant submitted a Complaint to the Hong Kong Office of the Asian Domain Name Dispute Resolution Centre (“ADNDRC-HKO”) and elected that this case be dealt with by a sole panelist. On 28 September 2020, the ADNDRC-HKO sent to the Complainant by email an acknowledgement of the receipt of the Complaint and sent to the Registrar a request for verification.

On 29 September 2020, the Registrar transmitted by email to the ADNDRC-HKO its verification. On the same day, the ADNDRC-HKO sent a Notification of Deficiencies of the Complaint to the Complainant. On the same day, the Complainant submitted an amended Complaint.

On 30 September 2020, the ADNDRC-HKO sent a Notification of Commencement of Proceedings (“the Notification”) to the Respondent. The Notification gave the Respondent 20 days to submit a Response (i.e. on or before 20 October 2020).

No formal Response was submitted to the ADNDRC-HKO by the Respondent.

On 21 October 2020, the ADNDRC-HKO advised both parties of the failure of the Respondent to submit a Response to the Complaint within the stipulated time period and that a Panelist for the case would shortly be appointed by the ADNDRC-HKO.

On 22 October 2020, the ADNDRC-HKO sent an email to Mr. FONG Ho Yin enquiring from him whether he could act and if so whether he could act independently and impartially in the matter in question.

On 23 October 2020, Mr. FONG Ho Yin confirmed that he was willing to act and if appointed would act independently and impartially. On the same day, the ADNDRC-HKO notified the parties that Mr. FONG Ho Yin had been appointed as a sole panelist by the ADNDRC-HKO.

3. Factual Background

For the Complainant

The Complainant is a company incorporated under the laws of the People’s Republic of China.

For the Respondent

On 3 July 2019, the Respondent through the Registrar registered the Disputed Domain Name.

The Respondent has not filed any Response to these proceedings.

4. Parties’ Contentions

A. Complainant

The Complainant’s contentions may be summarized as follows:

1. The Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

First, as mentioned above, the Complainant had registered trademarks “REOLINK” and “” in China, in the US, in the United Kingdom, in the European Union, in Japan and in Singapore etc., the Complainant owns prior trademarks on the word “Reolink”.

Second, the Complainant was established on December 29, 2014, is mainly engaged in the business including technical development and sales of digital video and audio processing software; technical development and sales of digital video and audio processing equipment etc. “Reolink” has been recognized as the English trade name

of the Complainant. The core business is to sell cameras, video surveillance equipment, and provide users with data backup, storage and cloud services. The products of the Complainant have been selling to different countries and areas such as the United States, the United Kingdom, European Union and Japan etc. The Complainant operates an online store on Amazon to sell the above products and provide service for clients. The products are warm welcome and highly praised by clients all over the world. Due to the public awareness of “Reolink”, it is evident that the Complainant has the prior trade name rights concerning the word “Reolink” as well, besides the above registered trademarks.

Third, the disputed domain name is “reolink-support.com”, excluding the gTLD domain name suffix “.com”, the remaining portion of the disputed domain name is “reolink-support”, consisting of “reolink” and “-support”. As stated above, “Reolink”, as a coined and distinctive element, has been used for the Complainant’s prior registered trademarks and trade name. With regard to the additional element “-support”, it’s obviously indicative and descriptive for a kind of service, e.g. “support service”. Therefore, “reolink-support” can’t be differentiated but confusingly similar to “reolink”, especially to those clients who had bought or are using products manufactured by the Complainant. Furthermore, “reolink” is an invented word without any meaning, co-existence of “reolink-support” and “reolink” could mislead the public having the view that “reolink-support” might be developed from “reolink” or “reolink-support” has business connection, permission, authorization, and/or cooperation relationship with “reolink”, even to be looked as the “support” team run by or the “support service” provided by the Complainant. In conclusion, the disputed domain name “reolink-support.com”, is confusingly similar to “reolink” in which the Complainant has trademark rights and trade name rights that could very likely mislead the relevant public in the industry.

2. The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

According to the Whois information of the disputed domain name provided by the registrar, the registrant is from India. The Complainant or any of its affiliated companies has never authorized or licensed Respondent (an Indian company or individual) to use the trademark “REOLINK” or the “reolink” nor authorized or licensed Respondent to register or operate the relevant domain name with “reolink”.

When using the keywords “reolink support” to search in the database of the Indian Trade Marks Registry, there is no results showing the words “reolink support” has been registered as any trademarks. Since most clients of the Complainant are from the US, the Complainant further searches online at the database of the U.S Patent and Trademark Office with the name of the Respondent “Dharminder nayyer”, it shows that the Respondent does not own any trademarks in the US. Meanwhile, according to the online database of the World Intellectual Property Organization (WIPO), the Respondent “Dharminder nayyer” does not own any trademarks all over the world. In addition, when using the key words “reolink support” and “Dharminder nayyer” in the “Baidu” search engine, all of the search results are irrelevant to the Respondent and the words “reolink support”.

In conclusion, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Disputed Domain Name has been registered and being used in bad faith

First, all information shown on the website of the disputed domain name is relating to the Complaint and its “reolink” branded products.

The website on the disputed domain name is available to access <http://www.reolink-support.com>. The pictures of the Complaint’s “reolink” branded products are shown there, and information shown on the website is all about “support service” of the “reolink” products. For ease of reference, some screenshots are attached as follows,



(Homepage of the website on the Disputed Domain Name)

Second, the Respondent takes advantage of the website of the disputed domain name to falsely claim that it provides support service for the “reolink” products to defraud services fees.

It’s common to search information online for electronic products when consumers encounter technical issue such as for problem solving or software upgrade etc. When using the key words “reolink support” to search on “Google” or “Baidu”, the first search result is the link of the website of the Disputed Domain Name.

Reolink support (818) 697-9822 Reolink-support is your online guide for camera set up and designed to offer simple solutions for common Reolink camera issues. Reolink support covers detailed instructions for Reolink camera setup and troubleshooting.
[Reolink phone number +1-818-697-9822 - Reolink support](https://reolink-support.com/contact-us/)
reolink-support.com/contact-us/

(Search result with key words “reolink support” on Google)



(Search result with key words “reolink support” on Baidu)

When consumers seek technical support via the phone number “(818) 697-9822” shown on the website, consumers were told that it’s a paid service. Some consumers had sent emails to the Complainant expressing their dissatisfaction and gave negative comments in the Complainant’s online store on Amazon. For example, on June 4th, 2020, Mr Ray Lachenauer from the America sent email to the Complainant reporting that he called the phone number (818) 697-9822 shown on the website <http://www.reolink-support.com/contact-us/> and was told to pay US\$200 for removing errors he encountered.

#291682 Camera stop working 114-1113031-7538614

Submitted	Received via	Requester	
June 4, 2020, 07:35	Mail	Ray Lachenauer <raylach@aol.com>	
Status	Priority	Group	Assignee
Closed	High	Amazon Team	Reolink Amazon Service

Ray Lachenauer Jun 4, 07:35
 I called tech support at (818) 697-9822 Case RLC7525 and he told me I have virus on my network which broke my camera. I would have to pay \$200 for a network professional to remove errors on my network. Is this possible?
 I feel the camera may have gotten wet in the rain and and now it does not power up.

Ray Lachenauer Jun 4, 10:03
 I got the number off this web site. <https://reolink-support.com/contact-us/> who are these people? I gave them access to my pc, should I be worried?
 The camera does not turn on led lights either.
 The camera came with RLK8-410B4-5MP, which I believe the model number is RLC-410-5MP

(Complaint submitted by Mr Ray Lachenauer)

What’s worse, some consumers paid the “support service” fee but no service was received. The deceived consumers are very angry and file complaints via emails or on Amazon against the Complainant and request for refunding. For example, on

December 10th, 2019, Mr Bobby Hackworth requested to refund the paid US\$150 for cloud service.

#215406 Cloud Services		
Submitted	Received via	Requester
December 10, 2019, 00:18	Mail	Bobby Hackworth <wbobbyhackworth@gmail.com>
CCs Support <support@pcstatus.us>		
Bobby Hackworth December 10, 2019, 21:05 We cannot use cloud services due to our cameras being wired. This should be more specific in your advertisement. Then we contacted your tech support which billed us 150.00 stating that the firmware needed updated on our cameras in order for this to work. to PC support. please see below our case number. This has been a very unpleasant experience for us. We were on the phone for 3 hours with these idiots. And this is the list below they said they needed to do to our NVR and cameras in order to get our Cloud Storage to work. So we want a refund of our 150.00 and the Cloud Storage. I want to be contacted.		
Bobby Hackworth December 11, 2019, 23:36 Here is the number I called. Reolink phone number +1-818-697-9822 - Reolink support		

(Complaint submitted by Mr Bobby Hackworth)

Furthermore, an Invoice provided by a deceived consumer shows the operator of the website of the disputed domain name uses an identical trademark “reolink” to lyingly provide support service, but the Complaint offers free of charge service for all its “reolink” products.

All of the above shows the Respondent registering the disputed domain name and creating the website are for cheating consumers mistakenly believe the website is run by the Complainant for supporting service and defrauding service fees. **The Complaint has received a lot of negative comments on Amazon from the** deceived consumers and even requested to return the “reolink” products they bought from the Complainant.

According to the UDRP b (iv) “*by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location*”. In this case, the Respondent has apparently used the disputed domain name intentionally attempted to attract the Complainant’s consumers for commercial gains, fully complies with the UDRP b (iv) clause.

Therefore, it is very obvious that the disputed domain name has been registered and is being used in bad faith.

B. Respondent

The Respondent has not submitted any Response within the stipulated timeframe. Therefore, the Respondent is in default.

5. Findings

1. The Language of the Proceedings

The language of the Registration Agreement for the Disputed Domain Name is English. Pursuant to Paragraph 11 of the Rules, in the absence of an agreement between the parties, or unless specified otherwise in the Registration Agreement, the language of the administrative proceedings shall be the language of the Registration Agreement i.e. English.

2. Discussions and Findings

Paragraph 4(a) of the Policy provides that the Complainant must prove that each of these three elements are present:

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

A) Identical / Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the Complainant to prove that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

Based on the "REOLINK" registered trademark of the Complainant, the Panel finds that the Disputed Domain Name is identical or confusingly similar to the Complainant's registered trademark.

As noted, the Disputed Domain Name "reolink-support.com", composes of "reolink-support" and ".com". The Disputed Domain Name incorporates the Complainant's "REOLINK" registered trademark in its entirety.

The only difference between the Disputed Domain Name and the Complainant's registered trademark is the inclusion of the word "-support" at the end of "reolink". The Panel agrees that "-support" is obviously indicative and descriptive for a kind of service, e.g. "support service". The Panel is of the view that the addition of the word "-support" to the Complainant's registered trademark does nothing to reduce its confusing similarity with the Complainant's registered trademark.

No doubt, ".com" is a generic top-level domain name (gTLD) suffix. It is non-distinctive and is incapable of differentiating the Disputed Domain Name from the Complainant's registered trademark : see **Pomellato S.p.A v. Tonetti**, WIPO Case No. D2000-0493. Hence, the gTLD ".com" is without legal significance as the use of a gTLD is technically required to operate domain names and it does not serve to identify the source of the goods or services provided by the registrant of a domain name.

Accordingly, the Panel is satisfied that the Complainant has complied with Paragraph 4(a)(i) of the Policy.

B) Rights and Legitimate Interests

The mere fact that the date of registration of the “REOLINK” registered trademark in Hong Kong (i.e. 10 April 2017) predates the Respondent’s Disputed Domain Name (i.e. 3 July 2019) has the practical effect of shifting the burden of proof to the Respondent in establishing that it has legitimate rights and/or interests in the Disputed Domain Name: see **PepsiCo, Inc. v. Amilcar Perez Lista d/b/a Cybersor**, WIPO Case No. D2003-0174.

As the Respondent is in default and has not filed any Response, in particular, the Respondent has not discharged the burden of proof under Paragraph 4(c) of the Policy.

Accordingly, the Panel is satisfied that the Complainant has complied with Paragraph 4(a)(ii) of the Policy.

C) Bad Faith

Paragraph 4 (b) of the Policy provides that:

“Evidence of Registration and Use in Bad Faith. For the purposes of Paragraph 4(a)(iii), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.”

On the information before the Panel, the Panel finds that the Respondent registered the Disputed Domain Name in bad faith.

In reaching this conclusion, the Panel takes into account of a number of facts into consideration:

1. The registration of the “REOLINK” trademark in Hong Kong and elsewhere was long before the Disputed Domain Name was registered.

2. The Complainant’s “REOLINK” trademarks have been registered, advertised and used widely and intensively, and have become well-known worldwide. It has been held that registration of a well-known trademark by a party with no connection to the owner of the trademark and no authorization and no legitimate purpose to utilize the mark reveals bad faith: see **The Caravan Club v. Mrgsale**, Case No. NAF/FA95314.

3. The Panel accepts that the Respondent takes advantage of the Disputed Domain Name to falsely claim that it provides support service for the “REOLINK” products to defraud services fees. By using the Dispute Domain Name, the Respondent has intentionally attempted to attract, for commercial gain, internet users to its website, by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website.

Accordingly, the Panel is satisfied that the Complainant has complied with Paragraph 4(a)(iii) of the Policy.

6. **Decision**

For the foregoing reasons, the Panel is satisfied that the Complainant has proved its case against the Respondent under Paragraph 4(a) of the Policy.

The Panel hereby orders that the Disputed Domain Name be transferred to the Complainant.

A handwritten signature in black ink, appearing to read 'FONG Ho Yin', with a horizontal line underneath.

FONG Ho Yin
Sole Panelist

Dated: 6 November 2020