



# AALCO HONG KONG REGIONAL ARBITRATION CENTRE 亞非法協香港區域仲裁中心

## .HK DOMAIN NAME DECISION

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| Case No.              | AALCO-HKDN-25001   |
| Complainant:          | CSL Mobile Limited |
| Respondent:           | XIXIONG CHEN / 陈锡雄 |
| Disputed Domain Name: | <csl.hk>           |

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### 1. The Parties and Contested Domain Name

The Complainant is **CSL Mobile Limited**, of Hong Kong, China, represented by Paddy Tam / CSC Digital Brand Services Group AB.

The Respondent is **XIXIONG CHEN / 陈锡雄**, of Hong Kong, China.

The domain name at issue is **<csl.hk>**, registered by Respondent with ERANET INTERNATIONAL LIMITED, of Hong Kong, China.

### 2. Procedural History

On 17 July 2025, the Complainant submitted a Complaint in the English language to the AALCO Hong Kong Regional Arbitration Center (AALCO-HKRAC) and elected this case to be dealt with by a one-person panel, in accordance with the Domain Name Dispute Resolution Policy for .hk and .香港 domain names (the Policy), the Domain Name Dispute Resolution Policy for .hk and .香港 domain names Rules of Procedure (the Rules), the AALCO-HKRAC .hk and .香港 domain names Supplemental Rules (the Supplemental Rules). And Arbitration Ordinance (Chapter 609).

On 22 July 2025, the AALCO-HKRAC notified the Registrar of the Disputed Domain of the proceedings by email. The Registrar acknowledged this notification by email of 25 July 2025 confirming its registration of the Disputed Domain and including its WHOIS information. On 28 July 2025, the AALCO-HKRAC requested the Complainant to amend the Complaint. The Complainant submitted the revised Complaint on 30 July 2025.

The Complaint was served upon the Respondent by the AALCO-HKRAC by email on 6 August 2025. In accordance with the Rules, the Respondent shall submit a Response within fifteen business days from 6 August 2025. No Response was received by the AALCO-HKRAC before the deadline. The AALCO-HKRAC sent an email to the Complainant notifying the Respondent's default.

Having received a Declaration of Impartiality and Independence and a Statement of Acceptance, the AALCO-HKRAC notified the parties on 5 September 2025 that the Panel in this case had been selected, with Mr ZHAO Yun acting as the Sole Arbitrator. The

Arbitration Panel should render the Decision within 15 business days, i.e., on or before 26 September 2025.

The language of the proceeding is English, as being the language of the Domain Name Registration Agreement, pursuant to Paragraph 11(a) of the Rules, and also in consideration of the fact that there is no express agreement to the contrary by the Parties.

### **3. Factual background**

#### **For the Complainant**

The Complainant in this case is CSL Mobile Limited, a corporation registered in Hong Kong, China. The registration address is 39th Floor, PCCW Tower, TaiKoo Place, 979 King's Road, Quarry Bay, Hong Kong.

#### **For the Respondent**

The respondent, XIXIONG CHEN / 陈锡雄, is the current registrant of the disputed domain name <cs1.hk> according to the WHOIS information.

### **4. Parties' Contentions**

#### **A. Complainant**

The Complainant's contentions may be summarized as follows:

- i. The Disputed Domain Name is Identical or Confusingly Similar to a Trademark or Service Mark in Hong Kong in which the Complainant has Rights.

The Complainant holds registered trademark/service mark rights in Hong Kong and other countries for the trademark "CSL". When comparing the Disputed Domain Name and the Complainant's trademarks, the top-level suffix of the Disputed Domain Name ".HK" may properly be considered in assessing and determining confusing similarity between the Disputed Domain Name and Complainant's trademarks. Specifically, Complainant's business is headquartered and primarily focused in Hong Kong where it was established since 1983. Further, Complainant's primary domain name is <hkcs1.com> which consists of the geographical abbreviation "HK", same as the ccTLD, followed by the CSL trademark. Additionally, Complainant has also registered the domain name <cs1.com.hk> since 1995. As such, although the abbreviation "cs1" may have several meanings but in the context of Hong Kong, most internet users will associate this with Complainant. Therefore, the ccTLD ".HK" increases the confusing similarity between the Disputed Domain Name and Complainant's CSL trademark.

The Second Level Domain of the Disputed Domain Name consist solely of Complainant's CSL trademark, resulting in a domain name that is identical to the Complainant's CSL trademark and thus meeting the requirements under 4(a)(i) of the Policy.

Additionally, Respondent's past use of the Disputed Domain Name contributes to the confusion. Respondent was using the Disputed Domain Name to feature Complainant's CSL trademark and logo ( and ) while providing information about Complainant's mobile communication services, which suggests that Respondent intended the Disputed Domain

Name to be confusingly similar to Complainant's trademark as a means of furthering consumer confusion. Although the content is usually disregarded under the first element of the UDRP, Panels have "taken note of the content of the website associated with a domain name to confirm confusing similarity where it appears prima facie that the respondent seeks to target a trademark through the disputed domain name". As a result, Respondent's use of the Disputed Domain Name to resolve to a website that featured Complainant's CSL trademark and logo is further evidence that the Disputed Domain Name is confusingly similar to Complainant's trademark.

Based on the foregoing, the Disputed Domain Name is clearly identical or confusingly similar to Complainant's CSL trademarks.

ii. Respondent Has No Rights or Legitimate Interests.

Respondent is not commonly known by the Disputed Domain Name, which evinces a lack of rights or legitimate interests. Furthermore, Complainant has not licensed, authorized, or permitted Respondent to register domain names incorporating Complainant's trademark. "In the absence of any license or permission from the Complainant to use its trademark, no actual or contemplated bona fide or legitimate use of the Disputed Domain Name could reasonably be claimed."

In the instant case, the pertinent WHOIS information identifies the Registrant as XIXIONG CHEN, which does not resemble the Disputed Domain Name in any manner. Further, AALCO-HKRAC sent an email on Notification of Deficiency of the Complaint which identified the Respondent as "陈锡雄", which also does not resemble the Disputed Domain Name in any manner.

Thus, where no evidence, including the WHOIS record for the Disputed Domain Name, suggests that Respondent is commonly known by the Disputed Domain Name, then Respondent cannot be regarded as having acquired rights to or legitimate interests in the Disputed Domain Name within the meaning of the Policy 4(d)(ii).

In creating the impression that Respondent's website was one that was authorized and administered by Complainant, Respondent's purpose is to fool unsuspecting visitors into divulging their personal information by featuring Complainant's CSL trademark logo on the website and requesting for users' log in information. Thus, the website at which Respondent's domain name resolves seeks to take advantage of the fame of Complainant's trademarks and the trust and goodwill that Complainant has fostered among consumers to, at minimum, illegitimately increase traffic to Respondent's website for personal gain, and at worst, 'phish' personal information from Complainant's customers (in the event that Respondent seeks to obtain visitors' personal information as part of a larger scheme to perpetrate fraud by exploiting the fraudulently acquired personal information to, perhaps, acquire sensitive financial information). This use of the Disputed Domain Name, presumably for commercial gain, and with devious, nefarious motives, clearly fails to constitute a bona fide offering of goods or services pursuant to the Policy 4(d)(i) or a legitimate noncommercial or fair use pursuant to the Policy 4(d)(iv).

Respondent is not making a bona fide offering of goods or services or legitimate, noncommercial fair use of the Disputed Domain Name. Respondent's inclusion of the Complainant's trademark logos (and) on the Disputed Domain Name's website was a direct effort to take advantage of the fame and goodwill that Complainant has built in its

brand, and Respondent is not only using the confusingly similar Disputed Domain Name but was also imitating Complainant by displaying the Complainant's logo. This imitation is referred to as "passing off," and "Respondent, in [also] using [a] confusingly similar domain name to mislead Complainant's customers, is not making a bona fide offering of goods and services pursuant to the Policy 4(d)(i) or a legitimate noncommercial or fair use of the domain name pursuant to the Policy 4(d)(iv)."

Respondent has demonstrated a lack of legitimate rights and interests in the Disputed Domain Name by offering the Disputed Domain Name for sale, requesting for potential buyers to either contact him at his email address or by clicking the "Buy domain on 4.CN" link that he posted at the bottom of the Disputed Domain Name's website. Clicking on the "Buy domain on 4.CN" link takes an internet user to the domain name marketplace website at 4.CN where the user is able to submit information to apply for brokerage service to contact the domain owner (the Respondent) to acquire the Disputed Domain Name. Posting this link to the Respondent's website and exhibiting a willingness to accept solicitations to purchase the Disputed Domain Name strongly suggests that Respondent does not have any rights or legitimate interests in the Disputed Domain Name.

Respondent was using the Disputed Domain Name's website to not only feature information about Complainant but also other companies and organizations with the name or abbreviation "CSL", not related to Complainant in any way and subsequently promoting its own purchasing service for medical items. Past Panels have determined that use of a disputed domain name to redirect internet users to content unrelated to a complainant, even if the respondent does not derive commercial benefit from such use, does not automatically render the use of the disputed domain name legitimate. Indeed, "when a domain name is so obviously connected with a Complainant, its very use by a registrant with no connection to the Complainant suggests 'opportunistic bad faith'".

The Respondent is using the Disputed Domain Name to redirect internet users to a website that resolves to a blank page and lacks content. Respondent has failed to make use of this Disputed Domain Name's website and has not demonstrated any attempt to make legitimate use of the domain name and website, which evinces a lack of rights or legitimate interests in the Disputed Domain Name.

Based on the foregoing, the Respondent cannot be said to have any rights or legitimate interests in the Disputed Domain Name.

### iii. Registration and Use in Bad Faith.

The Complainant and its CSL trademarks are known internationally, with trademark registrations across many countries including Hong Kong and China where Respondent is based. The Complainant has marketed and sold its goods and services using this trademark since 1983, which falls before Respondent's registration of the Disputed Domain Name on March 17, 2014. By registering a domain name that consists solely of Complainant's CSL trademark, Respondent has created a domain name that is confusingly similar to Complainant's trademark, as well as its <csl.com.hk> and <hkcs.com> primary domains. As such, Respondent has demonstrated a knowledge of and familiarity with Complainant's brand and business. Further, on the website at the Disputed Domain Name, Respondent had featured Complainant's trademark and logo as well as information about Complainant's business. In light of the facts set forth within this Complaint, it is "not possible to conceive of a plausible situation in which the Respondent would have been

unaware of” the Complainant’s brands at the time the Disputed Domain Name was registered. Stated differently, CSL is so closely linked and associated with Complainant that Respondent’s use of this mark, or any minor variation of it, strongly implies bad faith – where a domain name is “so obviously connected with such a well-known name and products, ...its very use by someone with no connection with the products suggests opportunistic bad faith.”

Further, where the Disputed Domain Name consists solely of Complainant’s CSL trademark and its website featured information about Complainant’s business, “it defies common sense to believe that Respondent coincidentally selected the precise domain without any knowledge of Complainant and its trademarks.”

The inclusion of the ccTLD “.HK” in the Disputed Domain Name corresponds to the Complainant’s area of trade or business, and thus, further indicates that Respondent was aware of Complainant and its rights in the CSL trademark. More specifically, “HK” refers to Hong Kong, where Complainant’s headquarter office is and business is based.

It is clear that Respondent selected the Disputed Domain Name to intentionally confuse unsuspecting internet users into visiting its website. As such, it must be held that the Respondent has intentionally misappropriated the Complainant’s trademark as a way of redirecting internet users searching for Complainant to the Disputed Domain Name’s website. The Disputed Domain Name promotes Respondent’s purchasing services for medical items, unrelated to Complainant and its services. This sort of tactic – labelled “bait-and-switch” for its propensity to confuse internet users into believing that they are visiting a Complainant’s site only to discover that the disputed domain is completely unconnected to that Complainant – has been held to be evidence of bad faith registration and use by past Panels under the UDRP proceedings.

The Respondent was using the Disputed Domain Name’s website to fraudulently pose as Complainant for purposes of launching a phishing attack, which is evidence of bad faith use. Respondent had featured Complainant’s CSL trademark logo on the website at the Disputed Domain Name, and any internet user with the misfortune of mistakenly landing at the Disputed Domain Name could easily be deceived and misled into believing that the Disputed Domain Name is officially associated with Complainant. Having been deceived into believing that Complainant was the source of the website, such internet user could unsuspectingly supply Respondent with personal or financial information as part of Respondent’s phishing scheme, which prompted for user’s login information. Such actions indicate that the Respondent intentionally attempted to pass off the website as belonging to Complainant as part of Respondent’s phishing scheme, thus demonstrating bad faith registration and use under the Policy 4(b)(iv).

The Disputed Domain Name currently resolves to an inactive site and is not being used, though past Panels have noted that the word bad faith “use” in the context of the Policy 4(a)(iii) does not require a positive act on the part of the Respondent – instead, passively holding a domain name can constitute a factor in finding bad faith registration and use pursuant to the Policy 4(a)(iii).

In this case, the Disputed Domain Name is identical to Complainant’s trademarks and almost identical to Complainant’s <csl.com.hk> domain, and Respondent has made no use of the Disputed Domain Name, factors which should be duly considered in assessing bad faith registration and use.

The Disputed Domain Name can only be taken as intending to cause confusion among internet users as to the source of the Disputed Domain Name, and thus, the Disputed Domain Name must be considered as having been registered and used in bad faith pursuant to the Policy 4(b)(iv), with no good faith use possible. More specifically, where the Disputed Domain Name is identical to Complainant's CSL trademark and almost identical to Complainant's <csl.com.hk> domain name, there is no plausible good-faith reason or logic for Respondent to have registered the Disputed Domain Name. "The only feasible explanation for Respondent's registration of the disputed domain name is that Respondent intends to cause confusion, mistake and deception by means of the disputed domain name. Accordingly, any use of the disputed domain name could only be in bad faith."

Respondent is currently offering to sell the Disputed Domain Name, which constitutes bad faith under the Policy 4(b)(i) because Respondent has demonstrated an intent to sell, rent, or otherwise transfer the Disputed Domain Name for valuable consideration in excess of his out-of-pocket expenses. It is well established that seeking to profit from the sale of a confusingly similar domain name that incorporates a third party's trademark demonstrates bad faith.

The Respondent has ignored Complainant's attempts to resolve this dispute outside of this administrative proceeding. Past Panels have held that failure to respond to a cease-and-desist letter may properly be considered a factor in finding bad faith registration and use of a domain name.

Finally, on balance of the facts set forth above, it is more likely than not that the Respondent knew of and targeted Complainant's trademark, and Respondent should be found to have registered and used the Disputed Domain Name in bad faith.

Pursuant to Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Complainant requests that the Arbitration Panel issue the decision to transfer the disputed domain name to the Complainant.

## **B. Respondent**

The Respondent failed to submit a Response within the specified time period.

## **5. Findings**

The Domain Name Dispute Resolution Policy for .hk and . 香港 domain names provides, at Paragraph 4(a), that each of three findings must be made in order for a Complainant to prevail:

- i. the Registrant's Domain Name is identical or confusingly similar to a trademark or service mark in Hong Kong in which the 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**

Annex 1 (Complainant's Trademark Registrations) submitted by the Complainant shows that the Complainant owns the trademark CSL, which has been registered in Hong Kong and many other countries. The earliest registration date of the trademark CSL in Hong Kong is 21 February 2001, which is much earlier than the date of the registration of the disputed Domain Name, i.e. 17 March 2014. The trademark is still within the trademark protection period. The Panel has no problem in finding that the Complainant enjoys the indisputable prior rights and interests in the trademark CSL.

The disputed Domain Name is "csl.hk". As ".hk" suffix only indicates that the domain name is registered under this ccTLD and is not distinctive, the main part of the disputed domain name is "csl". The panel finds that the main part of the Domain Name "csl" is identical to the registered trademark (CSL). The Panel therefore holds that the Complaint fulfills the condition provided in Paragraph 4 (a)(i) of the Policy.

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

The Complainant contends that the Respondent does not have rights to or legitimate interests in the disputed Domain Name. The Complainant has never authorized the Respondent to use the trademark or the disputed domain name. The Complainant's assertion is sufficient to establish a prima facie case under the Policy, thereby shifting the burden to the Respondent to present evidence of its rights or legitimate interests.

The Respondent fails to submit a Response, neither does it put forward any evidence to show any positive interests that it relies on. No evidence shows that the Respondent has acquired any trademark rights or other proprietary interests relevant to support its claim to the disputed Domain Name. The Respondent is not commonly known by the disputed domain name. No evidence has shown that the Respondent is using or plans to use the disputed domain name for a bona fide offering of goods or services. The registration of a certain domain name does not of itself confer upon the registrant rights or legitimate interests in the domain name or in the subject matter of the domain name.

The Panel therefore finds that the Complaint fulfills the condition provided in Paragraph 4(a)(ii) of the Policy.

## **C) Bad Faith**

Annex 3.1 (Screenshot of the Website Reachable Through the Disputed Domain Name) submitted by the Complainant shows that the disputed domain name currently resolves to an inactive site and is not being used. The current status is also confirmed by the Complainant. This situation constitutes the so-called passive holding of domain names. The Panel refrains from deliberating on the prior use of the disputed domain name, which may well be conducted by prior users/holders. As well established by panels in previous cases, the act of passive holding does not prevent the finding of bad faith. The panel must examine all the circumstances of the case to determine the element of bad faith.

The Complainant is Hong Kong's first mobile communications operator established in 1983. It is a subsidiary of Hong Kong Telecom (HKT) (SEHK: 6823), which has more than 150 years of history in Hong Kong. Annex 6 (Information about Complainant) shows

that the Complainant is the leading provider of mobile communications and holds the widest range of radio spectrum of any mobile network operator in Hong Kong. The Complainant's trademark CSL (not a generic word, but the acronym of "Communication Services Limited") has achieved wide recognition through extensive use, advertisement and promotion in relevant market. As such, the public has come to recognize and associate the Complainant's trademark CSL as originating from the Complainant and no other. Moreover, almost all the search results through the search of the term "CSL" in any search engines direct to the Complainant and its trademark "CSL". It is to be noted that both the Complainant and the Respondent have their registered addresses in Hong Kong and that mobile services are very close to our daily lives nowadays. The act of registering the term "CSL" under the ccTLD ".hk" (the place where the Complainant carries out its main business activities) further strengthens the link between the Complainant and its trademark "CSL" in Hong Kong.

The above facts entitle the Panel to infer that the Respondent, with the registered address in Hong Kong, should be aware of the existence of the Complainant and its trademark CSL. This deduction is further substantiated by the fact demonstrated by Annex 8 (Cease and Desist Letter) that the Complainant has already brought to the attention of the Respondent on 2 June 2025 regarding the issue of trademark infringement. The action of registering the disputed Domain Name per se has constituted bad faith. This action also has the effect of preventing the Complainant from reflecting its trademark in a domain name corresponding to its activities in Hong Kong.

In conclusion, the panel finds that the Respondent has registered and used the domain name in bad faith. Accordingly, the Panel finds that the Complaint satisfies the condition provided in 4(a)(iii) of the Policy.

## **6. Decision**

Having established all three elements required under the Policy, the Arbitration Panel concludes that relief should be granted. Accordingly, it is ordered that the <csl.hk> domain name should be TRANSFERRED from the Respondent to the Complainant CSL Mobile Limited.



ZHAO Yun  
Arbitrator

Dated: 8 September 2025