



AALCO HONG KONG REGIONAL ARBITRATION CENTRE

亞非法協香港區域仲裁中心

.HK DOMAIN NAME DECISION

Case No.	AALCO-HKDN-25002
Complainant:	Casetagram Limited
Respondent:	Sergi Avaliani
Disputed Domain Name:	<casetify.hk>

1. The Parties and Contested Domain Name

The Complainant is Casetagram Limited, of 18/F, Neo, 123 Hoi Bun Road, Kwun Tong, Kowloon, Hong Kong, represented by Paddy Tam/ CSC Digital Brand Services Group AB.

The Respondent is Sergi Avaliani, of Nutsubidze Street 203, Tbilisi, GE 0186, GE.

The domain name at issue is **casetify.hk**, registered by Respondent with InterNetX GmbH, of Germany (“**Disputed Domain Name**”).

2. Procedural History

On 1 October 2025, the Complainant filed a complaint with the AALCO-HKRAC.

The Complainant filed an Amended Complaint on 22 October 2025 (“**Amended Complaint**”). The AALCO-HKRAC emailed the Amended Complaint to the Respondent on 22 October 2025.

On 22 October 2025, the AALCO-HKRAC Case Manager duly sent the Complaint to the Respondent, with an express notice that the Respondent’s Response is to be submitted on or before 11 November 2025.

The Respondent did not submit a Response by 11 November 2025. Despite the AALCO-HKRAC Case Manager sending an email to the Respondent on 12 November 2025 regarding the Respondent’s default in failing its Response, as of today, no Response was filed.

AALCO-HKRAC appointed Shum Hin Han as the sole Panelist in the matter on 21 November 2025. The Panel finds that it was properly constituted. The Panel submitted the Statement of Acceptance on 21 November 2025 and Declaration of Impartiality and Independence on 20 November 2025, as required by the AALCO-HKRAC.

The Panel issued a Procedural Order No. 1 on 12 December 2025 to seek the website links to the case authorities set out in the Amended Complaint, along with the certificates relating to the trademarks has referenced in the Amended Complaint (“requested documents”), whereby the Decision of the Arbitration Panel would be extended to 7 days after receipt of the requested documents.

The requested documents were received by the Panel on 15 December 2025. The Arbitral award is now issued on 22 December 2025.

3. Factual background

The Complainant is a company founded in Hong Kong in November 2011 which produces, amongst others, customized phone cases. Complainant's primary domain name <casetify.com> has been registered since 22 November 2013. It has established its name in an international market and according to the statistics provided by the Complainant, it has many social media platforms and visitors to its website internationally and has gained world-wide recognition.

The Complainant holds the following registered trademark/service mark rights in Hong Kong and other countries for the trademark "CASETIFY":

Trademark	Jurisdiction / Trademark Office	Registration No.	Class(es)	Date of Registration
CASETIFY	HK / HKIPD	303735667	9	2016-04-07
CASETIFY	WO / WIPO	1409914	9	2018-04-04
CASETIFY	US / USPTO	4707090	9	2015-03-24
CASETIFY	CA / CIPO	TMA1121089	9, 1 18, 35 4	2022-02-24

All these trademark registrations were first used and registered prior to the registration date of the Respondent of the Disputed Domain Name on 27 May 2023.

On 16 July 2025, Complainant sent to the Registrar a cease-and-desist letter addressed to the Respondent dated 15 July 2025 (to ask the Registrar to forward the letter to the Respondent since Respondent's information is redacted on the Whois website). In its letter, the Complainant advised the Respondent of its registered trademarks and that the unauthorized use by the Respondent of the CASETIFY trademark in the Disputed Domain Name violated the Complainant's rights and thereby demanded the voluntary transfer of the Disputed Domain Name.

In email dated 22 July 2025, the Registrar informed the Complainant that it had forwarded the notice to the Respondent.

On 23 July 2025, the Complainant asked the Register to forward another letter, being the "Final Notice" to the Respondent. On the same day, the Registrar confirmed that it had forwarded the same to the Respondent.

On 30 July 2025, the Registrar replied to the Complainant saying that the Respondent had informed them that they deleted the domain name in question.

However, on 11 August 2025, the Complainant received a response from the Hong Kong Internet Registration Corporation ("HKIRC") setting out that there was no deletion the Respondent's domain name. In fact, the Panel has checked and confirmed that the Respondent's domain name is still available, though links to pages within the website appear to be disabled.

On 11 August 2025, the Complainant forwarded HKIRC's reply regarding the Dispute Domian Name not being deleted and requested the Registrar's assistance to delete the

Disputed Domain Name but there was no further response. Thus, the Complainant proceeded to file the Complaint.

The Respondent is an individual and has made no assertions.

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 to which the Complainant has rights
- ii. The Respondent has No Rights or Legitimate Interests
- iii. Registration and Use in Bad Faith

B. Respondent

The Respondent filed no Response and made no submissions to the Panel.

5. Findings

The Domain Name Dispute Resolution Policy for .hk and .香港 Domain Names ("Policy") provides, at paragraph 4(a), that each of four 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.
- iv. if the Domain Name is registered by an individual person, the Registrant does not meet the registration requirements for that individual category of Domain Name.

A) Identical / Confusingly Similar

The Respondent had registered a domain name that consists of casetify.hk. The Second Level Domain of the Disputed Domain Name consists solely of Complainant's CASETIFY trademark, resulting in a domain name that is identical to the Complainant's trademark and thus meeting the requirements under paragraph 4(a)(i) of the Policy.

The Top Level Domain is viewed as being standard for registration, and therefore is not taken into account in the comparison which is required by paragraph 4(a)(i) of the Policy (*World Natural Bodybuilding Federation, Inc. v. Daniel Jones TheDotCafe, D2008-0642* (WIPO June 6, 2008)).

Furthermore, the inclusion of the ccTLD ".HK" in the Respondent's domain name corresponds to where Complainant's business is based (i.e. the Hong Kong headquarters where the business was founded) and can be a cause of confusion.

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

B) Rights and Legitimate Interests

Firstly, Respondent registered the Disputed Domain Name on 27 May 2023, which is significantly after Complainant filed for registration of its CASETIFY trademarks with the HKIPD, WIPO, USPTO and CIPO, in 2016, 2018, 2015 and 2022 respectively, and also significantly after Complainant's registration of its primary domain name <casetify.com> in 2013.

Secondly, the relevant Whois information identifies the Registrant as "Redacted for Privacy Purposes", and the Notification of Deficiency of the Complaint identifies the Respondent as "Sergi Avaliani", both of which does not resemble the Disputed Domain Name (i.e. CASETIFY) in any manner. Pursuant to paragraph 4(d)(ii) of the Policy, and World Natural Bodybuilding Federation, Inc. v. Daniel Jones TheDotCafe, D2008-0642 (WIPO June 6, 2008), which found that a respondent, or his/her organization or business, must assert evidence that it has been commonly known by the at-issue domain at the time of registration in order to have a legitimate interest in the domain. The Respondent in this case does not appear to be commonly known by the Disputed Domain Name (i.e. CASETIFY), nor have any connection to CASETIFY, and he has not submitted any evidence to support a "commonly known" defence argument, which indicates he does not have rights or legitimate interests.

Thirdly, 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." (Sportswear Company S.P.A. v. Tang Hong, D2014-1875 (WIPO Dec.10, 2014)).

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

C) Bad Faith

Policy 4(b)(iv) of the Policy dictates that bad faith can be established by evidence demonstrating that the Respondent has "intentionally attempted to attract, for commercial gain, Internet users to [Respondent's] website...by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the web site or location of a product or service on [Respondent's] website or location."

Where the Disputed Domain Name consists solely of the Complainant's earlier registered CASETIFY trademark and its website featured the same business nature as that of the Complainant's business (i.e. sale of phone cases), "it defies common sense to believe that Respondent coincidentally selected the precise domain without any knowledge of Complainant and its trademarks." (Asian World of Martial Arts Inc. v. Texas International Property Associates, D2007-1415 (WIPO Dec. 10, 2007)). The composition of the Disputed Domain Name and timing of the registration makes it difficult to believe that Respondent registered the domain name without specifically targeting the Complainant.

Further, as a result of the inclusion of the ccTLD ".HK" in the Respondent's domain name corresponds to where Complainant's business is based, the Panel accepts that this

is a strong indication that Respondent was familiar with the existence of the Complainant, its business and its rights in the CASETIFY trademark (similar to the facts in CSL Mobile Limited v. XIXIONG CHEN, AALCO-HKDN-25001 (HKRAC Sep. 8, 2025) where the act of registering the term “CSL” under the ccTLD “.hk”, where Hong Kong is 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.)

In light of the facts set forth within the Complaint about the Complainant and the Disputed Domain Name, 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 (Telstra Corp. Ltd. v. Nuclear Marshmallows, D2000-0003 (WIPO Feb. 18, 2000)).

CASETIFY is a well-known brand and 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.” (Parfums Christian Dior v. Javier Garcia Quintas, D2000-0226 (WIPO May 17, 2000)).

The Respondent creates a likelihood of confusion with the Complainant and its trademarks by registering a domain that consists solely of Complainant’s CASETIFY trademark, which demonstrates that Respondent is using the Disputed Domain Name to confuse unsuspecting internet users searching for the Complainant’s services (i.e. to buy phone cases), and the domain was intended to mislead internet users as to its source, affiliation and endorsement, which demonstrates a bad faith intention to ride on the fame and goodwill of the Complainant’s trademarks in order to increase traffic to the Disputed Domain Name’s website and cause or procure the sale of the phone cases.

In addition to the Disputed Domain Name, the Complainant has provided evidence that the Respondent has held registrations for several domain names which have misappropriated the trademarks of well-known brands and businesses, as set out in earlier arbitral decisions:

- Société de Négoce et de Participation v. Sergi Avaliani, D2024-4011 (WIPO Nov. 19, 2024)
- SODEXO v. Sergi Avaliani, DMX2024-0012 (WIPO Jun. 13, 2024)
- Turnitin, LLC v. Sergi Avaliani, DNL2023-0023 (WIPO Sep. 14, 2023)
- Alois Dallmayr Kaffee oHG Alois Dallmayr KG v. Sergi Avaliani, DCH2023-0015

These decisions demonstrate that the Respondent is engaging in a pattern of cybersquatting, which is evidence of bad faith registration and use of the Disputed Domain Name.

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 the Panel finds that Respondent has registered and used the Disputed Domain Name in bad faith.

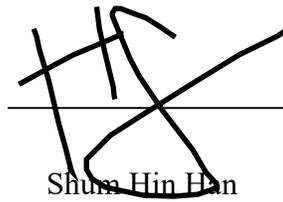
D) Registrant does not meet the registration requirements for that individual category of Domain Name

The Respondent, as registrant, is an individual person. However, there is no evidence showing that "CASETIFY" is the Respondent's legal name or a name by which the Respondent is commonly known (as canvassed above).

Based on the above, the Panel is of the view that the Respondent has failed to meet the eligibility requirements for registration of the Disputed Domain Name in the Individual Domain Name category and the Complainant has satisfied the fourth condition under Paragraph 4(a) of the Policy.

6. Decision

Based on the throughout consideration of the facts and arguments, and the reasons canvassed above, pursuant to Paragraph 4 of the Policy and Paragraph 15 of the Domain Name Dispute Resolution Policy for .hk and .香港 Domain Names Rules of Procedure, the Panel orders that the disputed domain name <**casetify.hk**> be transferred to the Complainant.



Shum Hin Han
Arbitrator

Dated: 22 December 2025