



Asian Domain Name Dispute Resolution Centre

beijing

ADMINISTRATIVE PANEL DECISION

Case No. CN-1701091

Complainant: CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD.

Respondent: Whois Privacy Corp.

Domain Name: sinotruk.org

Registrar: Internet Domain Service BS Corp

1. Procedural History

On May 23, 2017, the Complainant submitted a Complaint in English to the Beijing Office of the Asian Domain Name Dispute Resolution Center (the ADNDRC Beijing Office) and elected this case to be dealt with by a one-person panel, in accordance with the Uniform Domain Name Dispute Resolution Policy (the Policy) and the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules) approved by the Internet Corporation for Assigned Names and Numbers (ICANN), and the ADNDRC Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the ADNDRC Supplemental Rules) approved by the ADNDRC.

On June 9, 2017, the ADNDRC Beijing Office sent to the Complainant by email an acknowledgement of the receipt of the Complaint and transmitted by email to ICANN and the Registrar, Internet Domain Service BS Corp, a request for registrar verification in connection with the disputed domain name.

On June 12, 2017, the Registrar transmitted by email to the ADNDRC Beijing Office its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

On July 3, 2017 the Complainant submitted the translated document. On July 14, 2017, the ADNDRC notified the Complainant that the Complaint has been confirmed and transmitted to the Respondent and the case officially commenced. On the same day, the ADNDRC Beijing Office transmitted the Written Notice of the Complaint to the Respondent, which informed that the Complainant had filed a Complaint against the disputed domain name and the ADNDRC Beijing Office had sent the Complaint and its attachments through email according to the Rules and the Supplemental Rules. On the same day, the ADNDRC Beijing Office notified ICANN and registrar of the

commencement of the proceedings.

The Respondent failed to submit a Response within the specified time period. The ADNDRC Beijing Office notified the Respondent's default. Since the Respondent did not mention the Panel selection in accordance with the time specified in the Rules, the ADNDRC Supplemental Rules, and the Notification, the ADNDRC Beijing Office informed the Complainant and the Respondent that the ADNDRC Beijing Office would appoint a one-person panel to proceed to render the decision.

Having received a Declaration of Impartiality and Independence and a Statement of Acceptance from Mr. LIAN Yunze, the ADNDRC Beijing Office notified the parties on August 22, 2017 that the Panel in this case had been selected, with Mr. LIAN Yunze acting as the sole panelist. The Panel determines that the appointment was made in accordance with Paragraph 6 of the Rules and Articles 8 and 9 of the Supplemental Rules.

On August 22, 2017, the Panel received the file from the ADNDRC Beijing Office and should render the Decision within 14 days, i.e., on or before September 6, 2017.

Pursuant to Paragraph 11 (a) of the Rules, unless otherwise agreed by the Parties, or specified otherwise in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding. The language of the current disputed domain name Registration Agreement is English, thus the Panel determines English as the language of the proceedings.

2. Factual Background

A. The Complainant

The Complainant in this case is CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD. The registered address is SINOTRUK TECHNOLOGY BUILDING, NO. 777, HUAAO ROAD, HIGH-TECH INDUSTRIAL DEVELOPMENT ZONE, JINAN, SHANDONG PROVINCE, CHINA. The authorized representative in this case is Mr. Liam Zhu.

B. The Respondent

The Respondent in this case is Whois Privacy Corp. The registered address is Ocean Centre, Montagu Foreshore, East Bay Street, Nassau, BS.

The Respondent is the current registrant of the disputed domain name "sinotruk.org", which was registered on December 30, 2007 according to the WHOIS information. The registrar of the disputed domain name is Internet Domain Service BS Corp.

3. Parties' Contentions

A. The Complainant

1) "SINOTRUK" is the trademark owned by the Complainant

The Complainant, CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD, originally founded in 1956, the manufacturer of the first heavy duty vehicle in China in 1960---the Huang He JN150 8 ton truck, is the cradle of the heavy duty truck industry in our country. By successfully introducing the Steyr Heavy Duty Vehicle Project from Austria, it became the first domestic enterprise which fully brought in the foreign manufacturing technology of whole heavy duty vehicle. So far CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD is the largest production base of heavy duty vehicle in China and extraordinary contribution has been made by it to the development of heavy duty vehicle industry in our country and the construction of state economy. CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD possesses remarkable technological and market leading advantages within the heavy duty vehicle industry. Their products are popular at home and abroad as they are exported to more than 90 countries, ranking top among the industry for 11 consecutive years. It is designated as the state whole vehicle export base by National Development and Reform Commission and Commerce Department. It has been successively honored with the diverse titles, such as National Advanced Elementary Level Party Organization, National Civilized Company, China Famous Brand Product, China Excellent Innovative Firm, National Best Firm with Integrity, First Batch of National AA Level of Quality, Credit and Management Firm, etc. "SINOTRUK" is the trademark owned by the Complainant, who has been publicizing and promoting it for many years, making it quite well known. The "SINOTRUK" means "CHINA TRUCK" , the corresponding relation with CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD has set up.

2) The trademark owned by the Complainant is approved for registration in China

The Complainant has never neglected the protection of their trademarks while they are developing their business. As early as 2007 the trademark "SINOTRUK" has been registered in China, covering various fields in multiple classes, such as 1, 2, 3, 4, 7, 11, 12, 17, 18, 21, 22, 27, 28, 35, 37, 39, 42, 43, etc. The detailed registration information of the trademarks owned by the Complainant is as follow:

Class	Reg. No.	Trademark	Validity	Goods/Services
1	4766060	SINOTRUK	2009-2-21 2019-2-20	chemical additives to motor fuel; brake fluid; fluids for hydraulic circuits; antifreeze; transmission fluid; chemical preparations for

				scientific purposes, other than for medical or veterinary use; brake fluid; fertilizers; fire extinguishing compositions; adhesives for industrial purposes
2	4766059	SINOTRUK	2009-1-21 2019-1-20	undercoating for vehicle chassis; undersealing for vehicle chassis; mastic [natural resin]; anti-rust preparations for preservation; dyes; pigments; food colorants; printing ink; paints; mordants
3	4766058	SINOTRUK	2009-2-7 2019-2-6	polishing preparations; polish for cars, bicycles; grinding preparations; cleaning preparations; defogging liquid; perfumes; cosmetics; industrial perfume; shining preparations [polish]; fragrant bag (a mixture of dried flower petals and perfumes)
4	4766057	SINOTRUK	2009-1-21 2019-1-20	lubricating oil; industrial oil; industrial grease; fuel; fuel gas; mineral fuel; wax [raw material]; lamp wicks; dust removing preparations; motor oil
7	4766056	SINOTRUK	2008-5-28 2018-5-27	air cleaner; engine cylinder; oil cleaner; starters for motors and engines; pumps [machines]; shock absorber; lubrication equipment; paint spraying machine; carburetor; valves [parts of machines]
7	15338592	SINOTRUK	2015-10-28 2025-10-28	internal-combustion engine (non-land vehicles); belts for machines; special machinery for battery industry; compressors [machines]; tyre building machine; machinery and equipment for geological exploration, mining, mineral separation; metalworking machines; elevating apparatus; automobile engine spark plug
7	17747302	SINOTRUK	2016-10-7 2026-10-6	motor and engine starter; engines for boats; motors for boats; motors, other than for land vehicles ; engines, other than for land vehicles; pump (machine engine or motor parts) ; hydraulic controls for machines, motors and engines ; compressors [machines] ; filters [parts of machines or engines]; bearings [parts of machines]
9	4766055	SINOTRUK	2008-5-28 2018-5-27	petrol pumps for service stations; navigational instruments for vehicle (onboard

				computer); complete sets of unlimited phone; signalling lights; vehicle radios; kilometer recorder for vehicles; vehicle battery; spectacles; alarms; speed checking apparatus for vehicles
11	4766054	SINOTRUK	2008-5-28 2018-5-27	automobile lights; vehicle turns to the indicator light; vehicle ventilation (air conditioning); refrigerating apparatus and machines; disinfectant apparatus; radiators; gas lighter; vehicle defrosting heater; cookers; heat accumulators
12	4139231	SINOTRUK	2006-9-21 2026-9-21	off-road vehicle; tilting-carts; automobiles; buses; trucks; vehicle bodies; long-distance buses; military vehicles for transport; automobile chassis; wagons
12	5065915	SINOTRUK	2008-11-28 2018-11-27	motors for land vehicles; engines for land vehicles; propulsion mechanisms for land vehicles; clutches for land vehicles; axles for vehicles; gear boxes for land vehicles; automobile bodies; wheels; wheel hubs; vehicle chassis; shock absorbers for vehicles
12	15338600	SINOTRUK	2015-10-28 2025-10-27	vehicles for locomotion by land, air, water or rail; locomotives; electric vehicles; power-assisted vehicles; trolleys; air vehicles; water vehicles; vehicle seats; anti-theft devices for vehicles; lifting cars

(Other 34 trademarks are omitted by the Panel.)

The above facts prove that the trademark “SINOTRUK” is widely registered in China. Being the legal owner of the trademark, the Complainant possesses the prior right to the trademark “SINOTRUK”.

3) The “SINOTRUK” has been registered as domain name by the Complainant

As early as 2005 the Complainant has registered “sinotruk.com”, which has been used as domain name of the official website of the Complainant. Here as follow is the list of some of the domain names registered by the Complainant:

Domain Name	Registration Date	Expiry Date
sinotruk.com	2005-2-4	2018-2-4
Sinotruk.mobi	2006-10-19	2017-10-19

i) The disputed domain name(s) is/are identical or confusingly similar to a trademark

or service mark in which the Complainant has rights

a) “SINOTRUK” is the famous trademark owned by the Complainant

“SINOTRUK” is the trademark owned by the Complainant, who has been publicizing and promoting it for many years, making it quite well known. As stated earlier the trademark “SINOTRUK” means “CHINA TRUCK”, the corresponding relation with CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD has set up

b) The Complainant possesses the prior right of the trademark “SINOTRUK”

As listed in above, the Complainant owns the registered trademark “SINOTRUK” in multiple classes in China, most of which are registered and widely used before the registration of the domain name in dispute. The disputed domain name “sinotruk.org” was registered on December 30, 2007, while the registration date of the trademark owned by the Complainant is September 21, 2006, earlier than the registration of domain name in dispute. Also the trademark “SINOTRUK” owned by the Complainant is applied in 154 countries worldwide, where 1430 registration have been approved. The trademark “SINOTRUK” has obtained trademark right protection throughout the world.

c) The main body with recognition function of the domain name in dispute is completely identical with prior trademark “SINOTRUK” registered by the Complainant

The domain name in dispute is “sinotruk.org”, the suffix of which is “org”. It is the information for short and acting as the classification of domain names. Therefore the recognition function lies in the main body of the domain name. However the main body of the domain name in dispute is “SINOTRUK” which is completely identical with famous trademark owned by the Complainant. This can not be a coincidence absolutely, but a malicious plagiarism of the trademark owned by the Complainant exactly.

In conclusion, since the trademark “SINOTRUK” owned by the Complainant has obtained wide popularity and the Complainant at the same time owns various prior trademarks “SINOTRUK”, the Complainant should enjoy legal rights. The domain name in dispute forms the circumstance stipulated by Article 8 Item 1 of the Policy, so the Complaint filed by the Complainant should be supported.

ii) The Respondent has no rights or legitimate interests in respect of the domain name

According to how it is known to the Complainant, the Respondent is a foreign individual and does not own any trademark right or any other rightful legal right related to “SINOTRUK”. According to the content on the website relevant to the domain name in dispute, the Respondent directly labeled “SINOTRUK”, “SINOTRUK and design”, and “HOWO” and other famous trademarks owned by the Complainant, and the truck’s picture made by the Complainant is prominently placed on the Respondent’s

website. On the basis of the result searched on the official website of the Trademark Office of the State Administration for Industry & Commerce of the People's Republic of China, the Respondent did not applied trademark "SINOTRUK" for registration on the goods "cars, truck" in class 12. On the contrary, the Complainant owns the trademark registration of "SINOTRUK" in class 12, therefore the Respondent does not own any legal right of the main body of the domain name in dispute.

Besides, the trademark "SINOTRUK" has been widely used on the goods in class 12 by the Complainant. Through years of use in China and other parts of the world, the trademark "SINOTRUK" and the Complainant have greatly connected by the consumers not only in China, but also around the world.

iii) The disputed domain name has been registered and is being used in bad faith

a) The domain name in dispute is completely identical with the main body of the domain name registered by the Complainant, which may cause confusion among consumers

Early on February 4, 2005 the Complainant registered "sinotruk.com", which has served as the official websites until now. The website is well known to all and is one of the important channels for consumers around the world to know and purchase the products of the Complainant. However, the registration date of the domain name in dispute was in December 30, 2007, later than registration date of the Complainant, and the domain name in dispute is identical with the distinctive element of two important domain names registered by the Complainant.

b) The content on the website of the Complainant displays the information of the Complainant, the subject bad will of which is obvious



The screenshot displays the SINOTRUK.ORG website. At the top, a banner features the text "SINOTRUK.ORG" in white on a blue background, flanked by images of various trucks. Below this, a yellow box on the left contains Russian text: "Самосвалы, тягачи HOWO, Hania, HOVA (карьерные) и др. Прямые поставки с завода. Наличие. Короткие сроки. Гарантия. тел. +7 (3452) 73-47-38 +7 (922) 475-68-00 e-mail: 734738gvr@mail.ru info@sinotruk.org". To the right of this box, the word "Sinotruk" is written in a large, bold, black font. Below "Sinotruk", a blue box contains the text "HOWO: Короткие сроки." in white, followed by the same phone numbers and email addresses. At the bottom left, a vertical list of blue boxes contains the words "Howo", "Hania", "Mans", "Hoka", and "Hova". To the right of this list, the word "Howo" is written in a blue, stylized font. At the bottom right, there are three images of trucks (a green one and two red ones) and a small social media icon bar.

The above screenshot demonstrates that the famous trademarks “SINOTRUK” and “HOWO” etc. owned by the Complainant are displayed on the prominent position. The Respondent’s blatant imitation of the website of the Complainant may mislead the public, the subject bad will of which is obvious. As mentioned before, considering the reputation of the Complainant in the world, it’s impossible for the Respondent knowing nothing about the Complainant and their trademarks. Therefore we believe that the Respondent, knowing the trademarks of the Complainant, is apparently registering the domain name in dispute in bad faith with the intention of illegally gaining unrightful interests by misleading the consumers.

According to the UDRP No. 4 (b) of the third and fourth paragraph, 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:

(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.

Thus it can be seen that without consent of the Complainant the Respondent arbitrarily used the trademarks owned by the Complainant and registered the domain name confusingly similar with the domain name owned by the Complainant which mislead the consumers about the origin of the goods of the Complainant’s company. The subject bad will is obvious and violates the principle of honesty and integrity which constitutes the behavior of unfair competition.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. The Respondent

The Respondent was duly notified by the ADNDRC Beijing Office of the Complaint lodged by the Complainant and asked to submit the Response in accordance with the relevant stipulations under the Policy, the Rules and the ADNDRC Supplementary Rules, but failed to give any sort of defense in any form against the Complaint lodged by the Complainant.

4. Discussions and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, the Complainant shall prove the following three elements:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) The registrant has no rights or legitimate interests in respect of the disputed

domain name; and

(iii) The disputed domain name has been registered and is being used in bad faith.

Based on the above regulations under the Policy, what the Panel needs to do is to find out whether each and all of the above-mentioned elements are established. If all the three elements are established, the Panel will make a decision in favor of the Complainant in accordance with the fact-finding and the relevant regulations under the Policy, the Rules and the ADNDRC Supplemental Rules. If the three elements are not established, the claims by the Complainant shall be rejected.

The Respondent failed to submit the Response of any argument against what the Complainant claimed and to show his intention to retain the disputed domain name as required by the Policy, the Rules and the ADNDRC Supplemental Rules, “If a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint”. In view of the situation, the Panel cannot but make the decision based primarily upon the contentions and the accompanying exhibits by the Complainant, except otherwise there is an exhibit proving to the contrary.

A. Identity or Confusing Similarity

Pursuant to Paragraph 4(a) (i) of the Policy, a Complainant must prove that the domain name is identical with or confusingly similar to a trademark or service mark in which the Complainant has rights. Paragraph 4(a) (i) relates to two issues: One is that the Complainant has rights in a trademark or service mark. The other one is that the domain name is identical or confusingly similar to the trademark or service mark.

(1) Complainant should have rights in a trademark or service mark

The evidence provided by the Complainant shows that the Complainant’s trademark “SINOTRUK” has registration in China in class 12 with registration No. 4139231, covering the goods of off-road vehicle, tilting-carts, automobiles, buses, trucks, vehicle bodies, long-distance buses, military vehicles for transport, automobile chassis, wagons. It’s registration date is September 21, 2006, which is earlier than that of the disputed domain name, i.e. December 30, 2007. Its registration is valid at present. The Complainant therefore has rights in the trademark “SINOTRUK”.

(2) The domain name should be identical or confusingly similar to the trademark or service mark

The disputed domain name “sinotruk.org” is composed of “.org” and “sinotruk”. “.org” is the top-level domain suffix and may be disregarded when evaluating the similarity between a domain name and a trademark. The distinctiveness of the disputed domain name therefore lies in “sinotruk”, which is identical with Complainant’s registered trademark “SINOTRUK”. The Panel therefore finds that the disputed domain name is

confusingly similar to the Complainant's registered trademark "SINOTRUK". Accordingly, the Complainant has proven that the first element required by paragraph 4(a) of the Policy is established.

B. Rights or Legitimate Interests of the Respondent

The Complainant asserts with evidence that the Respondent has no rights or legitimate interests in the disputed domain name. Once the Complainant makes the assertion, the burden of proof has shifted to the Respondent to rebut the Complainant's assertion by providing concrete evidence that it has rights to or legitimate interests in the domain name. Paragraph 4(c) of the Policy lists a number of circumstances which can be taken to demonstrate a Respondent's rights or legitimate interests in a domain name:

- (i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or
- (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

However, the Respondent has failed to meet that burden. The Respondent did not submit any evidence to demonstrate any of the above circumstances. Therefore, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. Accordingly, the Complainant has proven that the second element required by paragraph 4(a) of the Policy is established.

C. Bad Faith

Paragraph 4(a)(iii) of the Policy provides that the disputed domain name has been registered and is being used in bad faith. Paragraph 4(b) of the Policy states that the following circumstances in particular, but without limitation, shall be evidence of registration and use of a domain name in bad faith:

- (i) Circumstances indicating that the Respondent has registered or 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 documented out-of-pocket costs directly related to the domain name; or
- (ii) The Respondent 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 the Respondent has engaged in a pattern of such conduct; or

(iii) The Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) By using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

Paragraph 4(a) (iii) and Paragraph 4(b) relates to two issues: One is that the disputed domain name has been registered in bad faith. The other one is that the disputed domain name is being used in bad faith.

(1) The disputed domain name has been registered in bad faith

WIPO Jurisprudential Overview 3.0 mentions that noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the Complainant's mark is widely known (including in its sector) or highly specific and a Respondent cannot credibly claim to have been unaware of the mark, panels have been prepared to infer that the Respondent knew, or have found that the Respondent should have known, that its registration would be identical or confusingly similar to a Complainant's mark.

Some panels have found bad faith registration based in part on proof that the Respondent "knew or should have known" about the existence of the Complainant's trademark. In the following cases bad faith were found based on the Respondent "knew or should have known" about the existence of the Complainant's trademark prior to registering the domain name.

SembCorp Industries Limited v. Hu Huan Xin, WIPO Case No. D2001-1092, *The Nasdaq Stock Market, Inc. v. H. Pouran*, WIPO Case No. D2002-0770, *Maori Television Service v. Damien Sampat*, WIPO Case No. D2005-0524, *Digital Spy Limited v. Moniker Privacy Services and Express Corporation*, WIPO Case No. D2007-0160, *The Gap, Inc. v. Deng Youqian*, WIPO Case No. D2009-0113.

This Panel relies on the above view and decisions. The Complainant asserts that its trademark "SINOTRUK" has been used and promoted for so many years and becomes well-known in its business area. Regarding the well-knownness of the trademark, the Respondent should rebut the Complainant's assertion, but it failed to make any response. Under the search of the Internet and search engines the Panel is convinced and concurs with its well-knownness assertion. Noting the near instantaneous and global reach of the Internet and search engines, and that the Respondent and the Complainant are in the same business area of trucks, the

Respondent cannot credibly claim to have been unaware of the mark, especially when the disputed domain name is shown on the website.

Considering the well-knownness of the Complainant's trademark and the same business area, the Panel holds that the Respondent knew the Complainant's trademark prior to registering the domain name. As the domain name would cause confusion to internet users, it should have avoided the registration, which is considered as good faith, rather it registered the disputed domain name. The Respondent deliberately sought to cause such confusion. Accordingly the Panel holds that the disputed domain name has been registered in bad faith.

(2) The disputed domain name is being used in bad faith

Paragraph 4(b) (iv) of the Policy states that the following circumstances in particular shall be evidence of registration and use of a domain name in bad faith: By using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

The Complainant asserts that the information about the Complainant is shown on the Respondent's website. The Complainant further asserts that "SINOTRUK" means "CHINA TRUCK", corresponding to its name, CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD.

On the screenshot of the Respondent's website, the Panel sees "Sinotruk", "SINOTRUK.ORG" are shown in the prominent position and pictures of all kinds of trucks. "SINOTRUK" is the Complainant's trademark registered on the goods of trucks and becomes well-known. Considering that the disputed domain name is confusingly similar to the Complainant's trademark and "SINOTRUK" corresponding to its name, the Respondent's use of the Complainant's trademarks with pictures of all kinds of trucks on the prominent part of its website will cause confusion among consumers as to the source of the products. The Panel believes that the use of the domain name is in bad faith, which meets Paragraph 4(b) (iv).

In view of all above, the Panel holds that the disputed domain name should be considered as having been registered and being used in bad faith under paragraph 4(b) of the Policy. Therefore, the Complainant has proven that the third element required by paragraph 4(a) of the Policy is established.

5. Decision

For all the foregoing reasons, in accordance with Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Panel orders that the domain name "sinotruk.org" be

transferred to the Complainant, CHINA NATIONAL HEAVY DUTY TRUCK GROUP CO., LTD.

A handwritten signature in black ink, appearing to be 'LIAN Yunze', is centered within a light gray rectangular box.

(LIAN Yunze)

Dated: Date September 6, 2017