



Asian Domain Name Dispute Resolution Centre

seoul

(Seoul Office)

## ADMINISTRATIVE PANEL DECISION

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**Case No.** KR-2200239

**Complainant:** Krafton, Inc.

**Respondent:** Peng Meiling

**Disputed Domain Name:** pubgstudio.com

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### 1. The Parties and Contested Domain Name

The Complainant is Krafton, Inc., 231, Teheran-ro, Gangnam-gu, Seoul, Republic of Korea.

The Respondent is Peng Meiling, China.

The domain name at issue is pubgstudio.com, which is registered with DNSPod, Inc., Yantai, Liaoning, China.

### 2. Procedural History

The Complaint was filed with the Seoul Office of the Asian Domain Name Dispute Resolution Centre (ADNDRC; hereafter, the “Centre”) on November 17, 2022, seeking a transfer of the Disputed Domain Name.

On November 28, 2022, the Centre sent an email to the Registrar asking for detailed information on the registrant. On January 11, 2023, DNSPod sent an email to the Centre saying that the Respondent is listed as the registrant and providing the contact details.

The Centre verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and ADNDRC’s Supplemental Rules to ICANN Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, the Centre formally notified the Respondent of the Complaint. The proceedings commenced on January 11, 2023, and the deadline for the Response was January 31, 2023. No Response was filed by that date.

On February 1, 2023, the Centre appointed Mr. Doug Jay Lee as the Sole Panelist in the administrative proceeding and, with the consent to the appointment, impartiality and independence declared and confirmed by the Panelist, the Centre, in accordance with Paragraph 7 of the Rules, organized the Panel on this case in a legitimate way.

We are writing to advise the parties of the Panel’s decision.

### **3. Factual Background**

i. The Complainant is the mother company of PUBG Corporation, which merged with the Complainant on December 1, 2020. PUBG Corporation is the developer of the battle-royale game PUBG: Battlegrounds. PUBG Corporation owns about 170 trademarks containing the acronym “PUBG” in 40 countries. The Complainant owns [www.pubg.com](http://www.pubg.com), which automatically redirects users to the official website of the PUBG game.

ii. The Disputed Domain Name, [pubgstudio.com](http://pubgstudio.com), was registered by the Respondent on February 4, 2022. The Respondent had been selling PUBG skins on the disputed domain but there is no longer a connection between the two.

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

##### **A. Complainant**

The Complainant's contentions can be summarized as follows:

The Complainant is the mother company of PUBG Corporation, which merged with the Complainant on December 1, 2020.

PUBG Corporation is the developer of the battle-royale game PUBG: Battlegrounds. The game was released via Steam's early access beta program on March 21, 2017, with a full release on December 21, 2017.

PUBG Corporation owns about 170 trademarks containing the acronym "PUBG" in 40 countries, including the following U.S. and EU trademark registrations:

- EU word trademark "PUBG" (No. 017326158), filed on October 13, 2017
- U.S. word trademark "PUBG" (No. 5578514), filed on October 16, 2017.

The Complainant owns [www.pubg.com](http://www.pubg.com), which automatically redirects users to the official website of the PUBG game.

The Disputed Domain Name, [pubgstudio.com](http://pubgstudio.com), was registered by the Respondent on February 4, 2022, using a privacy service. The Respondent had been selling PUBG skins on the disputed domain but there is no longer a connection between the two.

The Complainant has asked the Respondent to transfer the Disputed Domain Name to it.

##### **B. Respondent**

The Respondent has not replied to the Complainant's contentions.

## 5. Findings

Paragraph 15(a) of the Rules instructs this Panel to “decide a Complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable.”

Paragraph 4(a) of the Policy requires the Complainant to prove all three of the following points to obtain an order that a domain name should be canceled or transferred:

- i. The Respondent’s domain name must be identical or confusingly similar to a trademark or service mark to which the Complainant has the 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.

In view of the Respondent’s failure to submit a response, the Panel will decide this administrative proceeding on the basis of the Complainant’s undisputed representations pursuant to Paragraphs 5(f), 14(a), and 15(a) of the Rules and draw the inferences it considers appropriate pursuant to Paragraph 14(b) of the Rules. The Panel is permitted to accept all reasonable allegations set forth in a Complaint; however, the Panel can deny relief if a Complaint contains mere conclusory or unsubstantiated arguments.

### **A) Identical / Confusingly Similar**

The Complainant contends that it owns about 170 trademarks containing the acronym “PUBG” in 40 countries in the name of PUPG Corporation, including the following U.S. and EU trademark registrations:

- EU word trademark “PUBG” (No. 017326158), filed on October 13, 2017
- U.S. word trademark “PUBG” (No. 5578514), filed on October 16, 2017.

Since the Complainant has provided the Panel with evidence of its trademark registrations, the Panel finds that the Complainant has established its rights to the relevant marks under Paragraph 4(a)(i) of the Policy.

Also, the Disputed Domain Name is composed of the acronym “PUBG” and the word “Studio.” The Panel finds that generally, in the game industry, development organizations are referred to as studios, and that after PUBG Corporation merged with the Complainant, the existing PUBG development organization was reorganized into an in-house game production studio called PUBG Studio.

The Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's trademarks because the portion “pubgstudio” in the Disputed Domain Name pubgstudio.com is similar to the trademark “PUBG” and the same as the name of the in-house game production studio “PUBG Studio”.

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

Under Paragraph 4(a)(ii) of the Policy, the Complainant must first make a prima facie case that the Respondent lacks the right to and legitimate interest in the Disputed Domain Name, and then the burden shifts to the Respondent to demonstrate that it does have the right to or a legitimate interest in the Disputed Domain Name.

The Complainant contends that the Respondent has no relationship to the Complainant, and the Complainant never gave its permission to the Respondent nor entered into an agreement with the Respondent to register or use the Disputed Domain Name.

The Panel finds that the Complainant has made a prima facie case that arises from the considerations above, all of which affirm the prima facie case made against the Respondent. As the Respondent has not filed a Response nor attempted by any other means to rebut the prima facie case against it, the Panel finds that the Respondent has no rights to nor legitimate interests in the Disputed Domain Name.

### **C) Bad Faith**

According to the evidence submitted by the Complainant in this case, the following facts can be acknowledged:

- (1) The PUBG game is a well-known battle-royale game and was one of the best-selling games of 2017. The PUBG game has received a range of media and game industry awards, including Best Multiplayer Game and PC Game of the Year at the 35th Golden Joystick Awards in 2017 and Best Multiplayer Game at the Game Awards, also in 2017.
- (2) The Respondent registered the Disputed Domain Name on February 4, 2022, after the Complainant released the PUBG game via Steam's early access beta program on March 21, 2017.
- (3) The acronym "PUBG" is the abbreviation for "PlayerUnknown's Battlegrounds," the original name of the Complainant's game, and no one had used "PUBG" before the Complainant did.
- (4) The Respondent used a privacy service to hide its identity when registering the Disputed Domain Name.
- (5) The Respondent was selling PUBG skins on the disputed domain when the Complainant filed this procedure. If PUBG game skins had continued to be sold on the disputed domain, users could have mistaken the disputed domain for an official PUBG game skin seller.

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

### **6. Decision**

The Panel orders that the Disputed Domain Name pubgstudio.com be transferred to the Complainant for the reasons outlined in this document and in accordance with Paragraph 4(a) of the Policy and Paragraph 15 of the Rules.



Doug Jay Lee  
Sole Panelist

Dated: March 2, 2023