



URS DEFAULT DETERMINATION

Bitwarden, Inc. v. ningjiangjiang et al.

Claim Number: FA2108001959741

DOMAIN NAMES

<bitwarden.cool>; <bitwarden.top>

PARTIES

Complainant: Bitwarden, Inc. of Santa Barbara, California, United States of America.

Complainant Representative: Redfield IP PC of Redwood City, California, United States of America.

Respondent: 宁江江 / 宁江江 of 市辖区, 北京市, International, CN.

Respondent Representative: N/A

REGISTRIES and REGISTRARS

Registries: .TOP Registry; Binky Moon, LLC

Registrars: DNSPod, Inc.; Chengdu West Dimension Digital Technology Co., Ltd.

EXAMINER

The undersigned certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as Examiner in this proceeding.

David L. Kreider, Chartered Arbitrator (UK), as Examiner.

PROCEDURAL HISTORY

Complainant submitted: August 16, 2021

Commencement: August 18, 2021

Default Date: September 2, 2021

Having reviewed the communications records, the Examiner finds that the FORUM has discharged its responsibility under URS Procedure Paragraphs 3 and 4 and Rule 4 of the Rules for the Uniform Rapid Suspension System (the "Rules").

RELIEF SOUGHT

Complainant requests that the domain name be suspended for the life of the registration.

STANDARD OF REVIEW

Clear and convincing evidence.

FINDINGS and DISCUSSION

The Complainant, Bitwarden, Inc., is the owner of the BITWARDEN trademark (the "Mark") and the bitwarden.com domain name and has used the Mark and bitwarden.com domain name in connection with its acclaimed password management products and services since November 16, 2015.

Without the Complainant's authorization, the <Bitwarden.cool> and <Bitwarden.top> domain names (the "Disputed Domain Names") were both registered on March 3, 2021, by the Respondent, "ningjiangjiang" or "JiangJiangNing", with an address of "bei jing shi, CN" through the registrars DNSPod, Inc. and Chengdu west dimension digital according to the Whois records. Additional registrant data is privacy protected.

The Disputed Domain Names are identical to the Complainant's Mark for which the Complainant has superior rights and holds valid US Registration Nos. 5580631 and 6227472 and International Reg. No. 1563326 designating the EU.

The Respondent offers a hosted password management service on <bitwarden.top> that is identical to Complainant's service and displays a login page on <bitwarden.cool> that is identical to the Complainant's secure vault access login page. Internet users who visit the Respondent's websites are likely to be misled into believing that the Respondent's password management services originate from, are sponsored by, or are associated with Bitwarden, when they are not. The Complainant alleges, upon information and belief, that the Respondent is engaged in a phishing scam by gathering sensitive data including master passwords from unsuspecting users who believe they are accessing their accounts with Bitwarden, Inc. These master passwords may then be used to access customer vaults that contain passwords for their various online accounts.

The Expert finds that the Disputed Domain Names were registered and are being used in bad faith since the Respondent registered the domain names primarily for the purpose of disrupting the business of its competitor, Bitwarden, Inc. By using the Disputed Domain Names, the Respondent has intentionally attempted to attract for commercial gain, Internet users to Respondent's websites by creating a likelihood of confusion with the Complainant's mark as to source, sponsorship, affiliation or endorsement of registrant's website. It is apparent from the Respondent's fraudulent and malicious behavior that there is no legitimate basis for Respondent's registrations and/or use of the Domain Names.

DETERMINATION

After reviewing the Complainant's submissions, the Examiner determines that

the Complainant has demonstrated all three elements of the URS by a standard of clear and convincing evidence; the Examiner hereby Orders the following domain names be SUSPENDED for the duration of the registration.

<bitwarden.top>

<bitwarden.cool>



David L. Kreider, Esq.
Panelist

David L. Kreider, Examiner

Dated: September 03, 2021