Decision for dispute CAC-UDRP-107520

Case number	CAC-UDRP-107520
Time of filing	2025-04-28 09:52:26
Domain names	qlik-es.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	QlikTech International AB

Complainant representative

Organization	Abion AB

Respondent

Name	1 lan

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings relating to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the following trademarks:

International trademark No. 839118, for “QLIK”, registered on May 14, 2004;

EU trademark No. 001115948, for “QLIK”, registered on May 16, 2000;

EU trademark No. 011611126, for “QLIK”, registered on July 2, 2013;

US trademark No. 3114427, for “QLIK”, registered on July 11, 2006;

US trademark No. 2657563, for “QLIK”, registered on December 10, 2002.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant is a global leader in artificial intelligence, data analytics, and business intelligence solutions, offering software to businesses worldwide. Through its innovative platform, the Complainant enables businesses to transform raw data into actionable insights, enabling them to gain a deeper understanding of their operations, customers, and market trends. The Complainant was founded in Sweden in 1993.

As of 2025, the Complainant serves more than 40,000 global customers and has more than 235,000 community members. The Complainant also maintains a robust network of international partners, including Amazon, Google, and Microsoft.

The Complainant has a global presence, with offices in North America, Canada, Latin America, Europe, the Middle East, Asia and Africa, including in Spain and Hong Kong where it has an active presence through associated companies.

The Complainant owns numerous domain names composed of its trademark “QLIK” alone, including <qlik.com> (created on 17 March 1998), <qlik.com.es> and <qlik.es> (created on 15 January 2008). The Complainant uses these domain names to resolve to its official website, through which it informs Internet users and potential consumers about the “QLIK” mark and its related services.

The Complainant also enjoys a strong presence online via its official social media platforms.

The disputed domain name was registered on March 11, 2025.

PARTIES CONTENTIONS

COMPLAINANT

1. THE DISPUTED DOMAIN NAME IS IDENTICAL OR CONFUSINGLY SIMILAR

The disputed domain name incorporates, in its second level-portion the Complainant’s trademark “QLIK” in its entirety, followed by the relevant geographical term “es” and separated by a hyphen. The geographical term “es” refers to the country code for Spain, a country where the Complainant has an active business presence. The Complainant also brings the Panel’s attention to the fact that <qlik.com.es> and <qlik.es> are domain names owned by the Complainant.

The “QLIK” trademark is clearly recognizable in the disputed domain name.

The presence of the generic Top-Level Domain (“gTLD”) extension “.com” in the first level portion of the disputed domain name is a standard registration requirement and may be disregarded when assessing whether the disputed domain name is confusingly similar to the trademark in which the Complainant has rights.

2. RESPONDENT HAS NO RIGHTS OR LEGITIMATE INTEREST IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant has never granted the Respondent with any rights to use the “QLIK” trademark in any form, including in the disputed domain name.

The Complainant has not found that the Respondent is known by the disputed domain name. Indeed, when searching for the disputed domain name terms “qlik-es” or “qlik es” in the Google search engine, all of the results directly relate to the Complainant, as well as its website, its products or related topics. When entering the disputed domain name terms along with the name of the Respondent “1 lan”, there are no returned results showing that the Respondent is known by the disputed domain name.

The Respondent could have easily performed a similar search before registering the disputed domain name and would have quickly learnt that the trademark is owned by the Complainant and that the Complainant has been using the trademark for its business activities. However, the Respondent still chose to register the disputed domain name as such.

Furthermore, when searching for any trademarks incorporating the disputed domain name terms “qlik-es” or “qlik es” on online trademark search platforms, no registered trademarks are to be found. When searching for any trademarks in the name of the Respondent “1 lan”, there are also no relevant results to be found.

At the time the Complainant found out about the disputed domain name on April 8, 2025, it did not resolve to any active content. At the time of filing of the Complaint, the disputed domain name did not resolve to any active content. Similarly, at the time of filing this Amended Complaint, the disputed domain name still does not resolve to any active content. The disputed domain name is not being used in connection with a bona fide offering of goods or services.

The disputed domain name is thus being passively held. There is no evidence showing that the Respondent has been using, or preparing to use, the disputed domain name in connection with a bona fide offering of goods and services or has made a legitimate noncommercial or fair use of the disputed domain name.

Moreover, the structure of the disputed domain name – incorporating in its second level portion the Complainant's trademark "QLIK", followed by the relevant geographical term "es" and separated by a hyphen - reflects the Respondent's intention to create an association, and a subsequent likelihood of confusion, in Internet users' mind. It is also important to underline that, as previously mentioned, the geographical term "es" refers to the country code for Spain, a country where the Complainant has an active business presence. The Complainant also brings the Panel's attention to the fact that <qlik.com.es> and <qlik.es> are domain names owned by the Complainant.

It therefore appears that the Respondent deliberately chose to use the trademark "QLIK" in the disputed domain name to benefit from the Complainant's worldwide renowned trademark, and to confuse Internet users as to the source of the disputed domain name.

In addition, when the Complainant found out about the registration of the disputed domain name, on April 8, 2025, they contacted the Respondent through the contact form listed on the publicly available WhoIs records and sent a Cease-and-Desist letter to the Registrar, asking the latter to forward the letter to the Respondent. Through the contact form, they notified the Respondent that the disputed domain name infringes their trademark rights. The Complainant sent further reminders on April 21, 2025, and April 24, 2025, but there was no response.

The Respondent has been granted an opportunity to present some compelling arguments that they have rights or legitimate interests in the disputed domain name but has failed to do so. This behavior, coupled with the absence of use of the disputed domain name in connection with a bona fide offering of goods and services, further demonstrates the Respondents' absence of rights or legitimate interests in respect of the disputed domain name.

3. THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS BEING USED IN BAD FAITH

a. THE DISPUTED DOMAIN NAME WAS REGISTERED IN BAD FAITH

The Complainant's trademark registrations significantly predate the registration of the disputed domain name and the Respondent has never been authorized by the Complainant to register the disputed domain name.

The Respondent registered the disputed domain name many years after the registrations of the Complainant's "QLIK" trademarks. The "QLIK" trademark is a widely known trademark registered in many countries, including Spain and Hong Kong, and the Complainant enjoys a strong online presence. The Complainant is also very active on social media to promote its mark, products and services.

By conducting a simple online search regarding the disputed domain name terms on popular search engines, the Respondent would have inevitably learnt about the Complainant, its trademark and business. Furthermore, the Complainant has an active presence in Hong Kong, being the region where the Respondent is residing.

Furthermore, the structure of the disputed domain name – incorporating the Complainant's trademark "QLIK", followed by the relevant geographical term "es" and separated by a hyphen - shows that the Respondent registered the disputed domain name having the Complainant and its "QLIK" trademark in mind. It is also important to underline that, as previously mentioned, the geographical term "es" refers to the country code for Spain, a country where the Complainant has an active business presence. The Complainant also brings the Panel's attention to the fact that <qlik.com.es> and <qlik.es> are domain names owned by the Complainant. Therefore, the combination of such terms in the disputed domain name creates a direct association with the Complainant and its business. The inclusion of a term directly referring to the Complainant's business presence in a geographical region, along with their trademark in a disputed domain name, is a strong indicator of bad faith registration. This is because the Respondent is most likely trying to confuse internet users by creating a similarity between the disputed domain name and the Complainant. Indeed, by reading the disputed domain name, Internet users may believe that it is directly connected to or authorized by the Complainant. By doing so, the Respondent is seeking to benefit from the Complainant's established reputation and potentially harm their business by diverting traffic to a different website. This conduct not only violates the Complainant's trademark rights, but also demonstrates a lack of good faith in the registration of the disputed domain name.

Overall, considering that the “QLIK” trademark is well known, and that the Complainant is a globally renowned business intelligence and analytics company, it clearly appears that the Respondent knew the Complainant and the “QLIK” trademark at the time it registered the disputed domain name.

b. THE DISPUTED DOMAIN NAME IS BEING USED IN BAD FAITH

As previously mentioned, the structure of the disputed domain name reflects the Respondent’s intention to create an association, and a subsequent likelihood of confusion, with the Complainant, its “QLIK” trademark and the Complainant in Internet users’ mind, as by reading the disputed domain name, Internet users may believe that it is directly connected to or authorized by the Complainant. In this regard, previous UDRP panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

In addition, the disputed domain name is being passively held.

The disputed domain name is currently passively held. At the time the Complainant found out about the disputed domain name on April 8, 2025, it did not resolve to any active content. At the time of filing of the Complaint, the disputed domain name did not resolve to any active content. Similarly, at the time of filing this Amended Complaint, the disputed domain name still does not resolve to any active content. There is therefore no evidence of any actual or contemplated good-faith use of the disputed domain name.

Furthermore, when the Complainant found out about the registration of the disputed domain name, on April 8, 2025, they contacted the Respondent through the contact form listed on the publicly available WhoIs records and sent a Cease-and-Desist letter to the Registrar, asking the latter to forward the letter to the Registrant. Through the contact form, they notified the Respondent that the disputed domain name infringes their trademark rights. In the Cease-and-Desist Letter, the Complainant advised the Respondent that the unauthorized use of their trademark within the disputed domain name violates their trademark rights and requested a voluntary transfer of the disputed domain name. The Complainant sent further reminders on April 21, 2025, and April 24, 2025, but there was no response. The Respondent had a chance to provide evidence of actual or contemplated good-faith use of the disputed domain name but failed to do so, which infers bad faith.

In addition, it is likely that the Respondent is trying to conceal its identity regarding the ownership of the disputed domain name – as their name and contact details are covered by a privacy shield in the corresponding publicly available WhoIs records– which is further evidence of bad faith.

Lastly, it is likely that the Respondent has provided false WhoIs details. Indeed, the phone number listed in the Registrar Verification “+852 .51234567” is linked to a coffee shop business operating under the name “4our” and not “1 lan”.

RESPONDENT

No administratively compliant Response was filed.

RIGHTS

To the satisfaction of the Panel, the Complainant has shown that the disputed domain name is identical or confusingly similar to the trademark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

To the satisfaction of the Panel, the Complainant has shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

To the satisfaction of the Panel, the Complainant has shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP have been met, and there is no other reason why it would be

unsuitable for providing the Decision.

PRINCIPAL REASONS FOR THE DECISION

1. Identical or Confusingly Similar

First, the Panel is satisfied that the Complainant has shown it owns rights in the "QLIK" trademark, with registration and evidence, provided dating the trademark registration back to August 2000.

Turning to analyze whether there is a confusing similarity between the disputed domain name and the trademark, the Panel notes, based on the record at hand, that the disputed domain name reproduces the trademark in its totality, namely "QLIK", with the addition of a hyphen separating the trademark from "ES", which appears to be a reference to the ccTLD associated to Spain.

The addition of the term "ES" is insufficient and immaterial in assessing confusing similarity under the Policy as the entire trademark is reproduced in its entirety in the disputed domain name.

Consequently, the Panel determines that the Complaint has satisfied the Policy's first element set under paragraph 4(a)(i).

2. Rights or Legitimate Interests

Based on the evidence on record and acknowledging that the Respondent failed to produce any allegations or evidence necessary to demonstrate its rights or legitimate interests in the disputed domain name, the Panel must turn to the uncontested facts.

The uncontested facts indicate that:

a) the Respondent is not authorized to carry out any activity for the Complainant;

b) the Respondent is not commonly known by the disputed domain name;

c) the Respondent is not affiliated with the Complainant;

d) the Respondent has no license or authorization to use the trademarks;

e) although a very recent registration, the Respondent is not using the disputed domain name and has no demonstrable plans to use the disputed domain name legitimately; and

f) the Respondent did not respond to various cease-and-desist communications from the Complainant.

In the Panel's view, these assertions and the evidence attached are enough to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name (see 2.1 of WIPO 3.0 Overview).

These facts lead the Panel to conclude that the Respondent did not have rights or legitimate interests in the disputed domain name. Consequently, the Panel determines that the Respondent has no rights or legitimate interests in the disputed domain name. Subsequently, the Complainant has fulfilled the second requirement set under paragraph 4(a)(ii) of the Policy.

3. Registered and Used in Bad Faith

Per the record and evidence at hand, the Panel finds that the Respondent was likely aware of the Complainant and had the Complainant's trademark in mind, targeting the registration of the disputed domain name to create the appearance of being a channel of the Complainant. This is further reinforced by the complete reproduction of the trademark in the disputed domain name with the use of the ccTLD “es”, with the likely intention to appear the Complainant’s channel under country code of Spain.

On the balance of probabilities, the Respondent, without any explanation to the contrary from the Respondent, capitalizes on the confusion to lure unsuspecting Internet users to the disputed domain name.

The Respondent was provided ample opportunities to provide arguments to explain circumstances relating to the registration of the disputed domain name, which include cease-and-desist letters by the Complainant, including various reminders, as well as the notification of these proceedings. Nevertheless, the Respondent did not provide any explanations.

These circumstances in conjunction more than likely indicate that the Respondent was aware of the Complainant and specifically targeted the Complainant 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 the respondent's website or location or of a product or service on the respondent's website or location" as clearly described under paragraph 4(b) of the Policy and 3.1 of WIPO 3.0 Overview.

In light of the case's circumstances, based on the available records, the Panel finds that the Complainant has proven that the disputed domain name was registered and is used in bad faith according to paragraph 4(a)(iii) of the Policy.

4. Decision

For the preceding reasons and as per the provisions contained under Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Panel orders the transfer of the disputed domain name to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **qlik-es.com**: Transferred

PANELLISTS

Name	**Rodolfo Rivas Rea**

DATE OF PANEL DECISION 2025-05-23

Publish the Decision