Decision for dispute CAC-UDRP-107521

Case number	CAC-UDRP-107521
Time of filing	2025-04-28 09:52:37
Domain names	qlikchart.com, qlikservices.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	QlikTech International AB

Complainant representative

Organization	Abion AB

Respondent

Organization	Viyom cloud master

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain names.

IDENTIFICATION OF RIGHTS

The Complainant has submitted evidence, which the Panel accepts, showing that it is the registered owner of the trademarks bearing “QLIK”, inter alia, the following:

- International trademark “QLIK” n°839118, registered on May 14, 2004;
- European Union trademark “QLIK” n°001115948, registered on May 16, 2000;

- European Union trademark “QLIK” n°011611126, registered on July 2, 2013;
- Indian trademark “QLIK” n°2443782, registered on June 25, 2018.

Moreover, the Complainant is also the owner of the domain names bearing the sign “QLIK” such as the domain names <qlik.com> (registered on March 17, 1998) and <qlikview.com> (registered on April 10, 2000).

FACTUAL BACKGROUND

The Complainant, The QlikTech International AB as a part of QlikTech Group, is a Swedish operating in artificial intelligence, data analytics and business intelligence solutions, offering software to businesses worldwide. It was established in 1993. As of 2025, the

QlikTech serves more than 40,000 global customers and has more than 235,000 community members. The QlikTech Group maintains a network of international partners, including Amazon, Google and Microsoft.

The Complainant holds many trademark registrations including “QLIK” phrase going back to 2000 and the Complainant also holds the domain names bearing “QUIK”, such as <quik.com> and <quikview.com>.

On January 28 and 29, 2025; the Respondent registered the disputed domain names <qlikservices.com> and <qlikchart.com>, respectively. The disputed domain names are currently inactive and parked, with a statement of “Coming Soon” on the webpages.

PARTIES CONTENTIONS

COMPLAINANT:

1. THE DISPUTED DOMAIN NAMES ARE CONFUSINGLY SIMILAR

The Complainant states that the disputed domain names are confusingly similar to the Complainant’s formerly registered distinctive trademarks, as they bear the Complainant’s “QLIK” trademark as a whole with the addition of the descriptive terms “CHART” and “SERVICES”, which would not prevent a finding of confusing similarity. The Complainant provides products and services that allow users to create graphical charts and sheets to visualise and interact with the data, therefore, it claims that these additional descriptive terms directly refer to the Complainant. Additionally, it is said that the Complainant’s trademark “QLIK” is clearly recognizable in the disputed domain names.

The Complainant refers to an earlier case involving the Complainant and states that in such a similar case regarding the domain name <qlik-services.co> where the panel found that the domain name was confusingly similar to the Complainant’s trademarks, and the first element of the Policy has been established.

The Complainant refers to earlier decisions and claims that the top level domain “.com” is a standard registration requirement and will be disregarded, so the disputed domain names remain confusingly similar despite their inclusion.

2. NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAMES

The Complainant states that it has never granted the Respondent with any rights to use the “QLIK” trademark in any form, including in the disputed domain names. Also, the Complainant has not found that the Respondent is known by the disputed domain names or has any trademark rights that may be basis for the disputed domain names.

The Complainant asserted that the Respondent could have easily performed a similar search before registering the disputed domain names 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. The Respondent is said to likely be aware of the trademarks anyway, given that the Respondent is a company providing artificial intelligence and data analytics services, which are identical to services of the Complainant and the Complainant is a global leader in artificial intelligence and data analytics solutions.

The Complainant further claims that both disputed domain names resolved to parking pages at the time of filing of the Complaint and thus, are being passively held. It is contended that there is no evidence showing that the Respondent has been using, or preparing to use, the disputed domain names in connection with a bona fide offering of goods and services or has made a legitimate non-commercial or fair use of the disputed domain names.

Moreover, the structure of the disputed domain names as incorporating in their second level portion the Complainant’s well-known trademark “QLIK”, followed by the relevant terms “chart” and “services” respectively, is claimed to reflect the Respondent’s intention to create an association, and a subsequent likelihood of confusion, in Internet users’ mind. Because, the terms “chart” and “services” directly refers to the Complainant, since the Complainant provides various services under the “QLIK” trademark, including analytics, data migration, data integration, and financial services solutions and the Complainant’s products and services allow users to create graphical charts and sheets to visualise and interact with the data.

The Complainant also states that the Respondent deliberately chose to use the well-known trademark “QLIK” in the disputed domain names to benefit from the Complainant’s worldwide renown trademark, and to confuse Internet users as to the source of the

disputed domain names.

In addition, when the Complainant found out about the registration of the disputed domain names, on April 8, 2025, they contacted the Registrant through the contact forms 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 forms, they notified the Respondent that the disputed domain names infringe their trademark rights. The Complainant sent further reminders on April 21, 2025, and April 24, 2025, but there was no response. It was contended that the Respondent has been granted an opportunity to present some compelling arguments that they have rights or legitimate interests in the disputed domain names but have failed to do so. This behavior, coupled with the absence of use of the disputed domain names in connection with a bona fide offering of goods and services, is claimed to further demonstrate the Respondents' absence of rights or legitimate interests in respect of the disputed domain names.

The Complainant refers to WIPO Case No. D2024-1789, QlikTech International AB v. (Lin Zang) regarding the domain name <qlikapps.life>, claiming that it is similar to the case at hand, where the panel held that the disputed domain name does not resolve to an active website, and the non-use of it self-evidently does not comprise use in connection with a bona fide offering of goods and services.

For the foregoing reasons, the Complainant claims that the Respondent has no rights or legitimate interests in respect of the disputed domain names, within the meaning of the Paragraphs 4(a)(ii) and (4)(c) of the Policy.

3. THE DISPUTED DOMAIN NAMES WERE REGISTERED AND IS USED IN BAD FAITH

The Complainant claims that the Complainant's "QLIK" trademarks significantly predate the disputed domain names. The Complainant states that "QLIK" is a well-known trademark. It is claimed that by conducting a simple online search regarding the term "QLIK", the Respondent would have inevitably learned about the Complainant, its trademark and business. In any case, it is claimed that since the Respondent provides artificial intelligence and data analytics services, they were likely aware of the Complainant's Trademarks, given that the QlikTech Group provides identical services and is a global leader in artificial intelligence and data analytics solutions.

The Complainant asserts that it is inconceivable for the Respondent to be unaware of the existence of the Complainant when he registered the disputed domain names and refers to previous panel decision WIPO Case No. D2024-5123, QlikTech International AB v. BENZAKOUR ABDELALI that have acknowledged the well-known status of the Complainant's "QLIK" trademark.

Furthermore, the structure of the disputed domain names, incorporating the Complainant's well-known trademark "QLIK" followed by the relevant terms "chart" and "services" respectively, is claimed to show that the Respondent registered the disputed domain names having the Complainant and its trademarks in mind, because the terms "chart" and "services" directly refer to the Complainant, since the Complainant provides various services under the trademark "QLIK", including analytics, data migration, data integration, and financial services solutions, and other products and services that allow users to create graphical charts and sheets to visualise and interact with the data.

The fact that the Respondent registered the disputed domain names while knowing about the trademarks of the Complainant constitutes bad faith in registering the disputed domain names. The Complainant claims that by using the disputed domain names, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to their 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 their website or location or of a product or service on their website or location.

The Complainant also points out that the disputed domain names are currently being passively held.

Furthermore, the Complainant contacted the Respondent through the contact forms 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 forms, they notified the Respondent that the disputed domain names infringe 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 names violates their trademark rights and requested a voluntary transfer of the disputed domain names. Although the Complainant sent further reminders, there was no response. The Complainant therefore asserts that the Respondent had a chance to provide evidence of actual or contemplated good-faith use of the disputed domain names but failed to do so, which infers bad faith.

In addition, it is claimed that the Respondent is likely trying to conceal its identity regarding the ownership of the disputed domain names, 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.

The Complainant refers to a previous case that it was involved in regarding the domain name <qlikapps.life>, WIPO Case No. D2024-1789, QlikTech International AB v. (Lin Zang), where the panel held that prior UDRP panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding and its non-use of the disputed domain name comprises bad faith passive holding, especially considering that the Complainants "QLIK" trademark is distinctive, the Respondent has not replied to the Complaint nor is there any other evidence in the record of any actual or contemplated good faith use of the disputed domain name, and there is no evidence of any plausible good faith use to which the disputed domain name can be put by the Respondent, particularly noting the composition of the disputed domain name makes it clear that the Complainant's mark is being targeted.

Accordingly, the Complainant alleges that the disputed domain names were registered and are being used in bad faith.

RESPONDENT:

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

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

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are 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 were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In this context, the Panel also notes that the burden of proof is on the Complainant to make out its case and past UDRP panels have consistently said that a complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

1. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore deal with each of these requirements in turn.

1. IDENTICAL OR CONFUSINGLY SIMILAR

The Policy simply requires the Complainant to demonstrate that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. The Panel is satisfied that the Complainant is the owner of registration of “QLIK” trademark.

The Panel finds that the disputed domain names are confusingly similar to the Complainant’s “QLIK” trademark and the addition of the terms “chart” and “services” is not sufficient to vanish the similarity.

Moreover, the addition of the gTLD “.com” is not enough to abolish the similarity.

The Panel is of the opinion that the Internet users will easily fall into false impression that the disputed domain names are official domain names of the Complainant. The Panel recognizes the Complainant's rights and concludes that the disputed domain names are confusingly similar with the Complainant's trademark. Therefore, the Panel concludes that the requirements of paragraph 4(a)(i) of the Policy are provided.

2. NO RIGHTS OR LEGITIMATE INTERESTS

Under paragraph 4(a)(ii) of the Policy, the complainant has the burden of establishing that the respondent has no rights or legitimate interests in respect of the domain name.

It is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to the respondent of the dispute, the use or making 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) the respondent of the dispute (as an individual, business, or other organization) has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or

(iii) the respondent of the dispute is making a legitimate non-commercial or fair use of the domain name, without an intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Thus, if the respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the disputed domain name, the complainant will have failed to discharge its burden of proof and the complaint will fail. The burden is on the complainant to demonstrate a prima facie case that the respondent does not have rights or legitimate interests in the disputed domain name. Once the complainant has made out a prima facie case, then the respondent may, inter alia, by showing one of the above circumstances, demonstrate rights or legitimate interests in the disputed domain name.

The Complainant contends that the Respondent has nothing to do with the Complainant and any use of the trademark “QLIK” has to be authorized by the Complainant but there is no such authorization. Moreover, the disputed domain names have no relation with the Respondent and the Respondent is not commonly known as the disputed domain names. Also, the Complainant submits that the disputed domain names resolve to parked pages and are being passively held, which does not represent a bona fide offering where such links may anyhow mislead Internet users.

In the absence of a response, the Panel accepts the Complainant’s allegations as true that the Respondent has no authorization to use the Complainant’s trademarks in the disputed domain names.

Hence, as the Complainant has made out its prima facie case, and as the Respondent has not demonstrated any rights or legitimate interests as illustrated under paragraph 4(c) of the Policy, nor has the Panel found any other basis for finding any rights or legitimate interests of the Respondent in the disputed domain names, the Panel concludes that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

3. BAD FAITH

The Panel concludes that the Complainant's “QLIK” trademark is of distinctive character. Therefore, the Panel is of the opinion that due to the earlier rights of the Complainant in the “QLIK” trademark, the Respondent was aware of the Complainant and its trademarks at the time of registration of the disputed domain names (see e.g., Ebay Inc. v. Wangming, WIPO Case No. D2006-1107). Referring to Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net, WIPO Case No. D2000-0226, the Panel believes that the awareness of the Complainant’s trademark at the time of the registration of the disputed domain names is to be considered an inference of bad faith registration.

Moreover, the disputed domain names are currently inactive. Regarding inactive domain names, section 3.3 of the WIPO Overview 3.0 provides the following: “From the inception of the UDRP, panels have found that the non-use of a domain name (including a blank or ‘coming soon’ page) would not prevent a finding of bad faith under the doctrine of passive holding. While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put.”

The Respondent did not provide any response or evidence of any possible good faith use of the disputed domain names, neither when the Respondent was contacted by the Complainant regarding the violation and asked to cease the use, nor after the notification of the Complaint.

All the circumstances of the case must be examined to determine whether the Respondent is acting in bad faith. The cumulative circumstances for an indication of bad faith include the Complainant having a well-known trademark, no response having been filed ever, concealed identity, and the disputed domain names being inactive, which all happened in this case.

Therefore, in light of the above-mentioned circumstances in the present case, the Panel finds that the disputed domain names have been registered and are being used in bad faith and that the Complainant has established the third element under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **qlikchart.com**: Transferred
2. **qlikservices.com**: Transferred

PANELLISTS

Name	**Mrs Selma Ünlü**

DATE OF PANEL DECISION 2025-06-03

Publish the Decision