

Decision for dispute CAC-UDRP-107624

Case number CAC-UDRP-107624

Time of filing 2025-05-29 09:36:38

Domain names qliksense.xyz

Case administrator

Organization Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization QlikTech International AB

Complainant representative

Organization Abion AB

Respondent

Name Yu Qing Qing

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 name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of various trademark registrations, including the following:-

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

European Union trademark registration No. 001115948 for QLIK, registered on May 16, 2000;

United States trademark registration No. 2657563 for QLIK, registered on December 10, 2002;

International trademark registration No. 1236345 for QLIK SENSE, registered on November 6, 2014;

European Union trademark registration No. 012889481 for QLIK SENSE, registered on October 2, 2014; and

United States trademark registration No. 5050190 for QLIK SENSE, registered on September 27, 2016.

The Complainant owns and operates the following domain names:-

- <qlik.com>, registered on March 17, 1998;
- <qlikview.com>, registered on April 10, 2000;
- <qliksense.com>, registered on May 15, 2014; and
- <qlikview.org>, registered on May 15, 2014.

The disputed domain name was registered on February 14, 2025, and at the time of filing the Complaint, resolved to a GoDaddy website where it is being offered for sale for USD\$1450.

The Respondent is Yu Qing Qing of qing jiang pu qu jian kang xi lu 51 hao xin shi ji hao yuan 1 hao lou 3023 shi, Jiangsu, huai an shi, 100000 China.

FACTUAL BACKGROUND

The Complainant, founded in Sweden in 1993, forms part of the QlikTech Group, a company in the field of artificial intelligence, data analytics and business intelligence solutions, offering software to businesses in many countries. Through its QILK and QLIK SENSE data analytics platform, which was launched in 2014, the QlikTech Group offers services to businesses to transform raw data into actionable insights by facilitating the analysis and gathering of information, and by enabling data integration from different sources. As of 2025, the QlikTech Group serves more than 40,000 customers and has more than 235,000 community members. The QlikTech Group also maintains a network of international partners, including Amazon, Google and Microsoft. The QlikTech Group has a presence in many countries including offices in North America, Canada, Latin America, Europe, the Middle East, Asia and Africa, and China.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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 name (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 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 language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Uniform Domain Name Dispute Resolution Policy (the "Rules"), paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English since the disputed domain name consist of Latin characters instead of the Chinese script, the disputed domain name consists of the Complainant's QLIK SENSE trademark which includes the English word, "sense" which shows that the Respondent is familiar with the English language. The Complainant is located in Sweden and the Respondent is Chinese. English, as an international and neutral language, should therefore be used as the language of the proceedings as it would be fair to both parties. The disputed domain name resolves to an English website which offers the disputed domain name for sale, which demonstrates that the Respondent understands the English language and aims to target English speaking Internet users. The Respondent has registered many other domain names which incorporate English words which demonstrates that the Respondent understands English well. The Respondent has been

involved in numerous UDRP proceedings conducted in English despite their respective registrations' agreements being in Chinese, and the language in almost all of those proceedings were determined to be in English. Further, and in order to proceed in Chinese, the Complainant would have to retain specialized translation services at a cost very likely to be higher than the overall cost of these proceedings. The use of Chinese in this case would therefore impose a burden on the Complainant which must be deemed significant in view of the low cost of these proceedings.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 4.5.1).

Having considered the circumstances of this case including the composition of the disputed domain name which contains the words in Latin characters, the fact that the disputed domain name resolves to a webpage in the English language providing offers for sale of the disputed domain name in English, the Respondent other domain name registration in the English language, the Respondent's involvement in numerous UDRP proceedings in the English language, as well as the fact that Respondent did not object to the Complainant's request nor participated in this proceeding, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English. There does not appear to be any reasons which warrant a delay and additional expense in ordering the Complainant to translate the Complaint.

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

1. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a complainant to show that a domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

The Complainant has provided evidence that it owns registered trademark rights in the QLIK SENSE mark. The QILK SENSE trademark was registered prior to the Respondent registering the disputed domain name.

In this case, the disputed domain name consists of the Complainant's QLIK SENSE trademark in its entirety with no alterations. Thus, the disputed domain name is identical to the Complainant's mark.

As for the generic Top-Level Domain ("gTLD") ".xyz", it is well established that the gTLD is not relevant to the issue of identity or confusing similarity between the Complainant's trademark and the domain name in dispute (see WIPO Overview 3.0, section 1.11.1).

Consequently, the Panel finds that the Complainant has shown that the disputed domain name is identical to a trademark in which the Complainant has rights.

2. Rights or Legitimate Interests

Once the complainant establishes a prima facie case that the respondent lacks rights or legitimate interests in the domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect to the domain name (see WIPO Overview 3.0, section 2.1).

In the present case, the Complainant has demonstrated a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name and the Respondent has failed to assert any such rights or legitimate interests.

The Complainant has provided evidence that it has been the registered owner of the QILK and QLIK SENSE marks long before the date that the disputed domain name was registered and that it has not authorised the Respondent to use the Complainant's trademark. There is no evidence that the Respondent is commonly known by the disputed domain name.

The Respondent did not submit a Response and did not provide any explanation for its choice of the disputed domain name nor evidence to show rights or legitimate interests in the disputed domain name which would be sufficient to rebut the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

3. Registered and Used in Bad Faith

The Complainant must also show that the Respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)). Paragraph 4(b) of the Policy provides circumstances that may evidence bad faith under paragraph 4(a)(iii) of the Policy.

The Complainant's trademarks were registered years before the registration of the disputed domain name. The disputed domain

name incorporates the entirety of the Complainant's QILK and QLIK SENSE marks with no alterations. The disputed domain name also resolves to a GoDaddy website where it is being advertised for sale for the price of USD\$1450, a sum that likely far exceeds any likely out-of-pocket registration costs of the disputed domain name. This has been held to be evidence of bad faith. The Respondent failed to respond to the Complainant's demand letter and further reminders. The Respondent is also a party to numerous UDRP proceedings from which the Panel draws the conclusion that Respondent is engaged in a pattern of abusive domain registrations registering multiple trademark-abusive domain names. See WIPO Overview 3.0 para. 3.1.2.

Given the particular circumstances of this case, the distinctive nature of the Complainant's trademark, the degree of the Complainant's reputation, the factors listed above, and the implausibility of any good faith use to which the disputed domain name may be put, the Panel is persuaded by the evidence that the Respondent registered and was using the disputed domain name in bad faith with the aim of specifically targeting the Complainant.

The Panel notes that the Respondent failed to submit a response and provided no explanation nor evidence to rebut the Complainant's case. This is another indication of bad faith.

Accordingly, having regard to the circumstances of this case, the Panel finds that the Complainant has met its burden 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. **qliksense.xyz**: Transferred

PANELLISTS

Name	Jonathan Agmon
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DATE OF PANEL DECISION **2025-07-10**

Publish the Decision
