Decision for dispute CAC-UDRP-107895

Case number	CAC-UDRP-107895
Time of filing	2025-09-01 09:36:11
Domain names	exploreqlik.com

Case administrator

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

Complainant

Organization	QlikTech International AB

Complainant representative

Organization	Abion AB

Respondent

Name	Mandar Mulay

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 has demonstrated ownership of rights in the trademark QLIK for the purposes of standing to file a UDRP complaint.

The Complainant is the owner of numerous trademark registrations for QLIK, including the following:

- International trademark registration No. 839118 for QLIK (word mark), registered on May 14, 2004, in classes 9, 35 and 42;

- International trademark registration No. 1781507 for QLIK (semi-figurative mark), registered on December 20, 2023, in classes 9, 35 and 42;

- European Union trademark registration No. 001115948 for QLIK (word mark), filed on March 23, 1999, and registered on May 16, 2000, in classes 9, 35 and 42;

- European Union trademark registration No. 011611126 for QLIK (word mark), filed on February 27, 2013, and registered on July 2, 2013, in classes 9, 35 and 42;

- United States of America trademark registration No. 3114427 for QLIK (word mark), filed on May 14, 2004, and registered on July 11, 2006, in international classes 9, 35 and 42;

- United States of America trademark registration No. 2657563 for QLIK (word mark), filed on April 28, 1999 and registered on

December 10 2002, in international class 9;

- Indian trademark registration No. 2443782 for QLIK (word mark), filed on December 17, 2012, in class 9.

FACTUAL BACKGROUND

The Complainant was founded in Sweden in 1993 and is part of the QlikTech Group, providing artificial intelligence, data analytics and business intelligence solutions and offering software to businesses worldwide under the trademark QLIK.

The Complainant's group has a robust network of international partners and a global presence, with offices in North America, Canada, Latin America, Europe, the Middle East, Asia and Africa, including in India, where it has an active presence through associated companies.

As of 2025, the Complainant's Group serves more than 40,000 global customers and has more than 235,000 community members.

The Complainant is the owner of numerous domain names encompassing QLIK, including <qlik.com>, registered on March 17, 1998, used by the Complainant to promote its products and services under the trademark QLIK. Particularly, the Complainant provides a demo site to showcase the full potential of the Complainant's product portfolio in an interactive and engaging way under the sub-domain name <explore.qlik.com>.

The disputed domain name <exploreqlik.com> was registered on May 14, 2025, and currently resolves to an inactive website.

PARTIES CONTENTIONS

COMPLAINANT

The Complainant contends that the disputed domain name is confusingly similar to the Complainant's trademark QLIK, as it includes the trademark in its entirety with the mere addition of the word "explore" and the generic Top Level Domain ("gTLD") ".com", which are not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademark.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent is not commonly known by the disputed domain name and has no relevant trademark or trade name rights in QLIK or in a name corresponding to the disputed domain name.

The Complainant also submits that the disputed domain name has not been used for a bona fide offering of goods or services or a legitimate non-commercial use since the disputed domain name is being passively held and the structure of the disputed domain name reflects the Respondent's intention to create an association, and a subsequent likelihood of confusion, in Internet users' mind, since the Complainant uses the sub-domain name <explore.qlik.com> in connection with its demo site aimed at showing the full potential of the Complainant's product portfolio.

The Complainant also informs the Panel that it sent a Cease-and-Desist letter to the Respondent, transmitting it to the Registrar and requesting that it be forwarded to the Respondent, but received no response despite the subsequent reminders sent.

The Complainant submits that the Respondent registered the disputed domain name in bad faith since: i) the Complainant's rights in the QLIK mark long predate the registration date of the disputed domain name; ii) considering the Complainant's trademark is well-known, the Respondent could not have been unaware of the Complainant at the time of registering the dispute domain name; and iii) the structure of the disputed domain name – incorporating the Complainant's well known trademark QLIK, preceded by the term "explore" – shows the Respondent registered the disputed domain name having the Complainant and its QLIK trademark in mind, considering the Complainant uses the sub-domain name <explore.qlik.com>, to resolve to its demo site.

Moreover, the Complainant contends that the non-use of the disputed domain name does not prevent a finding of bad faith under the doctrine of passive holding considering the well-known character of the Complainant's trademark encompassed in the disputed domain name, the failure of the Respondent to submit a Response or to provide any evidence of actual or contemplated good-faith use and the Respondent's concealing its identity. The Complainant also states that, since MX records are present in the DNS configuration of the disputed domain name, there is a risk that corresponding e-mail addresses exist and be used in a fraudulent manner.

RESPONDENT

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 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. The Complainant has provided evidence of ownership of valid trademark registrations for QLIK.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark as it reproduces the mark in its entirety with the mere addition of the word "explore" and the gTLD ".com". As stated in prior decisions rendered under the UDRP, the addition of generic terms and of the gTLD ".com" is not sufficient to prevent a finding of confusing similarity.

Therefore, the Panel finds that the Complainant has demonstrated that the disputed domain name is identical or confusingly similar to a trademark in which it has established rights according to paragraph 4(a)(i) of the Policy.

2. With reference to the Respondent's rights or legitimate interests in the disputed domain name, the Panel finds that the Complainant has made a prima facie case and that the Respondent, by not submitting a Response, has failed to provide any element from which a Respondent's right or legitimate interest in the disputed domain name could be inferred.

The Panel notes that, based on the records, the Respondent has not been authorized or licensed by the Complainant to use its trademark QLIK. Moreover, there is no evidence that the Respondent might be commonly known by the disputed domain name or a name corresponding to the disputed domain name.

Furthermore, the disputed domain name is being passively held and there is no evidence of use of the disputed domain name in connection with a bona fide offering of goods or services or a legitimate non-commercial or fair use.

The Panel also finds that the disputed domain name is inherently misleading, as it incorporates the Complainant's trademark along with the term "explore" as prefix, thereby reproducing the structure of the sub-domain <explore.qlik.com> used by the Complainant. UDRP panels have largely held that, even where a domain name consists of a trademark plus an additional term, such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner.

Therefore, the Panel finds that the Complainant has demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain name according to paragraph 4(a)(ii) of the Policy.

3. As to bad faith at the time of the registration, the Panel finds that, in light of the Complainant's prior registration and use of the trademark QLIK, promoted online via the Complainant's website "www.qlik.com", the Respondent was or could have been aware of the Complainant's trademark when it registered the disputed domain name on May 14, 2025.

Moreover, the composition of the disputed domain name, which combines the Complainant's mark with the term "explore" as prefix, thereby reproducing the structure of the Complainant's sub-domain <explore.qlik.com>, suggests that the Respondent was indeed aware of, and intended to target, the Complainant at the time of registration.

As mentioned above, the disputed domain name currently resolves to an inactive website. As established in a number of prior UDRP cases, the concept of "bad faith use" in paragraph 4(b) of the UDRP includes not only positive action but also passive holding. In the present case, in light of: i) the distinctiveness of the Complainant's trademark; ii) the composition of the disputed domain name, which is very similar to the Complainant's sub-domain; iii) the Respondent's failure to reply to the reply to the Complainant's Cease-and-Desist letter and to submit a Response to provide any evidence of actual or contemplated good-faith use of the disputed domain name; iv) the implausibility of any good faith use to which the disputed domain name may be put; v) the configuration of MX records in connection with the disputed domain name, which suggests the possible presence of e-mail addresses based on the

same, potentially used for misleading purposes, the Panel finds that the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Therefore, the Panel finds that the Complainant has also demonstrated that the Respondent registered and is using the disputed domain name in bad faith according to 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. **exploreqlik.com**: Transferred

PANELLISTS

Name	**Luca Barbero**

DATE OF PANEL DECISION 2025-10-13

Publish the Decision