Decision for dispute CAC-UDRP-108277

Case number	CAC-UDRP-108277
Time of filing	2025-12-30 10:45:35
Domain names	ALIBABASOFT.NET

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Alibaba Group Holding Limited

Complainant representative

Organization	Convey srl

Respondent

Organization	Alibaba Software Solutions

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 evidenced to be the owner of various trademark registrations relating to its ALIBABA company name and brand, including in, but not limited to, India where the Respondent apparently is located:

- word trademark ALIBABA, Intellectual Property India, registration No.: 947361, registration date: August 11, 2000, status: active;

- word trademark ALIBABA, Intellectual Property India, registration No.: 885829, registration date: November 8, 1999, status: active.

Also, the Complainant has demonstrated to own since 1999 the domain name <alibaba.com> which resolves to the Complainant's official website at "www.alibaba.com" used to promote the Complainant's services, inter alia, in the retail and e-commerce as well as in the AI and in the media industries.

The disputed domain name was registered on November 28, 2022.

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 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

First, the Panel finds that the disputed domain name is confusingly similar to the Complainant's ALIBABA trademark, as it incorporates the latter in its entirety, simply added by the descriptive term "soft". Numerous UDRP panels have recognized that incorporating a trademark in its entirety can be sufficient to establish that the disputed domain name is at least confusingly similar to a registered trademark. Moreover, it has also been held in many UDRP decisions and has meanwhile become a consensus view among UDRP panels that the mere addition of descriptive or other terms (such as e.g. the term "soft") is not capable of dispelling the confusing similarity arising from such entire incorporation of the Complainant's ALIBABA trademark in the disputed domain name.

Therefore, the Complainant has established the first element under the Policy as set forth by paragraph 4(a)(i).

Second, the Complainant contends, and the Respondent has not objected to these contentions, that the Respondent has neither made use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is the Respondent commonly known under the disputed domain name, nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain.

The Respondent is neither affiliated with the Complainant, nor has it been authorized to use the Complainant's ALIBABA trademark, either as a domain name or in any other way. Also, there is no reason to believe that the Respondent's name somehow corresponds with the disputed domain name, and the Respondent does not appear to have any trademark rights associated with the terms "alibaba" and/or "alibabasoft" on its own. Finally, the Complainant has demonstrated that – at some point before the filing of the Complaint, e.g. on July 18, 2025 – the disputed domain name resolved to a website at "www.alibabasoft.net" which allegedly offered software services similar to the Complainant's business in the AI and media industry, thereby prominently and frequently displaying the Complainant's undisputedly well-reputed ALIBABA trademark without any authorization by the Complainant to do so. Such use of the disputed domain name, obviously in a manner that aims at somehow unduly profiting from the Complainant's ALIBABA trademark's reputation, neither qualifies as a bona fide nor as a legitimate noncommercial or fair use under the UDRP.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that, therefore, the Complainant has also satisfied paragraph 4(a)(ii) and, thus, the second element of the Policy.

Finally, the Panel holds that the disputed domain name was registered and is being used by the Respondent in bad faith.

It is undisputed between the Parties that the Complainant's ALIBABA trademark enjoys considerable reputation for a number of services which form part of the Complainant's business, including AI and media services which are at least similar to the services offered e.g. on July 18, 2025 on the website under the disputed domain name. This allows the Panel to conclude that it is more likely than not that the Respondent was well aware of the Complainant's multilayered business and its rights in the undisputedly well-reputed ALIBABA trademark when registering the disputed domain name, and that the latter is targeting the Complainant and its

trademark. Such finding is also supported by the fact that there are no reasons apparent from the case file as to why the Respondent needed to rely on the term “alibaba” as it is included in the disputed domain name and as it was prominently and frequently displayed on the website thereunder, if not carried by the intention to somehow unduly profit from the reputation attached to the Complainant’s ALIBABA trademark. This, in turn, allows the Panel to find that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with the Complainant’s ALIBABA trademark as to the source, sponsorship, affiliation or endorsement of the Respondent’s own website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ALIBABASOFT.NET**: Transferred

PANELLISTS

Name	**Stephanie Hartung**

DATE OF PANEL DECISION 2026-02-02

Publish the Decision