Decision for dispute CAC-UDRP-108348

Case number	CAC-UDRP-108348
Time of filing	2026-01-27 09:52:13
Domain names	alza.ai

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Alza.cz a.s. - ID no. 27082440, Czech Republic

Complainant representative

Organization	Mgr. Pavel Steinwicht, advokát

Respondent

Name	Michal

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 owns a number of trademarks, including but not limited to the following:

- EU trademark registration no. 18617927 ALZA, registered as of April 13, 2022, in respect of goods and services in classes 2, 9, 16, 35, 36, 37, 38, 39, 42;
- Czech trademark registration no. 278724 ALZA, registered as of February 23, 2006, in respect of goods and services in classes 9, 28, 35, 37, 38, 42.

FACTUAL BACKGROUND

The Complainant is the e-commerce company in the Czech Republic established in 1994. It offers e-shop services, currently serves customers in the Czech Republic, Hungary, Slovakia, Austria and Germany. The Complainant is the owner of the domain name <alza.cz>.

The disputed domain name was registered on April 21, 2023. At the time of this decision, the website under the disputed domain name is active. The disputed domain name resolves to a webpage displaying the layout elements, color scheme, and slogans such as “Create Together, Share Freely” not similar visually to the Complainant’s website <alza.cz>. The disputed domain name allegedly provides access to the AI-powered content creation services.

PARTIES CONTENTIONS

The Complainant

The Complainant asserts that each of the elements enumerated in paragraph 4(a) of the Policy and the corresponding provisions in the Rules have been satisfied. In particular, the Complainant asserts that:

(1) The disputed domain name is confusingly similar to the Complainant's ALZA trademarks. The Complainant's ALZA mark is incorporated in its entirety in the disputed domain name, together with the descriptive term "ai". The Complainant is well-known for selling electronic devices, which are strongly bound to artificial intelligence. The addition of the term "ai" does not prevent a finding of confusing similarity, as the ALZA mark remains the main and dominant element of the disputed domain name.

(2) The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is neither affiliated with nor authorized by the Complainant. The Respondent is not commonly known by the disputed domain name and is not making a bona fide or non-commercial use. Instead, the Respondent uses the disputed domain name to resolve to a webpage that impersonates the Complainant and pretends to be the Complainant.

(3) The disputed domain name was registered and is being used in bad faith. The Complainant's well-known ALZA trademark is fully incorporated in the disputed domain name, together with the term descriptive «ai» while the Complainant is well-known for selling electronic devices, which are strongly bound to artificial intelligence. The Complainant attempted to resolve this matter amicably before filing the Complaint by sending a written request for transfer to the Respondent. The disputed domain name was initially used exclusively for a sales solicitation, inviting interested parties to contact the Respondent, with no genuine content displayed. After the Complainant reached out on 12 May 2025, the Respondent abruptly removed the sales offer and replaced it with a self-serving "under development" notice, a pretextual shift which underscores that the Respondent's actual intent was to profit from the Complainant's trademark. Throughout the communications, the Respondent concealed its identity behind "Seagull Management," provided no credible explanation for choosing a disputed domain name identical to the Complainant's mark, and failed to substantiate the claimed AI project with any evidence. Furthermore, based on the evidence provided by the respondent and his signature "Michal N.", the complainant is convinced that the respondent is Mr. Michal Noga, founder and CEO of "MADMONQ" products, therefore a person well-aware of the market (e-commerce) in general. The content displayed at the disputed domain name is a superficial, template-based page lacking any real functionality, information, or operator identification, further indicating that the alleged project is fictitious. Moreover, despite asserting ongoing development and even trial users, the Respondent nevertheless offered to abandon the supposed project for EUR 9,500, confirming that the narrative of an AI project was merely a lever to demand payment. Taken together, these facts conclusively show that the Respondent registered and used the disputed domain name in bad faith.

The Complainant requests the transfer of the disputed domain name.

The Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends that:

(1) The Complainant has not established exclusivity or trademark rights in ALZA on a global scale. The Complainant's position is based on the assumption that ALZA is uniquely associated with its Czech e-commerce operations, which is factually incorrect in a broader linguistic and international context. The term «alza» is a common dictionary word in Spanish, derived from the verb alzar («to rise, to lift»), and is inherently capable of descriptive and non-targeted use. The Respondent selected the disputed domain name to signify «AI rises», in connection with an AI-assisted content generation project, not with reference to the Complainant. The Complainant cannot claim a global monopoly over a common dictionary word used across multiple jurisdictions and in multiple trademark registers. Numerous third-party trademarks containing the term «alza» exist across different countries and Nice classifications, demonstrating that the Complainant's claimed exclusivity is unfounded and cannot extend to a global AI-oriented disputed domain name.

(2) The Respondent has rights and legitimate interests in the disputed domain name. The Respondent registered the disputed domain name as part of a bona fide effort to develop an AI content generation tool, and has provided evidence of project work predating any contact from the Complainant. The Respondent's development timeline, draft logic files, project notes, and workspace records all contain verifiable timestamps confirming that the project was underway prior to the Complainant's first inquiry. The initial «placeholder» webpage reflected a work-in-progress typical for early-stage development. Following the unexpected outreach from the Complainant, the Respondent updated the website to accurately reflect ongoing work and to clarify that the project was active. The Respondent denies ever actively soliciting buyers or initiating a public offer for sale and challenges the Complainant to produce any evidence of such solicitation. The website's current minimalistic or «indie» appearance is consistent with a small developer project rather than evidence of illegitimacy, and does not negate the Respondent's legitimate preparations to use the disputed domain name for a genuine AI initiative.

(3) The disputed domain name was neither registered nor used in bad faith. The Respondent's registration of the disputed domain name was motivated solely by its meaning and branding value for an AI-focused project, not by any intent to target the Complainant. The Respondent was unaware of the Complainant at the time of registration, and global traffic logs show that almost all visitors

originate from the United States, indicating no meaningful association with the Czech-based Complainant. The use of a privacy service is standard practice and not evidence of concealment, and the Respondent has at all times been reachable via the email address publicly provided on the website. The Complainant's claims regarding an «unfair advantage» over its reputation are unsubstantiated, particularly given the limited and region-specific recognition of the Complainant's brand. The Respondent's willingness to negotiate a possible sale after the Complainant initiated contact does not prove bad faith. It reflects standard commercial practice and a reasonable attempt to offset development time and opportunity costs. Nothing in the record supports a finding that the Respondent targeted the Complainant or sought to exploit its reputation.

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

Substantive issues

To succeed, in a UDRP complaint, complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as follows:

1) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark in which the Complainant has rights;

2) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

3) that the disputed domain name has been registered or is being used in bad faith.

The Respondent had submitted a response within 20 days in accordance with paragraph 5(a) of the Rules.

Identical or Confusingly Similar

According to paragraph 4(a)(i) of the Policy, it should be established that the disputed domain name is identical or confusingly similar to a mark in which the Complainant has rights.

The Complainant has demonstrated ownership of its ALZA trademark in various jurisdictions, including the Czech Republic which is the country of the Respondent's residence. As evidenced in the Complaint, the Complainant is the owner of the ALZA trademark, which was first registered and used long ago. Therefore, the Panel is satisfied that the Complainant has registered trademark rights in the ALZA mark. See WIPO Overview 3.1, section 1.2.1.

The Panel also considers that the disputed domain name is identical to the Complainant's ALZA mark. The addition of the country-code top-level domain ("ccTLD") e.g. «.ai» in a disputed domain name is a technical requirement. Thus, it is well established that such an element may generally be disregarded when assessing whether a disputed domain name is identical or confusingly similar to a trademark.

Therefore, the Panel finds that the disputed domain name is identical to the Complainant's trademark and that the requirement of paragraph 4(a)(i) of the Policy is met.

Rights or Legitimate Interests

In view of the Panel's determination above under Paragraph 4(a)(iii) of the Policy, it is unnecessary for the Panel to address the issue of the Respondent's rights or legitimate interests with respect to the disputed domain names under Paragraph 4(a)(ii) of the Policy.

Registered and Used in Bad Faith

According to paragraph 4(a)(iii) of the Policy, the Complainant must prove on the balance of probabilities both that the disputed domain name was registered in bad faith and that it is being used in bad faith.

On the basis of the present record, the Panel is not persuaded that the Complainant has met its burden under paragraph 4(a)(iii) of the Policy. While the disputed domain name incorporates the Complainant's ALZA trademark together with the descriptive element «ai», the circumstances relied upon by the Complainant do not sufficiently demonstrate that the Respondent targeted the Complainant or its trademark at the time of registration.

Firstly, the record contains no persuasive evidence that the Respondent's choice of the disputed domain name was motivated by the Complainant's reputation rather than by the descriptive meaning of the term «alza». The Panel notes that the term "alza" is not inherently distinctive, but is a common Spanish dictionary word meaning a "rise" or "increase", including in the context of price movements (e.g., "un alza en la bolsa de valores" - a rise in share prices; "el alza de precios" - a rise in prices). As such, "alza" has an ordinary descriptive meaning independent of the Complainant's trademark. In this respect, the Panel also considers section 2.10 of the WIPO Overview 3.1, which explains that as long as the disputed domain name is being used in a way that does not trade off the complainant's trademark (whether to host links, content, a landing or sales page, or hosting no content at all), and where there are no other indicia of cybersquatting, such use may support the respondent's claim to a right or legitimate interest.

In this case, the Panel considers that the Respondent has provided a coherent explanation of an intended AI-related project unconnected to the Complainant. The record contains no evidence that the Respondent selected the disputed domain name to exploit the Complainant's trademark rather than for its ordinary descriptive meaning. This reduces the likelihood that the Respondent's choice of the disputed domain name was motivated by the Complainant or intended to target the Complainant's mark ALZA, and further undermines the Complainant's allegation of bad faith.

Secondly, the Complainant's reliance on the initial «for sale» notice and the subsequent appearance of an «under development» page does not, in itself, establish bad faith. Offering the disputed domain name for sale is not inherently indicative of bad faith, and the record does not show that the Respondent initiated contact or sought to sell the name to the Complainant or its competitors. The fact that the Respondent expressed willingness to negotiate after being approached by the Complainant does not amount to evidence of cybersquatting, nor does it demonstrate that the disputed domain name was registered primarily for the purpose of sale under paragraph 4(b)(i) of the Policy.

Thirdly, the use of a privacy or proxy service, without more, is not a reliable indicator of bad faith. The Respondent has remained reachable through the contact information provided on the website, and the Complainant has not shown that the Respondent attempted to evade communication or acted with any form of deliberate concealment typically associated with abusive registrations. Nor has the Complainant produced evidence contradicting the Respondent's explanation of an AI-related, non-commercial project or demonstrating that the website's content was intended to mislead Internet users into believing that the disputed domain name was associated with the Complainant.

Lastly, the Complainant has likewise failed to demonstrate bad faith use of the disputed domain name. Even assuming, for the sake of argument, that the Respondent might have been aware of the Complainant's trademark ALZA at the time of registration, the record contains no evidence that the Respondent has used, or intends to use, the disputed domain name in a manner targeting the Complainant. The website associated with the disputed domain name presents no content that references the Complainant, its business, or its trademark, nor is there any indication that the Respondent sought to exploit the Complainant's reputation, mislead Internet users, or create an impression of association. The Complainant has not substantiated its allegations with evidence of any misleading behavior, diversionary intent, or other circumstances typically indicative of bad faith use under paragraph 4(b)(iv) of the Policy. In the absence of proof that the Respondent's conduct was aimed at taking unfair advantage of the Complainant's mark, the Panel cannot infer bad faith use. See Alpargatas S.A. v. Meilly Katherinne Sanchez Ramon, Pera Colombia SAS WIPO Case No. D2023-0926, Simon Barrère and Laboratoire de l'Abbé Soury SAS v. Annick Lella-Kouassi WIPO Case No. D2024-2682.

Taking all elements into account, the Panel concludes that the Complainant has not established that the disputed domain name was registered or used in bad faith. The evidence presented does not rise to the threshold required under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Rejected

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

1. **alza.ai**: Remaining with the Respondent

PANELLISTS

Name	**Ganna Prokhorova**

DATE OF PANEL DECISION 2026-03-18

Publish the Decision