Decision for dispute CAC-UDRP-108570

Case number	CAC-UDRP-108570
Time of filing	2026-04-16 09:38:19
Domain names	crosslistwizard.com, listcross.com

Case administrator

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

Complainant

Organization	Crosslist BV

Complainant representative

Organization	OPLgunnercooke Assosiation of Law Firms

Respondents

Name	Moazam Raza
Name	Thomas Annan

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 is owner of various registered trademarks for CROSSLIST, including:

- European Union combined word and stylized mark CROSSLIST with registration number 019151990 of July 9, 2025 for Software as a Service in class 42;
- United States of America combined word and stylized mark CROSSLIST with registration number 6807533 of Augusts 2, 2022 for Software as a Service in class 42. Upon reviewing the trademark register, the Panel found that the trademark application was originally filed by an individual who is reportedly the Complainant's general manager and was assigned to the Complainant on July 4, 2025.

FACTUAL BACKGROUND

The Complainant is a Belgian software company which was incorporated in 2023, and develops a SaaS platform for online sellers and provides a tool that allows users to create a product listing once, and automatically publish and manage it across multiple online marketplaces from a single interface. The Complainant alleges that it has over 50,000 active users worldwide.

The disputed domain name <crosslistwizard.com> was registered on November 27, 2025 and the disputed domain name <listcross.com> was registered on February 23, 2024.

The disputed domain name <crosslistwizard.com> resolves to an active website operating under the “ListFLow” brand. The website makes a comparison of the "ListFlow" software with, inter alia, the Complainant's CROSSLIST software.

The disputed domain name <listcross.com> resolves to a parking page with minimal content, and is configured with provision for e-mail communication as its DNS zone file incorporates Mail eXchanger (“MX”) and Sender Policy Framework (“SPF”) records.

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.

With respect to the disputed domain name <crosslistwizard.com>, the Respondent denies all the Complainant's allegations and requests that the Panel denies the Complaint in its entirety as it alleges that the Complainant has failed to establish the three cumulative elements required under Paragraph 4(a) of the Policy. The Respondent requests the Panel to find Reverse Domain Name Hijacking.

No administratively compliant Response has been filed for the disputed domain name <listcross.com>.

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 that the Respondent has 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 that the Respondent that 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

I. Consolidation of Multiple Respondents

Following the Registrar's verification and the notification of deficiency by the CAC, the Complainant submitted a request for consolidation of the proceedings in respect of the domain names <crosslistwizard.com> and <listcross.com>, alleging that the Registrar’s verification data gives rise to serious doubts that the disclosed registrant identities are genuine and, on the balance of probabilities, supports the inference that the disputed domain names are in fact under common control. In this regard, the Complainant notes that the contact information for the Respondents does not list their organizations and is incomplete, or lists a P.O. box so that the physical address cannot be determined, and also notes that the disputed domain names were registered in a relatively short period of time.

Pursuant to paragraphs 3(c) and 10(e) of the Rules, consolidation may be appropriate where the complainant demonstrates that the disputed domain names are subject to common control and that consolidation would be fair and procedurally efficient.

Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of (i) the registrants’ identity(ies) including pseudonyms, (ii) the registrants’ contact information including e-mail address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites corresponding to the

disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other arguments made by the complainant and/or disclosures by the respondent(s). WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

The burden of establishing common control rests with the Complainant. WIPO Overview 3.1, section 4.11.

The Panel has reviewed the evidence submitted with the Complaint, as well as the registrant information disclosed by the Registrar.

(a) Similarity of the disputed domain names

The Panel notes that both disputed domain names <crosslistwizard.com> and <listcross.com> contain the elements "cross" and "list" in different sequence, while the disputed domain name <crosslistwizard.com> also includes the generic term "wizard." Although the Panel notes that there is a certain degree of similarity between the disputed domain names, this similarity is not such as to render it likely that the two disputed domain names are under common control of one entity.

(b) Respondent's data

The Registrar's verification shows that the disputed domain names are registered by different individuals with distinct contact details, including different names, addresses, countries, e-mail addresses, and telephone numbers. The fact that the verification shows that both Respondents are natural persons and not corporations does not mean that they do not provide "meaningful secondary identifying information," as the Complainant claims. Furthermore, the address associated with the disputed domain name <listcross.com> is not, at first glance, deficient on the grounds that it is vague or incomplete. A brief search on Google Maps by the Panel reveals that the relevant Respondent appears to have provided a valid address. Furthermore, the fact that the Respondent for the disputed domain name <crosslistwizard.com> has provided a P.O. box address does not per se obscure the holder's actual physical location and identity. Moreover, the alleged deficiencies in the Respondent's information cited by the Complainant are not similar, so that no a connection between the Respondents cannot be inferred from this.

(c) The date of registration

Although the registration dates of the disputed domain names, when considered alongside other factors, may be an indication of common control if they are close together, the Panel finds that this is not the case. After all, the disputed domain names were registered on February 23, 2024, and November 27, 2025, respectively, meaning there is a gap of more than 21 months between the registration of these domain names. Contrary to the Complainant's assertion, the Panel does not consider this to be "relatively close timing," and it does not contribute to a finding of common control of the disputed domain names.

Conclusion

It follows from the foregoing that the Complainant has failed to provide sufficient evidence that the two Respondents are connected, let alone that the disputed domain names are subject to common control.

Accordingly, the Panel finds that the Complainant has failed to demonstrate that the requirements for consolidation are met, and the request for consolidation is denied.

As a consequence, the Panel will proceed to decide the present dispute on the merits only with respect to the domain name <crosslistwizard.com>.

The proceedings in relation to the domain name <listcross.com> are terminated without prejudice to the Complainant's right to file a separate complaint concerning that domain name.

II. Unsolicited supplemental filing

After the Response was filed the Complainant sent the Center an unsolicited supplemental filing with the Complainant's Observations to the Response, which consist of a PDF file of just over six A4 pages.

The Rules do not provide that parties can submit supplemental filings after the submission of the Complaint and Response. According to paragraph 12 of the Rules the Panel may request, in its sole discretion, further statements or documents from either of the Parties in addition to the Complaint and the Response. Although the Rules only grant the Panel the right to request supplemental filings, it does not explicitly deny the parties to submit such filings. It is therefore for the Panel to decide if such submission is admissible. The Panel has previously held in its decision in CAC-UDRP-106448 that the nature of UDRP proceedings requires a fast decision on the basis of limited possibilities to investigate all details of the dispute making it undesirable that submissions are easily admissible. In that case the Panel explained that he "agrees with the reasoning of the panel in Delikomat Betriebsverpflegung Gesellschaft m.b.H. v. Alexander Lehner (WIPO Case No. D2001-1447), which observed that it is appropriate to consider the circumstances of each case before deciding whether to admit unsolicited additional submissions, but respectfully disagrees with the panel in the aforementioned case that it is sufficient that the supplemental filings "do not address topics which the Complainant could have addressed in its Complaint". This should certainly be a conditio sine qua non for admissibility of unsolicited supplemental filings, but such filings can still not be admitted if they do not contain information which, at first impression, is crucial to the decision of the pending case. Obviously, in such a case, the other party must be given a reasonable term to submit a response

to the supplemental filing." The Panel also refers to WIPO Overview 3.1, section 4.6, which states that in all such cases where a party submits a supplemental filing, panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some unforeseen or exceptional circumstance).

In this case, the Complainant did not explain that its supplemental filing held anything which the Complainant could not have reasonably anticipate before the amended Complaint was filed. Furthermore, even if that had been the case, the supplemental submission is of such a substantial length and addresses the Respondent's arguments in such detail that it is not appropriate for a UDRP procedure, which, after all, is designed to deal with cybersquatting through a swift procedure in a simple process with a front-loaded system in which the Complainant sets out all relevant circumstances and allegations in the Complaint and the Respondent its defense in the Response, without the possibility of a second reply and rejoinder. A detailed analysis with the possibility of an extensive reply and rejoinder has no place in this process.

The submission of the supplemental filing is therefore not admissible and shall not be taken into account.

III. Procedural requirements under the Policy

The Panel is further satisfied that all procedural requirements under the Policy were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

1. The disputed domain name <crosslistwizard.com> is confusingly similar to the Complainant's trademark

It is well established that the Top Level Domain ("TLD") – in the present case ".com" – may be disregarded in the assessment under paragraph 4(a)(i) of the Policy (WIPO Overview 3.1, section 1.11).

The disputed domain name incorporates the Complainant's trademark CROSSLIST in its entity, and adds a descriptive term "wizard". Such addition does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's LINDT trademark (WIPO Overview 3.1, section 1.8).

2. The Respondent has no rights or legitimate interests in respect of the disputed domain name <crosslistwizard.com>

The Complainant must make a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, which the Respondent may rebut (e.g., Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455).

The Panel takes note of the various allegations of the Complaint and, in particular, that the disputed domain name includes the Complainant's trademark CROSSLIST entirely, that Respondent is not commonly known by the disputed domain name, and that the Respondent's website competes with that of the Complainant and makes a direct and explicit comparison with the Complainant's CROSSLIST software.

The Panel takes also note of the various allegations of the Respondent and, in particular, that it chose to register the disputed domain name because it consists of descriptive terms directly related to the functionality of the Respondent's software because it allege that the term "crosslist" is widely used in e-commerce to describe listing items across multiple platforms, which it combined with the generic word "wizard" so as to describe a tool that assists or automates tasks. According to the Respondent it has rights and legitimate interests in the disputed domain name as it is used for a Chrome extension which it launched on October 1, 2025, which is a bona fide product.

Although the Panel tend to agree with the Respondent's assertion that "crosslist" is a rather descriptive term used to indicate the listing of the same product on multiple online platforms at the same time, it is also clear that, at the time of the registration of the disputed domain name, the Complainant was already using the registered CROSSLIST trademark for its software product. This is evident from the reference to the Complainant's CROSSLIST product on the website to which the disputed domain name resolves, which the Respondent has not refuted. Furthermore, the Respondent has not contested the Complainant's allegation that the Respondent is not commonly known by the disputed domain name. On the contrary, the Respondent uses the disputed domain name for a website to promote its own competing product, "ListFlow," and explicitly disparages the Complainant's product, in relation to which the Respondent refers to its own product as the "better alternative." This does not constitute a bona fide offering of goods or services, nor a legitimate non-commercial or fair use of the disputed domain name.

The Panel is therefore satisfied that that second element has been met.

3. The disputed domain name <crosslistwizard.com> has been registered and used in bad faith

Although the Respondent alleges that it independently developed a product aligned with the descriptive meaning of the disputed domain name, and did not register the disputed domain name to sell it, disrupt business, or exploit trademarks, it has not refuted the Complainant's allegation that the Respondent must have been aware of the CROSSLIST trademark at the time of registering the disputed domain name, and that the Respondent subsequently used the disputed domain name for a website that directly compares its software product with the Complainant's CROSSLIST product, in which, according to the Complainant, he used false information.

The Panel finds that the Respondent registered the disputed domain name in bad faith because, as apparent from the content of the

website operating under the disputed domain name, the Respondent is a competitor of the Complainant who must have been aware of the Complainant and its CROSSLINK trademark, which was already a registered trademark at the time of the registration of the disputed domain name, as the Respondent's website explicitly mentions the Complainant's CROSSLIST product.

The Panel is also satisfied that the disputed domain name is being used in bad faith because the Respondent uses the disputed domain name for a website that, using (undisputed) false information, makes a disparaging comparison between its “ListFlow” product and the Complainant’s CROSSLIST product.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **crosslistwizard.com**: Transferred
2. **listcross.com**: Terminated (consolidation not granted)

PANELLISTS

Name	**Alfred Meijboom**

DATE OF PANEL DECISION 2026-05-08

Publish the Decision