

Decision for dispute CAC-UDRP-108807

Case number	CAC-UDRP-108807
Time of filing	2026-07-07 09:26:28
Domain names	adobephotoshopcrack.com

Case administrator

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

Organization	Adobe Inc.
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Complainant representative

Organization	Convey srl
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Respondent

Name	nitesh kumar
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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

Among others, the portfolio of the Complainant includes the following registered trademarks:

- EU TM n. 009595356 – “ADOBE” – Nice 9, 35, 42;
- US TM n. 1475793 – “ADOBE” – Nice 9;
- EU TM n. 018316507 – (figurative) – Nice Cl. 9, 35, 42;
- EU TM n. 018316508 – (figurative) – Nice Cl. 9, 35, 42;
- US TM n. 1901149 – “A ADOBE” – (figurative) – Nice 9;
- WO TM n. 1334389 – “PHOTOSHOP” – Cl. 9, 42;
- EU TM n. 000202549 – “PHOTOSHOP” – Cl. 9, 38, 42;
- EU TM n. 018075339 – “PS”, (figurative) – Cl. 9;
- US TM N. 1850242 – “PHOTOSHOP”, (figurative) – Cl. 9;
- US TM N. 3702607 – “PHOTOSHOP”, “” – Cl. 39; 42;
- US TM N. 74038526 – “ADOBE PHOTOSHOP”, “” – Cl. 9;
- US TM N. 6251927 – “PS”, (figurative) – Cl. 9;

These trademarks, including “ADOBE” and “PHOTOSHOP”, have been registered and actively used by the Complainant for a considerable period of time. The disputed Domain Name was registered by the Respondent on July 14, 2024.

FACTUAL BACKGROUND

The following factual information provided by the Complainant Adobe Inc. has not been contested by the Respondent. The Complainant is a leading global technology company specializing in the development of software and digital media solutions. Since its establishment in 1982, Adobe has played a pioneering role in shaping the digital content industry, offering innovative tools that enable individuals and businesses to create, manage, and deliver digital content. Over the years, Adobe has established a strong international presence and built a highly recognized and reputable brand associated with innovation, quality, and creativity in the digital space.

Adobe Inc. is a globally active technology company whose products and services are used across multiple markets and industries worldwide. As reflected in its corporate profile, Adobe operates on a global scale by providing a comprehensive range of solutions that enable individuals, businesses, and organizations to create, manage, distribute, and optimize digital content and customer experiences. These solutions serve a broad and diverse user base, including creative professionals, enterprises, marketers, and consumers, thereby reinforcing Adobe's extensive international presence and its role as a key player in the global digital ecosystem.

Adobe Inc. is widely recognized as one of the world's leading companies in the development of professional software for digital media creation, publishing, and communication. The Complainant offers a comprehensive portfolio of industry-standard applications, including, inter alia, Adobe Photoshop for image editing, Adobe Illustrator for vector graphics, Adobe Premiere Pro and Adobe After Effects for video editing and compositing, and Adobe InDesign for digital publishing. These products are extensively used by professionals, enterprises, and organizations worldwide, and have become indispensable tools within their respective industries. Furthermore, Adobe has played a pivotal and foundational role in the evolution of digital documentation through the development of the Portable Document Format ("PDF"), which has become a globally recognized standard enabling the reliable and consistent exchange of documents across different platforms and operating systems.

Over the years, the Complainant has further consolidated its market position through a series of strategic acquisitions, including the acquisition of Macromedia, which significantly expanded Adobe's product offering by incorporating widely used technologies such as Dreamweaver and Flash, as well as additional solutions in the fields of web development, multimedia, and digital experiences. Through sustained innovation and the continuous expansion of its integrated product ecosystem, Adobe has firmly established itself as a central and authoritative player in the global digital content and software industry.

Among the Complainant's principal products, Adobe Photoshop is a widely known software application for digital image editing and manipulation. First developed in the late 1980s and commercially released in 1990, Photoshop has been progressively adopted across a broad range of sectors, including publishing, advertising, web design, film production, and other creative industries. The software provides a comprehensive set of tools for the processing and modification of raster images, including functionalities such as layered editing, image compositing, and advanced color management.

Over time, Photoshop has achieved a particularly high degree of recognition among both professionals and the general public, reflecting its extensive use in everyday digital imaging practices. Its name has entered common language as a reference to image editing processes, which further demonstrates its level of diffusion and public awareness. As a result, Photoshop constitutes a well-established and widely recognized component of the Complainant's software portfolio, contributing significantly to Adobe's presence in the global digital media sector.

With more than thirty-five years of continuous commercial use, Adobe Photoshop has become one of the most widely recognized image editing software applications worldwide. Throughout this period, it has been consistently promoted and distributed by the Complainant, contributing to its widespread adoption and public recognition. The high degree of recognition associated with Photoshop is further evidenced by the fact that the term "Photoshop" is frequently used in common language to refer to digital image editing more generally. The Complainant has taken active steps over time to protect and enforce its rights in the PHOTOSHOP mark, ensuring its continued distinctiveness and association with the Complainant's software products.

In addition, Adobe Photoshop has achieved top-tier recognition in the field of digital imaging as a result of its long-standing presence and consistent integration across a wide range of professional practices. The software has become closely associated with image processing activities and is routinely used across industries such as publishing, advertising, and digital media production. Its impact extends beyond technical usage, as it has contributed to shaping industry practices and expectations in digital visual content creation, thereby reinforcing the distinctiveness and recognition of the PHOTOSHOP mark.

The Complainant has held, for decades, multiple trademark registrations that include or consist of the terms "ADOBE", and "PHOTOSHOP" across various jurisdictions.

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

During the proceedings, the disputed domain name expired and was renewed by the Complainant pursuant to the applicable ICANN policy governing expired domain names subject to UDRP proceedings. The renewal was effected solely to preserve the disputed domain name pending the outcome of the proceeding and did not alter the procedural posture of the case.

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

According to Paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Panel has examined the evidence available to it and has come to the following conclusion concerning the satisfaction of the three elements of paragraph 4(a) of the Policy in these proceedings:

(i) RIGHTS AND CONFUSING SIMILARITY OR IDENTITY

The Complainant has established rights in the names ADOBE and PHOTOSHOP both as standalone registrations and in combination with one another. The disputed domain name <ADOBEPHOTOSHOPCRACK.COM> is found to be confusingly similar to the Complainant's trademark(s). This finding is based on the settled practice in evaluating the existence of a likelihood of confusion of:

1. a) disregarding the top-level suffix in the domain name (i.e. ".com"); and
2. b) finding that the addition of a non-distinctive and generic word such as "CRACK" – describing in the English language either an expert in the field in which the Complainant is commercially active under the earlier trademark(s) or in this case as someone who can crack safeguards to provide access to illegally obtained copies of that software – as an addition to the identical word elements of the protected trademark(s) would not be considered sufficient to distinguish a domain name from a trademark. The addition of the generic term does not alter the recognizable and distinctive element of a trademark which is adopted in its entirety in the disputed domain name, thus making the trademark(s) and the domain name confusingly similar.

The disputed domain name is therefore found to be confusingly similar to the earlier right "ADOBE and PHOTOSHOP", and the Panel concludes that the Complainant has satisfied the requirement under paragraph 4(a)(i) of the Policy.

(ii) NO RIGHTS OR LEGITIMATE INTERESTS

The onus to make out a prima facie case that the Respondent lacks rights or legitimate interests is placed on the Complainant. However, once such a prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the disputed domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy.

The Respondent is neither a licensee nor an authorized distributor of the Complainant and has received no permission – express or implied – to use the Complainant’s ADOBE and PHOTOSHOP trademarks or to register a domain name incorporating them. The Complainant has not granted the Respondent any rights to operate a domain name identical or confusingly similar to its trademarks.

The Respondent uses the disputed domain name to promote tools that purport to enable users to download the Complainant’s software, namely Adobe Photoshop, in unauthorized or “cracked” form through the Respondent’s website. Such use clearly targets the Complainant’s products and is inherently illegitimate, as it is based on the unauthorized distribution and exploitation of the Complainant’s software. Accordingly, such use cannot constitute a bona fide offering of goods or services, nor any legitimate non-commercial or fair use.

Moreover, the website prominently displays the Complainant’s word marks as well as the recognizable “PS” figurative marks associated with Photoshop, thereby further increasing the likelihood of confusion and reinforcing the false impression that the website is affiliated with, endorsed by, or otherwise authorized by the Complainant – none of which is the case.

Previous Panels have held that the use of a domain name for illegal activity (e.g. phishing, scams, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent.

In summary, the Panel concludes that the Respondent did not establish any right or legitimate interest in the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy). The Complainant has therefore also satisfied the requirement under paragraph 4(a)(ii) of the Policy.

(iii) BAD FAITH

The Panel finds that the Complainant has established that the disputed domain name was registered by the Respondent and is being used by the Respondent in bad faith. For this purpose, the Complainant has successfully put forward prima facie evidence that the Respondent has not made use, or demonstrable preparations to use, of either the disputed domain name in connection with a bona fide offering of goods or services, or of making a legitimate non-commercial or fair use of the disputed domain name. This prima facie evidence was not challenged by the Respondent.

On the contrary, in light of the content of the website, as suggested by the inclusion of the term “crack” in the disputed domain name, it can reasonably be inferred that the Respondent has, from the outset, intentionally sought to exploit the Complainant’s trademark(s) and reputation in order to derive an illicit commercial benefit. In a situation such as this, the term “crack” commonly refers to unauthorized or pirated versions of software, thereby suggesting the availability of free or illicit downloads of the Complainant’s products to internet users.

This intention is further confirmed by the content of the Respondent’s website, which prominently promotes what is described as “Adobe Photoshop Crack 2024 25.6.0.433 for PC” The Respondent provides a detailed description of such software, explicitly referring to the Complainant’s product and its functionalities, including the processing of raster graphics, photo editing, colour correction, and other professional features associated with Adobe Photoshop. Such content demonstrates that the Respondent is directly targeting the Complainant’s software and reputation.

In addition, the website includes several references to downloadable versions of Photoshop and repeatedly displays “download” prompts intended to induce users to access unverified and unauthorized links. This conduct not only reinforces the misleading association with the Complainant’s products but also creates a significant risk for users, including exposure to untrustworthy or potentially harmful content.

The disputed domain name resolves to a website on which the Complainant’s trademark(s) are prominently displayed, further demonstrating that the Respondent was fully aware of the Complainant’s brand and deliberately sought to associate its own offerings with it. Such conduct constitutes clear evidence of bad-faith registration and use under the Policy.

Moreover, considering that the disputed domain name itself incorporates the Complainant’s trademark(s) in their entirety, it is untenable to suggest that the Respondent was unaware that it was making unauthorized use of the Complainant’s mark in both the domain name and the associated website content. Despite this, the Respondent never sought authorization from the Complainant to use the trademark(s) within the disputed domain name. On the contrary, the Respondent sought to exploit the mark’s notoriety without permission and subsequently failed to respond when contacted by the Complainant in an effort to explore an amicable resolution.

With reference to the above, the Complainant highlights that it has been held in various decisions that the registration of a domain name with the knowledge of the complainant’s trademark(s) is evidence of bad faith.

The Respondent’s registration of the disputed domain name occurred at a time when the Complainant’s PHOTOSHOP brand had already gained notable visibility. The Respondent’s decision to register a domain name identical to the Complainant’s distinctive mark cannot be reasonably viewed as coincidental. Instead, it reflects a calculated attempt to benefit from the Complainant’s growing reputation and to mislead users by appropriating a brand that has already achieved recognition in the relevant commercial

and technological landscape. This conduct is carried out with the intent of obtaining a commercial advantage by inducing unsuspecting Internet users to access the website and click on unverified and potentially harmful links, under the false impression that they may obtain a free version of Adobe Photoshop, thereby exposing them to significant security and reliability risks.

In light of the extensive evidence submitted and the significant commercial presence of the “ADOBE”, and “PHOTOSHOP” trademarks, its well-established and widely recognized notoriety must be assumed.

Taken together, these circumstances clearly demonstrate that the Respondent registered and is using the disputed domain name in bad faith, with the intent of exploiting the Complainant’s brand recognition and goodwill. The factual context leaves little doubt that the Respondent was aware of the Complainant’s activities and deliberately sought to benefit from its commercial success.

The Panel concludes that the Respondent has registered and is using the disputed domain name in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy). The Complainant has therefore also satisfied this requirement 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. adobephotoshopcrack.com : Transferred

PANELLISTS

Name	Udo Pflleghar B.A. (Melb.)
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DATE OF PANEL DECISION 2026-08-14

Publish the Decision