Decision for dispute CAC-UDRP-108956

Case number	**CAC-UDRP-108956**
Time of filing	**2026-08-28 09:51:52**
Domain names	**adobeacrbats.com, adobeacrobats.com**

Case administrator

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

Complainant

Organization	**Adobe Inc.**

Complainant representative

Organization	**Convey srl**

Respondent

Name	**Zara Narang**

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 relies on a number of "Adobe" and "Acrobat" trademark registrations in various jurisdictions, including the following registered trademarks:

- US trademark registration no.1475793 "ADOBE" (word), registered on February 9, 1988;
- US trademark registration no.7213305 "ACROBAT" (word), registered on November 7, 2023 and
- European Union (EU) trademark registration no.009595356 "ADOBE" (word), registered on May 3, 2011.

FACTUAL BACKGROUND

THE DISPUTED DOMAIN NAMES ARE IDENTICAL OR CONFUSINGLY SIMILAR TO A TRADEMARK OR SERVICE MARK IN WHICH THE COMPLAINANT HAS RIGHTS

The Complainant states that it is a leading global technology company specializing in the development of software and digital media solutions. Since its establishment in 1982, it has played a leading role in shaping the digital content industry, offering innovative tools that enable individuals and businesses to create, manage, and deliver digital content.

The Complainant submits that it is widely recognized as one of the world’s leading companies in the development of professional

software for digital media creation, publishing, and communication.

Its trademarks, including "Adobe" and "Acrobat", are highly distinctive and widely recognized in the fields of digital media, software development, photography, and creative content production, and are uniquely associated with the Complainant and its products worldwide.

The Complainant relies on the various "Adobe" and "Acrobat" trademark registrations, including the ones provided above ("Trademarks").

The Complainant submits the disputed domain names are confusingly similar to its Trademarks since they incorporate the Complainant's well-known Trademarks in their entirety and one disputed domain name is a misspelled version of the "Acrobat" mark: <adobeacrbats.com>.

The association of the two trademarks "Adobe" and "Acrobat" does not preclude a finding of confusing similarity; on the contrary, it reinforces the association with the Complainant's products, creating the impression of a direct impersonation of the Adobe-owned trademarks.

Therefore, the Complainant submits that the disputed domain names are confusingly similar to its Trademarks.

THE RESPONDENT HAS NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAMES

The Complainant submits that 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 Trademarks or to register the disputed domain names incorporating them.

The Complainant has not granted the Respondent any rights to operate the disputed domain names identical or confusingly similar to its Trademarks.

The Respondent has been using the disputed domain names to promote tools that purport to enable users to unlawfully download the Complainant's software "Adobe Acrobat Reader" through the Respondent's websites.

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.

Based on the above, the Complainant claims that the second element of the UDRP has been satisfied.

THE DISPUTED DOMAIN NAMES WERE REGISTERED AND ARE BEING USED IN BAD FAITH

The Complainant's submissions on the bad faith element can be summarized as follows:

- The Complainant submits that in light of the Complainant's Trademarks and the widespread use of the "Adobe", and "Acrobat" marks worldwide, including India (Respondent's location), it is inconceivable that the Respondent was unaware of the Complainant's rights when registering the disputed domain names;
- Timing of registration of the disputed domain names demonstrates bad faith registration as both disputed domain names were registered when the Complainant's "Adobe" and "Acrobat" brands had already gained notoriety and international fame;
- The disputed domain names previously resolved to websites on which the Complainant's trademarks were prominently and unduly displayed and this further demonstrates that the Respondent was fully aware of the Complainant's brand and deliberately sought to associate its own sites with it. Such conduct constitutes clear evidence of both bad-faith registration and use under the Policy;
- The disputed domain names incorporate the Complainant's Trademarks in their entirety, or with a misspelled version (adobeacrbats.com), therefore, it is inconceivable that the Respondent was unaware that it was making unauthorized use of the Complainant's Trademarks in both the disputed domain names and the associated websites. The Complainant sent a cease-and-desist letter via the Registrar but received no response;
- The use of the disputed domain names for illegal activity constitutes bad faith, as confirmed by numerous previous UDRP decisions;
- The disputed domain names currently do not resolve to any active pages, but such passive holding does not negate bad faith, given the facts of the case provided above.

PARTIES CONTENTIONS

The Complainant's contentions are summarized in the Factual Background section above.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 names (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 names have been registered and are 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

A. Identical or confusingly similar

The Complainant provided evidence of its Trademark registrations protected in various jurisdictions.

As confirmed by WIPO Overview 3.1: "*where the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case*" (see sec. 1.2.1).

Therefore, the Complainant proved it has trademark rights.

The test for confusing similarity under the UDRP is relatively straightforward and typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess **whether the mark is recognizable within the disputed domain name**.

The Trademarks of the Complainant are clearly recognizable within the disputed domain names. One of the disputed domain names is an obvious misspelling of the "Acrobat" mark coupled with the "Adobe" mark fully incorporated - adobeacrbats.com.

The Panel agrees with the consensus views provided in sec. 1.9 of WIPO Overview 3.1: "*A domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element*".

Based on the above, the Panel finds that the disputed domain names are confusingly similar to the Trademarks.

The gTLD ".com" is to be disregarded under the confusing similarity test as it does nothing to eliminate confusion.

Therefore, the Panel finds that the first requirement of the Policy has been satisfied.

B. Rights or Legitimate Interests

The general rule is the following:

(i) a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests; and

(ii) once such prima facie case is made, the burden shifts to the respondent who has to demonstrate his rights or legitimate interests in respect of the domain name under paragraph 4 (c) of the Policy.

If the respondent fails to do so, the second element of the Policy is satisfied, see ***Julian Barnes v. Old Barn Studios, WIPO Case No. D2001-0121; Belupo d.d. v. WACHEM d.o.o., WIPO Case No. D2004-0110***.

The Respondent did not respond.

While failure to respond does not *per se* demonstrate that the Respondent does not have rights or legitimate interests, it allows the Panel to draw such inferences as it considers appropriate, see paragraph 14(b) of the Rules and ***CAC Case No. 101284***: "*A*

respondent is not obliged to participate in a proceeding under the Policy, but if it fails to do so, reasonable inferences may be drawn from the information provided by the complainant".

The Complainant has made a prima facie case of the Respondent's lack of rights or legitimate interests.

While the disputed domain names currently do not resolve to pages with any content, the Complainant provided evidence that both disputed domain names previously resolved to websites offering Complainant's software products for download without Complainant's authorization and prominently displaying Complainant's logos.

The Panel finds that such use coupled with the composition of the disputed domain names, indicates impersonation/passing off and intentional infringement of intellectual property rights of the Complainants (unlawfully offering for download Complainant's software products).

The Panel agrees with a consensus view expressed in sec. 2.13.1 of WIPO Overview 3.1 that "*the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or (unlicensed) pharmaceuticals, phishing/identity theft, distributing malware, unauthorized account access/hacking, copycat sites, passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent*".

Besides, the disputed domain names themselves (full incorporation of the Complainant's marks and a misspelling) falsely suggest affiliation with the Complainant (see sec. 2.5 of WIPO Overview 3.1).

Given the absence of the response and any explanations from the Respondent as to the choice of the disputed domain names, and provided evidence of use for impersonation, the Panel does not see any rights or legitimate interest of the Respondent in the circumstances of this dispute.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy lists non-exhaustive circumstances indicating registration and use in bad faith.

These circumstances are non-exhaustive and other factors can also be considered.

It is well established that bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark (see 3.1 of WIPO Overview 3.0). Targeting with intent to take unfair commercial advantage is important in establishing bad faith under the UDRP.

As stated in UDRP Perspectives on Recent Jurisprudence ("UDRP Perspectives"), updated on June 02, 2025, sec. 3.3: "*targeting can be established by either direct evidence (e.g. content of the website) or circumstantial evidence such as strength of the mark and nature of a disputed domain name (e.g. mark plus a term describing Complainant's business), timing of registration of a domain name and timing of trademark registration, geographic proximity of the parties*".

Targeting is "*a key factor in determining bad faith. Targeting a mark or having it in mind with a preformed intention of capitalizing on its market value is the basic factor for determining bad faith...*" (see "**The Clash of Trademarks and Domain Names on the Internet**", Volume 1, Gerald M. Levine 2024, "Legal Corner Press", page 466).

Here, evidence indicates that the Respondent targeted the Complainant and such targeting was with intent to profit commercially from the Complainant's Trademarks.

The Panel finds that the disputed domain names were registered and are being used in bad faith based on the following:

1. Timing of registration of the disputed domain names, many years after the Complainant registered its own Trademarks and many years after the Complainant's brands and products gained international recognition, and the composition of the disputed domain names, indicate that the Respondent was aware of the Complainant and its Trademarks on the date of registration of the disputed domain names;
2. The fame and reputation of the Trademarks. The Complainant provided evidence that its Trademarks are widely-known internationally;
3. Nature of use of the disputed domain names, as explained above under the second element analysis, indicates Respondent's intent of impersonation / passing off and infringement of the Complainant's intellectual property rights. As stated in WIPO Overview 3.1: "*given that the use of a domain name for per se illegitimate activity can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith*" (see sec. 3.1.4);
4. Based on the above, the Panel finds that the Respondent's behavior falls within par. 4 b (iv) of UDRP and the Respondent by using the disputed domain names has intentionally attempted to attract, for commercial gain, Internet users to its web sites, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement. Besides, it is clear from the evidence provided in this dispute that the Respondent targeted the Complainant with attempt to take unfair commercial advantage of the Complainant's Trademarks and that, in itself, demonstrates bad faith registration and use.

The Panel holds that the third requirement of the Policy has been satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **adobeacrbats.com**: Transferred
2. **adobeacrobats.com**: Transferred

PANELLISTS

Name	**Igor Motsnyi**

DATE OF PANEL DECISION 2026-09-24

Publish the Decision