# Decision for dispute CAC-UDRP-108949

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| Case number | CAC-UDRP-108949 |
| Time of filing | 2026-08-28 09:53:03 |
| Domain names | adobe-filecloud.org, adobe-ps.com, ps-adobe.com, adobe-filecloud.top, adobedowloand.fun, adobesoft.cc |

## Case administrator

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

## Complainant

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| Organization | Adobe Inc. |

## Complainant representative

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| Organization | Convey srl |

## Respondents

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| Name | Brian Morris |
| Name | Belen Michael |
| Name | Sebastian Edwards |
| Name | Youssef Adams |
| Name | oelg mayami |

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings that are pending or decided and that relate to the Disputed Domain Names.

IDENTIFICATION OF RIGHTS

Complainant states, and provides documentation in support thereof, that it "holds since decades multiple trademark registrations that include or consist of the terms 'ADOBE', and 'PHOTOSHOP' across various jurisdictions," including the following (the "ADOBE Trademark"):

- EU Reg. No. 009595356 for ADOBE (registered May 3, 2011) for use in connection with, inter alia, "computer software for management, gathering and reporting of a wide variety of information";
- U.S. Reg. No. 1,901,149 for A ADOBE (registered June 6, 1995) for use in connection with "computer programs for use in creating, viewing, manipulating, distributing, printing, storing, transferring and retrieving computer-aided graphics, text documents, fonts, multi-media applications, digital movies, video images, audio recordings, animation and still images".

## FACTUAL BACKGROUND

Complainant states that it was established in 1982, it is "a leading global technology company specializing in the development of software and digital media solutions,"; 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"; and "[w]ith more than thirty-five years of continuous commercial use, Adobe Photoshop has become one of the most widely recognized image editing software applications worldwide."

The Disputed Domain Names were created on the following dates:

- <adobe-filecloud.org>: December 17, 2025;
  <adobe-ps.com>: October 6, 2025;
  <ps-adobe.com>: December 5, 2025;
  <adobe-filecloud.top>: December 5, 2025;
  <adobedowloand.fun>: January 26, 2026;
  <adobesoft.cc>: October 1, 2025.

According to the Complaint, the Disputed Domain Names are used in connection with websites that "reproduce templates clearly designed to impersonate Adobe Inc.'s 'PHOTOSHOP'," which "is likely to mislead consumers and create confusion regarding a potential affiliation with the Complainant"; and that the websites using the Disputed Domain Names "promote tools that purport to enable users to download the Complainant's software, namely Adobe Photoshop, in unauthorized form through the Respondent's websites."

Complainant states that it sent a "formal notice" to Respondent about the Disputed Domain Names on August 4, 2026, but Respondent has not replied.

## PARTIES CONTENTIONS

Complainant contends, in relevant part, as follows:

Paragraph 4(a)(i): Complainant states that the Disputed Domain Names are identical or confusingly similar to the ADOBE Trademark because, inter alia, each of the Disputed Domain Names contains the ADOBE Trademark in its entirety.

Paragraph 4(a)(ii): Complainant states that Respondent has no rights or legitimate interests in respect of the Disputed Domain Names because, inter alia, "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', 'PS', and 'PHOTOSHOP' trademarks or to register domain names incorporating them"; and Respondent's use of the Disputed Domain Names as described above "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."

Paragraph 4(a)(iii): Complainant states that the Disputed Domain Names were registered and are being used in bad faith because, inter alia, Respondent's use of the Disputed Domain Names as described above "is carried out with the intent of obtaining a commercial advantage by inducing unsuspecting Internet users to access the websites 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"; use of a domain name for illegal activity such as the sale of counterfeit goods or impersonation/passing off constitutes bad faith; and Respondent failed to reply to Complainant's cease and desist notice.

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 UDRP).

## 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 UDRP).

## BAD FAITH

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 UDRP).

PROCEDURAL FACTORS

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

The Panel finds that consolidation of the seven Disputed Domain Names in a single proceeding is appropriate here, given the appearance that all of the Disputed Domain Names are "subject to common control" and that consolidation "would be fair and equitable to all parties." WIPO Overview 3.1, section 4.11.2.

PRINCIPAL REASONS FOR THE DECISION

**Identical or Confusingly Similar: Paragraph 4(a)(i)**

The documentation provided by Complainant is sufficient to establish that Complainant has rights in the ADOBE Trademark.

As to whether the Disputed Domain Names are identical or confusingly similar to this trademarks, the relevant comparison to be made is with the second-level portion of the Disputed Domain Names only (i.e., "adobe-filecloud," "adobe-ps," "ps-adobe," "adobe-filecloud," "adobedowloand" and "adobesoft") because "[t]he applicable Top Level Domain ('TLD') in a domain name (e.g., '.com', '.club', '.nyc') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test." WIPO Overview 3.1, section 1.11.1.

Here, each of the Disputed Domain Names contains the ADOBE Trademark in its entirety. As set forth in section 1.7 of WIPO Overview 3.1: "[I]n cases where a domain name incorporates the entirety of a trademark…, the domain name will normally be considered confusingly similar to that mark."

Accordingly, the Panel finds that Complainant has proven the first element of the Policy.

**Rights or Legitimate Interests: Paragraph 4(a)(ii)**

Complainant states that Respondent has no rights or legitimate interests in respect of the Disputed Domain Names because, inter alia, "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', 'PS', and 'PHOTOSHOP' trademarks or to register domain names incorporating them"; and Respondent's use of the Disputed Domain Names as described above "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."

WIPO Overview 3.1, section 2.1, states: "Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible task of 'proving a negative', requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element."

The Panel finds that Complainant has established its prima facie case and, without any evidence from Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the UDRP.

**Registered and Used in Bad Faith: Paragraph 4(a)(iii)**

Whether a domain name is registered and used in bad faith for purposes of the UDRP may be determined by evaluating four (non-exhaustive) factors set forth in paragraph 4(b) of the UDRP: (i) circumstances indicating that the registrant has registered or the registrant has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the registrant's website or location or of a product or service on the registrant's website or location.

In addition to how Complainant has described usage of the Disputed Domain Names per above, screenshots provided as annexes to the Complaint show the Disputed Domain Names being used in connection with websites that encourage users to "Download This Version" of "Photoshop," which is described as "the full, pre-activated [version] for immediate use" with "[n]o trials, no subscriptions." This description, along with Complainant's statement that the websites offer "unauthorized distribution and exploitation of the Complainant's software" – as well as the lack of any explanation from Respondent – makes clear that the websites (which have since been taken down) are engaged in illegitimate if not illegal activity. This constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy. See, e.g., WIPO Overview 3.1, section 3.1.4 ("use of a domain name for per se illegitimate activity such as the sale of counterfeit goods… is manifestly considered evidence of bad faith").

Accordingly, the Panel finds that Complainant has proven the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **adobe-filecloud.org**: Transferred
2. **adobe-ps.com**: Transferred
3. **ps-adobe.com**: Transferred
4. **adobe-filecloud.top**: Transferred
5. **adobedowloand.fun**: Transferred
6. **adobesoft.cc**: Transferred

## PANELLISTS

| Name | **Douglas Isenberg** |
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DATE OF PANEL DECISION 2026-10-03

Publish the Decision