

ADMINISTRATIVE PANEL DECISION

QlikTech International AB v. BENZAKOUR ABDELALI
Case No. D2024-5123

1. The Parties

The Complainant is QlikTech International AB, Sweden, represented by Abion AB, Sweden.

The Respondent is BENZAKOUR ABDELALI, Morocco.

2. The Domain Name and Registrar

The disputed domain name <qlikdash.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 12, 2024. On December 12, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 12, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted for Privacy, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 13, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on December 17, 2024.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on December 20, 2024. In accordance with the Rules, paragraph 5, the due date for Response was January 9, 2025. The Response was filed with the Center on January 7, 2025.

The Center appointed William F. Hamilton as the sole panelist in this matter on January 27, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant, QlikTech International AB, is a global leader in data analytics and business intelligence solutions. The Complainant operates under the well-known QLIK trademark (hereinafter sometimes referred to as the “Mark”) offering data integration and business intelligence software to businesses worldwide. The Complainant owns multiple national trademark registrations for the Mark, including but not limited to the United States Patent and Trademark Office Reg. No. 3114427, registered on July 11, 2006. The Complainant’s business intelligence platform serves thousands of customers worldwide. The Complainant has been recognized for its innovation and industry leadership, receiving numerous awards, including being named a Top 10 Innovative Growth Company by Forbes (Annex 5 to the Complaint).

The disputed domain name <qlikdash.com> was registered on November 29, 2024. At the time of filing of the Complaint, the disputed domain name was parked with pay-per-click links, and it has not been used for any substantive business purposes (Annex 7 to the Complaint).

5. Parties’ Contentions

A. Complainant

The Complainant contends that the disputed domain name is confusingly similar to the Complainant’s Mark because the disputed domain name incorporates the Mark in its entirety, with the mere addition of the descriptive term “dash.” The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name because the Complainant has not licensed or otherwise authorized the Respondent to use its trademarks and that any use is neither bona fide nor legitimate. Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant contends that an online search would have revealed the Complainant’s well-known trademark and that given the highly distinctive nature of the Mark and its global reputation, the Respondent’s registration of the disputed domain name demonstrates bad faith.

B. Respondent

The Respondent does not contest the Complainant’s allegations and has agreed to transfer the disputed domain name to the Complainant. However, the Respondent asserts that the disputed domain name was registered for a legitimate business purpose related to “automotive dashboards” and denies any bad faith exploitation of the Complainant’s Mark.

6. Discussion and Findings

Pursuant to paragraph 4(a) of the Policy, the Complainant must establish:

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. The disputed domain name was registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has established rights in the QLIK trademark, as evidenced by multiple registrations across various jurisdictions (Annex 6 to the Complaint). The Panel finds that the disputed domain name incorporates the Mark in its entirety. The addition of the term “dash” in the disputed domain name does not prevent a finding of confusing similarity. “[W]here a domain name incorporates the entirety of a trademark, or at least where it contains a recognizable aspect of the trademark, the domain name will normally be considered confusingly similar to that mark.” WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([WIPO Overview 3.0](#)) section 1.7.

The Top-Level Domain of the disputed domain name, in this case “.com”, may be disregarded for the purposes of assessment under the first element, as it is viewed as a standard registration requirement. See [WIPO Overview 3.0](#), section 1.11.1. *Monster Energy Company, a Delaware Corporation v. J.H.M. den Ouden*, WIPO Case No. [D2016-1759](#).

B. Rights or Legitimate Interests

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 difficult 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

The Complainant has asserted that the Respondent has not been licensed or otherwise authorized to use the Mark or the disputed domain name. The burden of production shifts to the Respondent to demonstrate rights or legitimate interests in the disputed domain name. The Respondent has failed to show any rights or legitimate interests in the disputed domain name. The Respondent has not established that he is commonly known by the disputed domain name or presented any evidence that the Respondent has acquired any trademark or service mark rights in the Mark.

The disputed domain name was parked with pay-per-click links (Annex 7 to the Complaint). The Respondent’s assertion that it was preparing to develop a website is unsubstantiated. The Respondent has failed to present any evidence of demonstrable preparations to use the disputed domain name for a legitimate purpose. [WIPO Overview 3.0](#), section 2.2.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under paragraph 4(b) of the Policy, bad faith may be established by any one of the following non-exhaustive scenarios:

- (i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name 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 respondent’s documented out-of-pocket costs directly related to the domain name; or
- (ii) the respondent 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 respondent has engaged in a pattern of such conduct; or

- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its 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 respondent's website or location or of a product or service on the respondent's website or location.

On the evidence presented the Panel finds that the disputed domain name was registered and used in bad faith.

First, the Respondent had constructive notice of the Complainant's well-known QLIK mark. The Complainant's Mark is globally recognized in the field of business intelligence and analytics. The Respondent's claim of ignorance of the Mark is highly dubious and not credible considering the Respondent's claim that he is developing a website for an "automotive dashboard project" presumably involving data analytic software.

While the Respondent asserts that it was developing its website and had devoted substantial effort to the project, no such evidence was presented to the Panel. The disputed domain name resolved to a parking page with pay-per-click links some of which compete with the Complainant's mark. [WIPO Overview 3.0](#), section 3.5.

Third, the Respondent's claims of innocent registration lack credibility. Bad faith is apparent from the coupling of the Mark with a lack of an alternative explanation for the disputed domain name's registration. The Respondent has presented no evidence suggesting that the disputed domain name was derived from any source other than the Complainant's Mark. "Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith." [WIPO Overview 3.0](#), section 3.1.4.

The Panel finds the third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <qlikdash.com> be transferred to the Complainant.

/William F. Hamilton/

William F. Hamilton

Sole Panelist

Date: February 10, 2025