

## **ADMINISTRATIVE PANEL DECISION**

Slack Technologies, LLC v. Domains by Proxy, LLC / Vicky Bhai  
Case No. D2022-1375

### **1. The Parties**

The Complainant is Slack Technologies, LLC, United States of America (“United States”), represented by DLA Piper US LLP, United States.

The Respondent is Domains by Proxy, LLC, United States / Vicky Bhai, India.

### **2. The Domain Name and Registrar**

The disputed domain name <slacktoken.online> (the “Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 16, 2022. On April 19, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On April 20, 2022, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on April 21, 2022, 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 April 29, 2022.

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 April 29, 2022. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2022. The Respondent sent an email communication to the Center on May 4, 2022 but did not submit any formal response. The Center informed the Parties that it will proceed to panel appointment on May 20, 2022.

The Center appointed Ian Lowe as the sole panelist in this matter on May 27, 2022. 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 is a company based in San Francisco, United States, with overseas offices in England, Japan, Turkey and Australia. It provides an online communication and collaboration platform for businesses together with related products and services. The Complainant's platform currently has over 12 million users per day.

The Complainant is the proprietor of a number of trademark registrations in respect of its SLACK mark, including United States trademark number 4610670 SLACK registered on September 23, 2014, and of United States trademark number 6162470 for the following device mark (the "Complainant's logo"):



registered on September 29, 2020.

The Domain Name was registered on January 25, 2022. It currently resolves to a registrar parking page, but at the date of preparation of the Complaint resolved to a website whose home page featured a copy of the Complainant's logo and the term "SlackToken" on its home page and apparently promoting "...an encrypted, secure, and cost-effective object storage service.." and/or seeking to interest visitors to the website to purchase "Slack Tokens".

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that the Domain Name is confusingly similar to its SLACK trademark, that the Respondent has no rights or legitimate interests in respect of the Domain Name, and that the Respondent registered and is using the Domain Name in bad faith.

##### **B. Respondent**

The Respondent did not reply formally to the Complainant's contentions, but sent an email to the Center on May 4, 2022 stating:

"...that the domain/project was used for a crypto meme token and never intended a trademark and/or violating local laws or regulations. however, when we learned about this, our team immediately deleted the domain/hosting for the same. we really want to respect the local laws/regulations."

#### **6. Discussion and Findings**

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

- (i) the Domain Name is 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 Domain Name; and

(iii) the Domain Name has been registered and is being used in bad faith.

#### **A. Identical or Confusingly Similar**

The Complainant has uncontested rights in its SLACK trademark, both by virtue of its trademark registrations and through its widespread use of the mark over a number of years. Ignoring the generic Top-Level Domain (“gTLD”) “.online”, the Domain Name comprises the entirety of the Complainant’s SLACK trademark together with the word “token”. In the view of the Panel, the addition of this word does not prevent a finding of confusing similarity between the Domain Name and the Complainant’s mark. Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights.

#### **B. Rights or Legitimate Interests**

The Complainant has made out a strong *prima facie* case that the Respondent could have no rights or legitimate interests in respect of the Domain Name. The Domain Name has been used for a website incorporating the Complainant’s logo and the SLACK mark, offering cloud storage services and the purchase of “Slack Tokens”. The Panel does not consider that this amounts to a *bona fide* offering of goods or services and there is no suggestion that the Respondent has ever been known by the Domain Name.

The Respondent has chosen not to respond formally to the Complaint to explain its registration or use of the Domain Name, or to take any other steps to counter the *prima facie* case established by the Complainant. In the circumstances, the Panel finds that the Respondent does not have any rights or legitimate interests in respect of the Domain Name.

#### **C. Registered and Used in Bad Faith**

In light of the nature of the Domain Name, and the use by the Respondent of the Complainant’s logo on its website, the Panel considers that there is little doubt that the Respondent had the Complainant and its rights in the SLACK mark in mind when it registered the Domain Name. As set out above, the only possible inference is that the Respondent registered the Domain Name for commercial gain with a view to taking unfair advantage of the Complainant’s rights in the mark and to confuse Internet users into believing that the Domain Name was being operated by or authorized by the Complainant.

The Panel considers that this amounts to paradigm bad faith registration and use within the meaning of paragraph 4(b) of the Policy. Accordingly, the Panel finds that the Domain Name has been registered and is being used in bad faith.

### **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 Domain Name <slacktoken.online> be transferred to the Complainant.

*/Ian Lowe/*

**Ian Lowe**

Sole Panelist

Date: June 8, 2022