

ADMINISTRATIVE PANEL DECISION

Canva Pty Ltd v. Canva Sifu, madamme beauty, Shukri Maulana, Muhammad Izzat Ishak, Amirul Ariff, predator indicator, Muhammad Afiq, Amie Khairi, Mohd Taufiq b Nor, Hafizudin Mohamad Nor, Nik Ezuan, MOHAMAD JAZLAN JOHARI, Ahmad Hazim, KAMARUZAMAN YUSOFF, Saifullah Zain, FERDAUZ ABDULLAH, SKY DESIGN ENTERPRISE, Amirul Ashraf, Samawi bin Kula, SMK Kota Marudu II, Tong YungHung, NORFAZRINI SALLEH, BLACK CAT ENTERPRISE, Ahmad Muzammil, ADIB ABRAR, APEX IDEAS SDN BHD, Mohd Firdaus Hassan, Alia Ashikin Azhar, Coach Canva, SYARIL HAFIZ KAMARUDDIN, MOHD AZLAN MUHAMED, DigitalCanvaPro, Mohd hafis Nor Mohd Mas Ariff, Mohd Hafis bin Nor Mohd Mas Ariff, Muhammad Syahidon, A-1-2 Kwarters HRC, Marini Mohamed, NUR RASHIDA JAMALUDIN, FLEXIEXPERT FREELANCE, FORTUNE FIVE GLOBAL VENTURE, mohd shazali, Tiyas Hendera Irawan Abd Rahman, Acecanva, HAZRIL SYAHMI, Nurul Fitriatul Akmal, wan ruslan wan endut, norsiah mohd darwis, sharich, Mohd Aidil Halim OTHMAN (aidilhalim), Nur Faiszul Azrin Nordin, Mohd Arif, Fatin Fadzil, Hanamera Global, Amir Farouqi, Amirul Halim, Dyaq udeen Mohd Yusof, dyana Aisyah, asrul hadi, myquranhub sdn bhd, SYARIFULLAH ISMAIL, Feena Co, FEENA OUTLET ENTERPRISE, Abdul Aiman Abd Wahab, AimaNaziera Enterprise, Legasi OMB Ent, hanif omar, siti zaleha mohammad, Abu Bakar, Canvaeduy Collection, Mohd Hasbullah Hassan, Ujana Sinergi PLT, Muhammad Zulkarnain, Adam Zakree, NetKL Network, Azim Shaharan Mohd Noor, ASP Group Marketing, Saiyida Nafisa Rosdi, Zamri Ab Wahab, aken jay, NUR AZURA SAIT, AWANGKU MOHAMAD SUFFIAN AWANG YAKUP, Hafidz Daud, Kiam Synergy Sdn Bhd, AHMAD NAZRI, wan zafran zuhaili wan shamsudin, CanvaproEZ, fauzi rahman, fauzicompany, Royal Canva Team, Shar Enterprise, fiza AR, Shamsul Ramli, procanvamastery, NOOR FARIHAH ZAINAL, Mohd Azizi Harun, Diana Efaryna, ANAS ASHAARI, NSA Digital Art, ABDULLAH MUAZ, ALFALAH GLOBAL VENTURES, NURUL FARHANI, marini ismail, Nor Azean Mohd Ismail, Fabulous M Legacy, FAIZ AKRAM MOHD ALI, Ismail Talib, IA Brilliant Enterprise, Ahmad Ridzuan bin Azizi, Afiffuddin Mohamad Sukri, Krenovatif Network, munirah mohd fuzi, Haslina Warmun, Azam Zakaria, muhammad firdaus, MOHD HAFIZ ZAINAL,

ILHAM RIZQI VENTURES, fikri ramelan, SITI AISHAH BINTI ABDUL GHANI, MOHD HIZAMI B RADZI, Azuwan Shaari, Hanisah Fadzil, fais lok, coway, Rozana Kamaruzaman, Designfinitiez Legacy, Arsidi Maudi, Vitorina Mosibin, Marina Yusup, Mastery Success, Mastery Success Sdn Bhd, Hasib Azahari, BuatMarketingdotCom, Khairunnisa Ibrahim, Abdul Faliq Qushairi Abdul Razak, Nurulfazila Ahmad, Syuhadah Kamil, Es Kay Creative, nabilah Othman, Mksbz Enterprise, Abdul Mahdi Bujang, Kinivos Sdn Bhd, Henra Dasril, Hanna Mohd, HANNARISZ ENTERPRISE, Mohd Hafizi Mohd Hatta, Eerman Dzulkurnai, Expert Trade Enterprise, Mohamad Syeihri, Nadiah ibrahim, Wan Noradila Bt Wan Mohammad Zin, Muhammad Naim bin Mustafa, Muhammad Adli Danial Mohd Azmi, Sahrizal Zulkuply, Grafixista Design, abdul rahim bin nik mazian, Nor Azizah Khazizi, Afnan Mahfuzudin, MAFN GLOBAL, Hairul Ardi Geman, Pronet Infinity Technology, Zafifi Ideris, Danial Syahiran, MUHAMMAD HAFIZHAM, Zaqwan Syahmi bin Sarman, Lidya Izzati, Ldya Mys Marketing, Engku Mirza Muizz, mohamad syeihri mohamad ismail, Syakir Ahamd, Euzmo Sdn Bhd, lisha emira shariffudin, Asma Ishak, Ahmad Zarif Rusdi, KEDDA CANVA, jahiruddin ahmed, Shahrin Hasan, Anson Low, Harith Ahmad, Shakir Roslan, Adam Iman, Nik Mohamad Hafiz Ab Kadir, Faiz Izal, hero newbie, Azrul Afendy, muhammad zulkhibri abdul rashid, Luqman Nasa, Firstprint Malaysia, Company, ISNIN ABU, Zainny Azuar Mohamad Anuar, NIK MOHAMMAD HAIQAL BIN AMRAN, Suhaineh Sainan, Ruwan Chinthaka, Amir Aizat, Rizqi Biz Resource, hamizah jusilin, Farhana Yuhanis, Raihana Azmir, HAIRERE SHUAIB, FADZIL YAHAYA, Muhammad Al-Amin Mazlan, Muhammad Khafizul, RY LEXSTARZ ENTERPRISE, SYAFWAN SYARIFF, SRS ADVERTISEMENT, Fatini Hannah Shedy Abdul Latef, MOHD RAHSEED BIN NISRAN, Muhd Muizz, Vigital Solutions, Saiful Aslam, Limited Canva Templates, Nawfa Marketing, Mohamed Nayan Mohamed, and Muhammad Fahmi Ishak
Case No. D2023-2921

1. The Parties

The Complainant is Canva Pty Ltd, Australia, represented by SafeNames Ltd., United Kingdom.

The Respondents are Canva Sifu, madamme beauty, Shukri Maulana, Muhammad Izzat Ishak, Amirul Ariff, predator indicator, Muhammad Afiq, Amie Khairi, Mohd Taufiq b Nor, Hafizudin Mohamad Nor, Nik Ezuan, MOHAMAD JAZLAN JOHARI, Ahmad Hazim, KAMARUZAMAN YUSOFF, Saifullah Zain, FERDAUZ ABDULLAH, SKY DESIGN ENTERPRISE, Amirul Ashraf, Samawi bin Kula, SMK Kota Marudu II, Tong YungHung, NORFAZRINI SALLEH, BLACK CAT ENTERPRISE, Ahmad Muzammil, ADIB ABRAR, APEX IDEAS SDN BHD, Mohd Firdaus Hassan, Alia Ashikin Azhar, Coach Canva, SYARIL HAFIZ KAMARUDDIN, MOHD AZLAN MUHAMED, DigitalCanvaPro, Mohd hafis Nor Mohd Mas Ariff, Mohd Hafis bin Nor Mohd Mas Ariff, Muhammad Syahidon, A-1-2 Kuarters HRC, Marini Mohamed, NUR RASHIDA JAMALUDIN, FLEXIEXPERT FREELANCE, FORTUNE FIVE GLOBAL VENTURE, mohd shazali, Tiyas Hendera Irawan Abd Rahman, Acecanva, HAZRIL SYAHMI, Nurul Fitriatul Akmal, wan ruslan wan endut,

norsiah mohd darwis, sharich, Mohd Aidil Halim OTHMAN (aidilhalim), Nur Faiszul Azrin Nordin, Mohd Arif, Fatin Fadzil, Hanamera Global, Amir Farouqi, Amirul Halim, Dyaq udeen Mohd Yusof, dyana Aisyah, asrul hadi, myquranhub sdn bhd, SYARIFULLAH ISMAIL, Feena Co, FEENA OUTLET ENTERPRISE, Abdul Aiman Abd Wahab, AimaNaziera Enterprise, Legasi OMB Ent, hanif omar, siti zaleha mohammad, Abu Bakar, Canvaeduy Collection, Mohd Hasbullah Hassan, Ujana Sinergi PLT, Muhammad Zulkarnain, Adam Zakree, NetKL Network, Azim Shaharan Mohd Noor, ASP Group Marketing, Saiyida Nafisa Rosdi, Zamri Ab Wahab, aken jay, NUR AZURA SAIT, AWANGKU MOHAMAD SUFFIAN AWANG YAKUP, Hafidz Daud, Kiam Synergy Sdn Bhd, AHMAD NAZRI, wan zafran zuhaili wan shamsudin, CanvaproEZ, fauzi rahman, fauzicompany, Royal Canva Team, Shar Enterprise, fiza AR, Shamsul Ramli, procanvamastery, NOOR FARIHAH ZAINAL, Mohd Azizi Harun, Diana Efaryna, ANAS ASHAARI, NSA Digital Art, ABDULLAH MUAZ, ALFALAH GLOBAL VENTURES, NURUL FARHANI, marini ismail, Nor Azean Mohd Ismail, Fabulous M Legacy, FAIZ AKRAM MOHD ALI, Ismail Talib, IA Brilliant Enterprise, Ahmad Ridzuan bin Azizi, Afiffuddin Mohamad Sukri, Krenovatif Network, munirah mohd fuzi, Haslina Warmun, Azam Zakaria, muhammad firdaus, MOHD HAFIZ ZAINAL, ILHAM RIZQI VENTURES, fikri ramelan, SITI AISHAH BINTI ABDUL GHANI, MOHD HIZAMI B RADZI, Azuwan Shaari, Hanisah Fadzil, fais lok, coway, Rozana Kamaruzaman, Designfinitiez Legacy, Arsidi Maidi, Vitorina Mosibin, Marina Yusup, Mastery Success, Mastery Success Sdn Bhd, Hasib Azahari, BuatMarketingdotCom, Khairunnisa Ibrahim, Abdul Faliq Qushairi Abdul Razak, Nurulfazila Ahmad, Syuhadah Kamil, Es Kay Creative, nabilah Othman, Mksbz Enterprise, Abdul Mahdi Bujang, Kinivos Sdn Bhd, Henra Dasril, Hanna Mohd, HANNARISZ ENTERPRISE, Mohd Hafizi Mohd Hatta, Eerman Dzulkurnai, Expert Trade Enterprise, Mohamad Syeihri, Nadiah ibrahim, Wan Noradila Bt Wan Mohammad Zin, Muhammad Naim bin Mustafa, Muhammad Adli Danial Mohd Azmi, Sahrizal Zulkuply, Grafixista Design, abdul rahim bin nik mazian, Nor Azizah Khazizi, Afnan Mahfuzudin, MAFN GLOBAL, Hairul Ardi Geman, Pronet Infinity Technology, Zaffi Ideris, Danial Syahiran, MUHAMMAD HAFIZHAM, Zaqwan Syahmi bin Sarman, Lidya Izzati, Ldya Mys Marketing, Engku Mirza Muizz, mohamad syeihri mohamad ismail, Syakir Ahamd, Euzmo Sdn Bhd, lisha emira shariffudin, Asma Ishak, Ahmad Zarif Rusdi, KEDDA CANVA, Shahrin Hasan, Harith Ahmad, Shakir Roslan, Adam Iman, Nik Mohamad Hafiz Ab Kadir, Faiz Izal, hero newbie, Azrul Afendy, muhammad zulkhibri abdul rashid, Luqman Nasa, Firstprint Malaysia, Company, ISNIN ABU, Zainny Azuar Mohamad Anuar, NIK MOHAMMAD HAIQAL BIN AMRAN, Suhaineh Sainan, Ruwan Chinthaka, Amir Aizat, Rizqi Biz Resource, hamizah jusilin, Farhana Yuhanis, Raihana Azmir, HAIRERE SHUAIB, FADZIL YAHAYA, Muhammad Al-Amin Mazlan, Muhammad Khafizul, RY LEXSTARZ ENTERPRISE, SYAFWAN SYARIFF, SRS ADVERTISEMENT, Fatini Hannah Shedy Abdul Latef, MOHD RAHSEED BIN NISRAN, Muhd Muizz, Vigital Solutions, Saiful Aslam, Limited Canva Templates, Nawfa Marketing, Mohamed Nayan Mohamed, and Muhammad Fahmi Ishak, Malaysia, jahiruddin ahmed, Bangladesh, and Anson Low, Japan.

2. The Domain Names and Registrars

The disputed domain names <acecanva.com>, <agentcanva.com>, <batukuraucanva.com>, <belajarcnva.online>, <bijakcanva.com>, <bijakcanva3030.com>, <bisnescanva.com>, <biztemplatecanva.store>, <boscanva.com>, <brocanva.com>, <buatduitdengancanva.win>, <canvabank.com>, <canvabest.com>, <canvabisnes.com>, <canvabizpro.com>, <canvabliss.com>, <canvaboss.com>, <canvabyeskaycreative.com>, <canvacrafty.com>, <canvacreationspro.com>, <canvacreativedigitalshop.com>, <canva-creatives.pro>, <canvadaily.com>, <canvadigitalpro.com>, <canvadigitalrz.com>, <canvaeditor.com>, <canvaedu.com>, <canvaeduy.com>, <canvaexpress.com>, <canvaguruexpert.com>, <canvahaven.com>, <canvahub.pro>, <canvaideal.com>, <canvakoleksi.com>, <canvalabpro.com>, <canva-licious.win>, <canvalution.com>, <canvamagick.com>, <canvamagik.com>, <canvamasterhq.com>, <canvamastery.online>, <canvamasterypro.win>, <canvamastery.win>, <canvamates.com>, <canvamo.com>, <canva-mudah.com>, <canvamudah.com>, <canvamurah.com>, <canvanow.com>, <canva-passiveincome.com>, <canva-premium.com>, <canvaproaccess.com>, <canvaprodesign.com>, <canvaprodigitals.com>, <canvaproez.com>, <canvaprofessional.online>, <canvapro-learndigital.com>, <canvapronetwork.com>, <canvapro2u.com>, <canvapro4u.com>, <canvaqueen.boutique>, <canvarizqi.com>, <canvasayalertemplate.com>, <canvasifu.com>, <canvasolutionhq.com>, <canvasuper.win>, <canvatemp.com>, <canvatemplatepro.com>, <canvaway.com>, <canvaword.art>, <canvaworks.com>, <canvawow.com>, <canvaxpress.com>,

<canva2u.com>, <canva2u.online>, <canva279.com>, <canva4u.com>, <canvedit.pro>, <celikcanva.com>, <cepatcanva.com>, <cikgucanva.com>, <cikgusuecanva.com>, <coachcanva.com>, <designcanvaprohq.com>, <designcanva.xyz>, <dezigncanvapro.com>, <digitalartcanvaz.win>, <digitalcanva.com>, <digitalcanvapro.com>, <digitalcanva.win>, <diycanvapro.com>, <easycanvadesign.com>, <editbizcanva.com>, <editcanva.com>, <expertcanva.com>, <ezcanvahq.com>, <ezcanvaprodigital.com>, <fabulouscanva.com>, <farahcanva.win>, <grafikcanva.com>, <hmncanvapro.com>, <hypesartcanva.com>, <iluvcanva.com>, <jadecanvadesign.com>, <jomcanva.com>, <jutawancanva.com>, <kakcanva.com>, <kakicanvapro.com>, <keddacanva.win>, <kingcanva.com>, <klikcanva.com>, <koleksicanva.com>, <koleksicanva.net>, <koleksicanvapropremium.com>, <koleksicanvapropremiumz.com>, <koleksicanvapro.com>, <koleksicanvaprofficial.com>, <koleksicanvas.com>, <limitedcanvatemplates.com>, <lubookcanva.com>, <lubukcanva.com>, <mahircanva.com>, <makingmoneywithcanva.win>, <mastacanva.win>, <mastercanvacollection.com>, <mastercanvapro.com>, <masterclasscanva.com>, <mastercollectioncanva.com>, <masteringcanva.com>, <masterycanva.com>, <masterycanvapro.com>, <mudah-canva.com>, <mudahcanva.com>, <mudahcanvapro.com>, <mudahnyacanva.com>, <multicanvahq.com>, <mwicanvadigitel.com>, <mycanvadesign.com>, <mycanvapro.com>, <mycanvastudios.com>, <mycanva2u.com>, <myprocanva.com>, <ohmudahnyacanva.com>, <onecanva.com>, <pakarcanyvapro.com>, <pandaicanva.com>, <popcanva.com>, <procanva.site>, <prodesigncanva.com>, <profcanva.com>, <profitwithcanva.com>, <qartelcanva.com>, <queencanva.com>, <quickcanva.win>, <rahsiacanva.com>, <readycanva.online>, <royalcanva.com>, <rylexstarzcanva.com>, <senicanva.com>, <siapcanva.win>, <sifocanva.com>, <superdigitalcanva.com>, <supereasycanva.com>, <templatecanva.co>, <templatecanvamudah.com>, <templatecanvapro.com>, <templatecanva.shop>, <templatemudahcanva.com>, <terokacanva.com>, <thecanvahub.com>, <vigitalcanva.com>, <viralcanva.com>, <wowcanva.com>, and <3dviraltechcanva.com> are registered with CloudFlare, Inc. GoDaddy.com, LLC, Hello Internet Corp, Hostinger, UAB, Instra Corporation Pty Ltd., NameCheap, Inc., NameSilo, LLC, NetEarth One Inc. d/b/a NetEarth, OpenTLD B.V., PDR Ltd. d/b/a PublicDomainRegistry.com, Porkbun LLC, Shinjiru Technology Sdn Bhd, and Web Commerce Communications Limited dba WebNic.cc (the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 6, 2023. On July 7, 2023, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. Between July 7, 2023, and August 2, 2023, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the originally-named Respondents and contact information in the Complaint. The Center sent an email communication to the Complainant on August 3, 2023, providing the registrants and contact information disclosed by the Registrar, and requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants were in fact the same entity. The Complainant filed an amended Complaint on August 10, 2023, including an additional 31 domain names ("the Additional Domains").

On August 18, 2023, the Center transmitted by email to the relevant Registrars requests for registrar verification in connection with the Additional Domains. On August 18-22, 2023, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the Additional Domains which differed from the originally-named Respondents and contact information in the Complaint. The Center sent an email communication to the Complainant on August 23, 2023, with the registrant and contact information of nominally multiple underlying registrants of the Additional Domains revealed by the Registrars, and inviting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or, alternatively, demonstrate that the underlying registrants were in fact the same entity. The Complainant filed a second amended Complaint on August 25, 2023.

The Center verified that the Complaint together with the amended Complaints 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 Respondents of the Complaint, and the proceedings commenced on September 11, 2023. In accordance with the Rules, paragraph 5, the due date for the Response was October 1, 2023. The Respondents sent multiple information communications to the Center at various times but did not submit any formal response.

On October 3, 2023, the Complainant requested suspension of the proceedings, and the Center notified the suspension on October 4, 2023. In response to a request by the Complainant, the Center notified an extension of the suspension on November 17, 2023.

On December 13, 2023, the Complainant submitted a supplemental filing and requested reinstatement of the proceedings. On December 15, 2023, the Center notified that the proceeding has been re-commenced.

The Center appointed Adam Taylor as the sole panelist in this matter on February 13, 2024. 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 has provided an online graphic design platform under the mark CANVA since 2012. It was valued at USD 40 billion in September 2021 and currently has more than 100 million active users per month.

The Complainant owns many trade marks for CANVA including Australian Trade mark No. 1483138, filed on March 29, 2012, registered on September 9, 2023, in class 9.

The Complainant operates a website at “www.canva.com”.

The disputed domain names were registered between November 9, 2022, and August 8, 2023.

The Respondents are collectively referred to hereafter as “the Respondent”, unless it is necessary to refer to them separately.

The following six disputed domain names resolved to standard WordPress placeholder pages or are otherwise inactive: <supereasycanva.com>, <canvahub.pro>, <canvaword.art>, <sifocanva.com>, <quickcanva.win> and <designcanva.xyz> (“the Inactive Domains”).

All of the other disputed domain names (“the Active Domains”) have been used for websites purporting to offer Canva templates for sale, and which included copyright notices referring to “Ubaidullah Jaafar” and/or “Mastery Success Sdn Bhd”.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

B. Respondent

The Respondent has sent multiple communications to the Center, which generally deferred to the Complainant's trade mark rights and offered to resolve the dispute in various ways. The Respondent has not meaningfully contested the Complainant's contentions.

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- the disputed domain names are identical or confusingly similar to a trade mark in which the Complainant has rights;
- the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- the disputed domain names have been registered and are being used in bad faith.

A. Consolidation: Multiple Respondents

The second amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The registrants of the disputed domain names have not objected to the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes the following:

1. One group of 168 of the disputed domain names (described by the Complainant as "the Perhatian Domains") is connected by the use of identical or similar website design/content and/or common IP addresses.
2. The remaining six disputed domain names (described by the Complainant as "the Dapatkan Domains") also use identical or similar website design/content to each other.
3. Both groups use overlapping IP addresses.
4. All of the Active Domains have been used for the same purpose and all have resolved to websites that included a copyright notice referring to the same company: "Mastery Success Sdn Bhd". Many of the copyright notices also included reference to "Ubaidullah Jaafar".
5. All of the disputed domain names are registered to addresses in Malaysia.
6. All of the disputed domain names use a similar format namely the word "canva" plus one or more additional terms, generally descriptive words in English or Malay.

7. While the multiple communications from the Respondent referred to in Section 5B above were sent from different email addresses and were signed by different people, they contain many factors in common including that they were sent for the same purpose, namely, to try and settle the case, often within minutes of each other, and that they contain similar, and in many cases identical, language. It is clear there was a single guiding hand behind this.

For the above reasons, the Panel is satisfied that all of the disputed domain names are subject to common control,

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants in a single proceeding.

B. Supplemental Filing

The Complainant has made an unsolicited supplemental filing.

Paragraph 10 of the UDRP Rules vests the panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and also to conduct the proceedings with due expedition.

UDRP panels have repeatedly affirmed that the party submitting an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response, e.g., owing to some “exceptional” circumstance. [WIPO Overview 3.0](#), section 4.6.

In this case, the Panel has decided to accept the filing as it relates to matters that occurred after the Complaint was filed and is material.

C. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant’s trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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

D. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognised 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. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

As to paragraph 4(c)(i) of the Policy, and as further discussed in Section 6E below, the Panel considers that the Respondent has used the Active Domains to intentionally attempt to attract, confuse and profit from Internet users seeking the Complainant's goods and/or services. Such use of the Active Domains could not be said to be bona fide.

If and insofar as the Respondent is using the Active Domains to resell the Complainant's goods or services, the consensus view of UDRP panels is that to establish a bona fide offering of goods or services in such circumstances, a respondent must comply with certain conditions (the "Oki Data requirements"). [WIPO Overview 3.0](#), section 2.8. In this case, the Panel considers that the Respondent has failed to comply with the Oki Data requirements to accurately and prominently disclose the Respondent's relationship with the trade mark holder, as explained in section 6C below and, also, not to "corner the market" in domain names that reflect the trade mark.

Nor is there any evidence that paragraphs 4(c)(ii) or (iii) of the Policy are relevant in the circumstances of this case.

Based on the available record, the Panel finds the second element of the Policy has been established.

E. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel considers that the Respondent has intentionally attempted to attract Internet users to the websites at the Active Domains for commercial gain by creating a likelihood of confusion with the Complainant's trade mark in accordance with paragraph 4(b)(iv) of the Policy.

Not only does each of the Active Domains include the Complainant's distinctive mark, but the Respondent has used the Active Domains for websites that purport to resell the Complainant's goods or services without any prominent disclaimer.

In these circumstances, it is reasonable to infer that the Respondent was intent on commercial gain.

As regards the Inactive Domains, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the record, the Panel considers that the following circumstances are indicative of passive holding in bad faith:

1. the distinctiveness and fame of the Complainant's mark;

2. the failure of the Respondent to submit a response rebutting the Complainant's assertions or to provide any evidence of actual or contemplated good faith use of the Inactive Domains;
3. the implausibility of any good faith use to which the Inactive Domains may be put; and
4. the likelihood that the Inactive Domains were part of the same illicit scheme undertaken by the Respondent in respect of the Active Domains, as discussed above.

Furthermore, the Panel notes that, not only has the Respondent sent multiple communications which effectively concede the validity of the Complainant's case (see Section 5B above), those communications were made in a manner which sought to give the misleading impression that the disputed domain names were not under common control (see Section 6A above).

The Panel finds that the Complainant has established the third element of the Policy.

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 names:

<acecanva.com>, <agentcanva.com>, <batukuraucanva.com>, <belajarcnva.online>, <bijakcanva.com>, <bijakcanva3030.com>, <bisnescanva.com>, <biztemplatecanva.store>, <boscanva.com>, <brocanva.com>, <buatduitdengancanva.win>, <canvabank.com>, <canvabest.com>, <canvabisnes.com>, <canvabizpro.com>, <canvabliss.com>, <canvaboss.com>, <canvabyeskaycreative.com>, <canvacrafty.com>, <canvacreationspro.com>, <canvacreativedigitalshop.com>, <canva-creatives.pro>, <canvadaily.com>, <canvadigitalpro.com>, <canvadigitalrz.com>, <canvaeditor.com>, <canvaedu.com>, <canvaeduy.com>, <canvaexpress.com>, <canvaguruexpert.com>, <canvahaven.com>, <canvahub.pro>, <canvaideal.com>, <canvakoleksi.com>, <canvalabpro.com>, <canva-licious.win>, <canvalution.com>, <canvamagick.com>, <canvamagik.com>, <canvamasterhq.com>, <canvamastery.online>, <canvamasterypro.win>, <canvamastery.win>, <canvamates.com>, <canvamo.com>, <canva-mudah.com>, <canvamudah.com>, <canvamurah.com>, <canvanow.com>, <canva-passiveincome.com>, <canva-premium.com>, <canvaproaccess.com>, <canvaprodesign.com>, <canvaprodigitals.com>, <canvaproez.com>, <canvaprofessional.online>, <canvapro-learndigital.com>, <canvapronetwork.com>, <canvapro2u.com>, <canvapro4u.com>, <canvaqueen.boutique>, <canvarizqi.com>, <canvasayalertemplate.com>, <canvasifu.com>, <canvasolutionhq.com>, <canvasuper.win>, <canvatemp.com>, <canvatemplatepro.com>, <canvaway.com>, <canvaword.art>, <canvaworks.com>, <canvawow.com>, <canvaxpress.com>, <canva2u.com>, <canva2u.online>, <canva279.com>, <canva4u.com>, <canvedit.pro>, <celikcanva.com>, <cepatcanva.com>, <cikgucanva.com>, <cikgusuecanva.com>, <coachcanva.com>, <designcanvaprohq.com>, <designcanva.xyz>, <dezigncanvapro.com>, <digitalartcanvaz.win>, <digitalcanva.com>, <digitalcanvapro.com>, <digitalcanva.win>, <diycanvapro.com>, <easycanvadesign.com>, <editbizcanva.com>, <editcanva.com>, <expertcanva.com>, <ezcanvahq.com>, <ezcanvaprodigital.com>, <fabulouscanva.com>, <farahcanva.win>, <grafikcanva.com>, <hmnncanvapro.com>, <hypesartcanva.com>, <iluvcanva.com>, <jadecanvadesign.com>, <jomcanva.com>, <jutawancanva.com>, <kakcanva.com>, <kakicanvapro.com>, <keddacanva.win>, <kingcanva.com>, <klikcanva.com>, <koleksicanva.com>, <koleksicanva.net>, <koleksicanvapremium.com>, <koleksicanvapremiumz.com>, <koleksicanvapro.com>, <koleksicanvaprofficial.com>, <koleksicanvas.com>, <limitedcanvatemplates.com>, <lubookcanva.com>, <lubukcanva.com>, <mahircanva.com>, <makingmoneywithcanva.win>, <mastacanva.win>, <mastercanvacollection.com>, <mastercanvapro.com>, <masterclasscanva.com>, <mastercollectioncanva.com>, <masteringcanva.com>, <asterycanva.com>, <asterycanvapro.com>, <mudah-canva.com>, <mudahcanva.com>, <mudahcanvapro.com>, <mudahnyacanva.com>, <multicanvahq.com>, <mwicanvadigitel.com>, <mycanvadesign.com>, <mycanvapro.com>, <mycanvastudios.com>, <mycanva2u.com>, <myprocانva.com>, <ohmudahnycanva.com>, <onecanva.com>, <pakarcانvapro.com>, <pandaicanva.com>, <popcanva.com>, <procانva.site>, <prodesigncanva.com>, <profcanva.com>, <profitwithcanva.com>, <qartelcanva.com>, <queencanva.com>, <quickcanva.win>, <rahsiacanva.com>, <readycanva.online>, <royalcanva.com>, <rylexstarzcanva.com>

<senicanva.com>, <siapcanva.win>, <sifocanva.com>, <superdigitalcanva.com>, <supereasycanva.com>, <templatecanva.co>, <templatecanvamudah.com>, <templatecanvapro.com>, <templatecanva.shop>, <templatemudahcanva.com>, <terokacanva.com>, <thecanvahub.com>, <vigitalcanva.com>, <viralcanva.com>, <wowcanva.com>, and <3dviraltechcanva.com> be transferred to the Complainant.

/Adam Taylor/

Adam Taylor

Sole Panelist

Date: February 27, 2024