

ADMINISTRATIVE PANEL DECISION

Marq Vision Inc. v. Abdullah Oyedele
Case No. D2026-1832

1. The Parties

The Complainant is Marq Vision Inc., United States of America (“US”), internally represented.

The Respondent is Abdullah Oyedele, Nigeria, self-represented.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 29, 2026. On April 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 29, 2026, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 May 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Response was filed with the Center on June 1, 2026.

The Center appointed Mehmet Polat Kalafatoğlu as the sole panelist in this matter on June 15, 2026. 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 the US. It is one of the leading technology companies recognized for its role in innovative intellectual property enforcement that leverages artificial intelligence to combat online counterfeiting and brand infringement globally. The record shows that the Complainant has been recognized for its role in safeguarding intellectual property across digital platforms.

The Complainant asserts that “MARQ Folio” is its proprietary, intelligent software and service specifically designed to make global trademark registration seamless for international brands. Launched as a core component of the Complainant’s comprehensive IP operating system, “MARQ Folio” empowers brands to protect their trademarks through an automated software platform. The Complainant asserts that the MARQ FOLIO trademark is inextricably linked to the Complainant’s corporate identity.

The Complainant is the owner of the following registered trademarks: the US trademark registration No. 7989398 for MARQ FOLIO, applied for registration on July 12, 2023, registered on October 21, 2025, and with the date of first use on August 8, 2022; and the US trademark registration No.7989399 for MARQ FOLIO, applied for registration on July 12, 2023, registered on October 21, 2025, and with the date of first use on August 8, 2022. The Complainant also states that it had already established undeniable unregistered and common law trademark rights well before the Respondent registered the disputed domain name. In this regard, the Complainant refers to a press release dated September 21, 2022, and notes that it publicly launched the “MARQ Folio” software on that date which generated extensive global media coverage.

The disputed domain name was registered on September 30, 2025. At the time of filing of the Complaint and this Decision, it resolves to a parked page where it is offered for sale. In addition, the record includes an email communication from a third-party broker indicating that the current list price for the disputed domain name is USD 24,500.

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 name. The Complainant’s contentions are summarized below.

First, the disputed domain name is identical to the Complainant’s MARQ FOLIO trademark.

Second, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. In this regard, the Complainant submits that the Respondent is not commonly known by the disputed domain name; the Respondent has not acquired trademark or service mark; there is no relationship or affiliation between the Complainant and the Respondent that might give rise to any license, permission, or other right by which the Respondent could own or use any domain name incorporating the Complainant’s trademarks; the disputed domain name was registered in a manner that misleadingly suggests an affiliation with the Complainant; the Respondent has simply parked the disputed domain name with a commercial broker to extract an exorbitant premium from the Complainant; and the registration of the disputed domain name demonstrates the Respondent’s clear intent to exploit the Complainant’s goodwill and create a misleading impression of affiliation for commercial or disruptive purposes.

Third, the Complainant claims that the disputed domain name has been registered and is being used in bad faith. Given the distinctive nature of the MARQ FOLIO trademark and the Complainant’s established reputation in the AI-powered brand protection industry, it is evident that the Respondent was aware of the Complainant’s rights at the time of registration. The registration of the disputed domain name demonstrates the Respondent’s actual knowledge of the Complainant and a specific intent to target its trademark. The “MARQ Folio” product was publicly launched and promoted globally as early as September 2022, establishing strong common law rights and global secondary meaning, and the formal trademark application

was filed on July 12, 2023. The Complainant submits that registering a domain name identical to a mark that has already gained public distinctiveness through media announcements demonstrates undeniable prior knowledge and bad faith targeting. The disputed domain name is identical to the Complainant's trademark. While the phonetic equivalent "Mark" may be a common name, "marq" ending with a "q" is a highly distinctive and unconventional spelling. It is inconceivable that the Respondent coincidentally selected the disputed domain name without prior knowledge of the Complainant's business. The Complainant also notes that the Respondent is actively using the disputed domain name in bad faith by offering it for sale at an astronomical price that far exceeds standard registration fees.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

The Respondent notes that he is an independent domain name registrant who acquires domain names based on their perceived brandability, linguistic composition, and potential commercial or digital utility. He states that the disputed domain name was registered as part of his general domain investment and exploration activities. It was selected because it appeared to be a brandable term with potential value for future development or commercial use. It was not registered with the intention of impersonating the Complainant, disrupting the Complainant's business, or misleading Internet users.

The Respondent further states that the disputed domain name has not been used for phishing, fraud, impersonation, or any deceptive activity. The disputed domain name has not hosted content presenting itself as the Complainant, nor has it been used to create confusion regarding source, sponsorship, affiliation, or endorsement. It has been passively held and/or listed through standard domain name marketplace services. This listing reflects general domain portfolio management activity rather than an intention to exploit the Complainant's trademark rights.

6. Discussion and Findings

A. 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 trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a registered trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Since the Complainant has shown rights in respect of a registered trademark, the Panel does not find it necessary to evaluate the Complainant's claim regarding its unregistered trademark rights for the purposes of the first element analysis.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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

B. 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 recognized that proving that 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 3.1](#), 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 name. Although the Respondent filed a Response, the Panel finds that the Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant and sufficient evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Complainant asserted that it has not given its consent for the Respondent to register or use a domain name incorporating its MARQ FOLIO trademark. The Complainant also asserted that the Respondent does not own any trademark or service mark corresponding to the disputed domain name. The record shows that the Respondent does not have a name or a business name corresponding to the disputed domain name. Particularly, the Panel notes that the composition of the disputed domain name, which is identical to the Complainant’s trademark, rather signals the Respondent’s intention to take unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to origin or affiliation of the website.

In this regard, in the Panel’s view, the Respondent has failed to provide any persuasive explanation for its choice of the disputed domain name which of itself does not have any evident conceptual meaning but is identical to the Complainant’s distinctive trademark. The Respondent merely states that it has registered the disputed domain name as part of his general domain investment and exploration activities, and the disputed domain name was selected because it appeared to be a brandable term with potential value for future development or commercial use. However, there is no evidence on the record that the Respondent engages in the business of registering domain names for their brandability, linguistic composition, and potential commercial gain or digital utility. Furthermore, there is no indication as to whether the Respondent conducted any research or took any measures before registering the disputed domain name to prevent a potential trademark infringement. Considering also the Panel’s determination under the third element below, the Panel finds it more likely than not that the Respondent has registered the disputed domain name in an attempt to exploit the Complainant’s rights or to sell it to the Complainant at a considerable profit.

Accordingly, the Panel finds the second element of the Policy has been established.

C. 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Where a respondent registers a domain name before the complainant’s trademark rights accrue, panels will not normally find bad faith on the part of the respondent. However, in certain limited circumstances where the facts of the case establish that the respondent’s intent in registering the domain name was to unfairly capitalize on the complainant’s nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith. Such scenarios include registration of a domain name: (i) shortly before or after announcement of a corporate merger, (ii) further to the respondent’s insider knowledge (e.g., a former employee), (iii) further to significant media attention (e.g., in connection with a

product launch or prominent event), or (iv) following the complainant's filing of a trademark application. [WIPO Overview 3.1](#), sections 3.8.1 and 3.8.2.

The disputed domain name was registered on September 30, 2025, while the Complainant's MARQ FOLIO trademarks were registered on October 21, 2025. However, the record shows that the Complainant applied for registration of its MARQ FOLIO trademarks on July 12, 2023, with the claimed date of first use on August 8, 2022. The record shows that the Complainant publicly launched its "MARQ Folio" software on September 21, 2022. Moreover, the Respondent has not challenged the first use date of the Complainant's trademark nor denied the knowledge of the said trademark. Accordingly, the Panel concludes that the Complainant has prior rights in the MARQ FOLIO brand that predate the registration of the disputed domain name. Furthermore, the Panel considers that the disputed domain name is identical to the Complainant's distinctive trademark. Lastly, the record shows that the disputed domain name is offered for sale through a third-party broker, with the current listed price of USD 24,500. It is clear that this amount is likely well above standard registration fees. The Panel also considers that this considerable amount derives directly from its association with the Complainant's trademark.

Under these circumstances, the Panel finds it more likely than not that the Respondent registered and is using the disputed domain name opportunistically in an attempt to unfairly capitalize on the Complainant and its trademark rights (yet unregistered at the time of registration of the disputed domain name) or to sell it to the Complainant at a considerable profit.

Based on the 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 name <marqfolio.com> be transferred to the Complainant.

/Mehmet Polat Kalafatoğlu/

Mehmet Polat Kalafatoğlu

Sole Panelist

Date: June 29, 2026