

ADMINISTRATIVE PANEL DECISION

OneTab Ltd v. Dron P Subedi
Case No. D2025-0685

1. The Parties

The Complainant is OneTab Ltd, United Kingdom, internally represented.

The Respondent is Dron P Subedi, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <onetab.one> 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 February 20, 2025. On February 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 20, 2025, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Complainant filed an amended Complaint on February 21, 2025, providing the registrant and contact information disclosed by the Registrar.

The Center verified that the Complaint together 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 February 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 14, 2025.

The Center appointed Kaya Köklü as the sole panelist in this matter on March 19, 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 was incorporated in the United Kingdom in 2007 and provides information technology products and services, mainly a web browser extension under the name “OneTab” since approximately 2013. In 2013, the Complainant released its web browser extension, which is a web browser productivity tool designed to reduce tab clutter by allowing users to store and organize their browser tabs as lists inside the OneTab software. In 2019, Mozilla Firefox designated the OneTab extension to be part of its curated Firefox recommended extensions program. The Complainant is internationally active, and its web browser extension is available to download free on practically all major web browsers worldwide. According to uncontested information provided by the Complainant, its web browser extension has several million active users.

The Complainant is the registered owner of the ONETAB trademark. It is particularly the registered owner of the United Kingdom Trademark Registration no. UK00004014513, registered on May 10, 2024, the European Union Trademark Registration no. 018986553, registered on June 10, 2024, and the United States Trademark Registration no. 7659142, registered on January 21, 2025, all for ONETAB and covering products and services as protected in classes 9 and 42.

Additionally, the Complainant has registered and operated its main website at “www.one-tab.com” since approximately 2013.

The Respondent is reportedly located in the United States.

The disputed domain name was registered on May 26, 2022.

According to the evidence provided in the Complaint, the disputed domain name resolves to a website which offers a OneTab web browser extension mimicking the content of the Complainant’s website including the use of the Complainant’s slogan “OneTab - Save up to 95% memory and reduce tab clutter”. Additionally, the website associated with the disputed domain name uses wording to describe the OneTab browser extension, which is to a large extent similar and partly even identical to the text used on the Complainant’s official website.

Prior to the initiation of the administrative proceeding, an individual with a different name and email address than the Respondent and its representative communicated with the Complainant showing an apparent willingness to settle the dispute and confirming that it would “cease and desist from using the OneTab name, logo, or any similar marks in the future”. This individual also apparently filed a trademark application in India for the ONETAB mark to which the Complainant filed an opposition. This individual also indicated its willingness to withdraw the trademark application in India.

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.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel might, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistent with the consensus views stated therein.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the ONETAB trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Prior to its ONETAB trademark registrations in 2024 and 2025, the Panel notes that the Complainant has already used its ONETAB trademark internationally in commerce at least since 2013 and has obtained significant market presence. Hence, the ONETAB trademark has become a distinctive identifier which consumers associate with the Complainant's products and services. The Panel therefore finds the Complainant has also established unregistered trademark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

The entirety of the ONETAB mark is reproduced within the disputed domain name without any additions or amendments. Accordingly, the disputed domain name is identical to the ONETAB mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 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 name. 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 name such as those enumerated in the Policy or otherwise.

Panel does not ignore that the disputed domain name was registered in 2022 and, hence, prior to the Complainant's ONETAB trademark registrations. However, the Panel further notes that the first use of the ONETAB trademark by the Complainant dates back to 2013. Further, the Panel notes that the Complainant uses its trademark ONETAB as its company name since 2019, and hence prior to the date of the Respondent's registration of the disputed domain name. It is further noted that ever since, the Complainant has gained a significant market presence with millions of users all over the world.

In light of the above, it is not conceivable that the Respondent registered and is using the disputed domain name without knowledge of the Complainant and its web browser extension. Rather, the Panel has no doubt that the Respondent is targeting the Complainant and its business under the ONETAB trademark, evidenced by unrebutted facts like copying large parts of the Complainant's website. Mimicking the Complainant and its provided services and products in order to create confusion among users indicate that the Respondent tries to target if not impersonate the Complainant, which can never confer rights or legitimate interests on a respondent.

The Panel notes that during the prior Complaint communications, an individual with a different name and email address than the Respondent claimed to own the disputed domain name and applied for the trademark ONETAB in India, to which the Complainant filed an opposition. The Panel further notes that this individual apparently agreed to "cease and desist from using the OneTab name, logo, or any similar marks in the future" and withdraw its trademark application. It is unclear, based on the current case record, if this individual is related to the Respondent. Nevertheless, and just for the sake of completeness, the Panel notes that even if this individual's trademark application and communications prior to the filing were to be considered, noting the use of the disputed domain name at the time of filing of the Complaint, the Panel concludes that it would not change the Panel's findings on this element.

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 3.0](#), section 3.2.1.

In the present case, the Panel notes the composition of the disputed domain name, notoriety of the Complainant's trademark and services, and the content of the website associated with the disputed domain name and concludes that irrespective of whether the individual who communicated with the Complainant before the filing is the actual owner of the disputed domain name and/or somehow connected to the Respondent or not, the Complainant, its products and ONETAB trademark were known prior to registering

the disputed domain name, and the disputed domain name was most likely chosen to target the Complainant and mislead Internet users.

With respect to the use of the disputed domain name, the Panel further notes that the disputed domain name, which is identical to the Complainant's ONETAB trademark, resolves to a website largely reproducing the content of the Complainant's official website include the use of the Complainant's slogan "OneTab - Save up to 95% memory and reduce tab clutter", which indicates the disputed domain name is being used to create a false impression that the associated website is operated by the Complainant or at least with its authorization for possible commercial gain. Such use constitutes bad faith under paragraph 4(b)(iv) of the Rules.

Having reviewed the record, irrespective of whether the individual who communicated with the Complainant before the filing is the actual owner of the disputed domain name and/or somehow connected to the Respondent or not, the Panel finds the disputed domain name was registered and is being used in bad faith under the Policy.

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 <onetab.one> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: April 2, 2025