

## **ADMINISTRATIVE PANEL DECISION**

QlikTech International AB v. Pablo Garces  
Case No. D2025-0871

### **1. The Parties**

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

Respondent is Pablo Garces, United States of America (“United States”).

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

The disputed domain name <qlik.store> (the “Disputed 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 March 3, 2025. On March 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 4, 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 Domains By Proxy, LLC and contact information in the Complaint. The Center sent an email communication to the Complainant on March 5, 2025, 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 March 13, 2025.

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 March 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2025. The Respondent sent an email communication to the Center on April 3, 2025.

The Center appointed Martin Michaus Romero as the sole panelist in this matter on April 15, 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 states that:

- 1) It is a leading technology company specializing in data analytics and business intelligence solutions. Through its innovative platform, it enables businesses to consolidate and visualize data from various sources, facilitating intuitive data discovery and exploration.
- 2) It has a global presence with offices in North America, Canada, Brazil, Mexico, Europe, Middle East, Asia and Africa, and maintains a robust network of international partners.
- 3) Their primary objective is to provide data analytics and business intelligence solutions that empower organizations to effectively analyze, visualize, and make informed decisions based on their data.
- 4) The company aims to help businesses transform their raw data into not actionable insights, enabling them to gain a deeper understanding of their operations, customers, and market trends.
- 5) Its platform is designed to simplify the process of data discovery, exploration, and collaboration, ultimately helping companies leverage their data to drive growth, improve efficiency, and achieve competitive advantage in their respective industries.
- 6) As a testament to its capabilities, it has amassed thousands of satisfied customers worldwide who rely on its business intelligence platform for modern data management, resulting in tangible business value.
- 7) One of its notable achievements is its recognition as a Top 10 Innovative Growth Company for 2015 by Forbes. This prestigious acknowledgment highlights Qlik's commitment to innovation and its remarkable growth trajectory within the business intelligence and data analytic industry.
- 8) It owns numerous trademark registration for QLIK, in different jurisdictions, such as:
  - a) European Union Trade Mark ("EUTM") QLIK No. 001115948, registered on May 16, 2000;
  - b) United Kingdom trademark registration QLIK No. UK00901115948, registered on May 16, 2000;
  - c) EUTM QLIK No. 01221541, registered on February 6, 2014;
  - d) Swedish trademark registration QLIK No. 2004-03488 registered on April 1, 2005;
  - e) United States trademark registration QLIK No. 2657563, registered on December 10, 2002.

The trademark registrations are protected in different International Classes, such as 9, 35, 41, and 42.

- 9) The Disputed Domain Name <qlick.store>, was created on February 7, 2025 and leads to a purported ecommerce website under the heading "QLICK".

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

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

The Complainant states in its Complaint that the Respondent:

- 1) Registered the Disputed Domain Name, which is confusingly similar to the Complainant's trademark QLIK, without the Complainant's knowledge or authorization.

- 2) Registered the Disputed Domain Name, which include the QLIK trademark, to create confusion among Internet consumers, making them believe that the Disputed Domain Name is affiliated with the Complainant.
- 3) Has no rights or legitimate interest in the Disputed Domain Name.
- 4) Likely intended to confuse the Complainant's customers or potential customers, considering the complete reproduction of the QLIK trademark in the Disputed Domain Name.

Accordingly, the Disputed Domain Name was selected, registered, and is being used by the Respondent in bad faith and not for a bona fide offering of goods or services, nor any fair use, but rather to mislead Internet users, disrupt the Complainant's business and affect the reputation or notoriety of the QLIK trademark.

## **B. Respondent**

Respondent replied, to Complainant's contentions, through an email dated April 3, 2025, (a day after the expiration of the Response deadline) stating:

"Dear WIPO Panel,

I acknowledge receipt of the UDRP complaint regarding the domain **qlick.store**. I would like to clarify that I did not use the domain for any fraudulent or misleading purposes, as alleged in the complaint. The domain was solely intended for educational purposes as part of my studies on dropshipping, and I deeply regret any inconvenience this may have caused.

To avoid further dispute, I voluntarily accept the transfer of the domain **qlick.store** to the complainant. Please proceed with the necessary steps to finalize the transfer."

## **6. Discussion and Findings**

### **6.1 Substantive Issue – Three Elements of the Policy**

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Considering:

- a) Complainant's contentions, whereby he in order to determine whether the Complainant has met its burden as stated in paragraph 4(a) of the Policy, the Panel bases its Decision on the statements and documents submitted and in accordance with the Policy and the Rules Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following: (i) that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; (ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and (iii) that the Disputed Domain Name has been registered and are being used in bad faith.
- b) Respondent statement dated April 3, 2025, whereby it voluntarily accepts the transfer of the domain name **qlick.store** to the complainant and asks to proceed with the necessary steps to finalize the transfer.
- c) The parties did not explore any settlement options, and Complainant did not submit a request for suspension by April 9, 2025, as indicated by the Center on mail dated April 3, 2025.
- d) The due date to submit a response was April 2, 2025 and according to paragraph 10 of the Rules for Uniform Domain Name Dispute Resolution, the Panel shall conduct the administrative proceeding in such manner as it considers appropriate in accordance with the Policy and these Rules.

The Panel will proceed to analyze if the three elements of the Policy have been satisfied.

### **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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

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

The entirety of the mark QLIK is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Complainant has submitted evidence of its rights in the QLIK trademark.

The Disputed Domain Name reproduces Complainant's trademark QLIK, with the addition of the letter "c" and the generic Top Level Domain ("gTLD") ".store". Neither the addition of a letter "c", nor the gTLD prevent a finding of confusing similarity.

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 with 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.

Respondent only stated in his response, that he did not use the Disputed Domain Name for any fraudulent or misleading purposes. It was only intended for educational purposes as part of his studies on drop shipping and voluntarily accepts the transfer of the Disputed Domain Name. However, Respondent did not submit any evidence or demonstrate such educational purposes.

Nothing in the available record indicates that Respondent is an individual, business, or corporation known by the name "QLICK" or by the Disputed Domain Name. Furthermore, Respondent is not using the Disputed Domain Name for a bona fide offering of goods or services, nor for a legitimate noncommercial or fair use that might give rise to rights or legitimate interests in the Disputed Domain Name. Rather, on balance, the

Panel finds it likely that Respondent set up its ecommerce website with the intent to take advantage of the similarity with Complainant's QLIK trademark (the disputed domain name being only one letter different).

Respondent has not received permission or authorization to use Complainant's trademark. Therefore, Respondent has not rebutted the Complainant's prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name and he voluntarily accepts to transfer it to the Complainant.

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 but without limitation, that, if found by the Panel to be present, there 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.

According to the evidence submitted by Complainant, the Panel finds it more likely than not that the registration and the use of the Disputed Domain Name has been in bad faith, by using a typo-variant of Complainant's trademark in the Disputed Domain Name to intentionally create a likelihood of confusion with the Complainant's trademark with the aim to deceive or lead Internet users into believing that the Disputed Domain Name is associated with the Complainant, or at least benefit through increase traffic resulting from a likelihood of confusion with Complainant's QLIK trademark.

The Respondent has demonstrated, by registering the Disputed Domain Name, which reproduces the Complainant's mark, an intent to capitalize on the goodwill of the Complainant's trademark.

Therefore, the Respondent has registered and used the Disputed Domain Names in bad faith for the purposes of 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 <qlick.store> be transferred to the Complainant

*/Martin Michaus Romero/*

**Martin Michaus Romero**

Sole Panelist

Date: April 29, 2025