

## ADMINISTRATIVE PANEL DECISION

SB Technology, Inc., dba SandboxAQ v. web master, Expired domain caught by auction winner.\*\*\*Maybe for sale on Dynadot Marketplace  
Case No. D2025-1443

### 1. The Parties

The Complainant is SB Technology, Inc., dba SandboxAQ, United States of America ("United States"), represented by Fish & Richardson P.C., United States.

The Respondent is web master, Expired domain caught by auction winner.\*\*\*Maybe for sale on Dynadot Marketplace, Hong Kong, China.

### 2. The Domain Name and Registrar

The disputed domain name <sandboxaqaqativeguard.com> is registered with Dynadot Inc (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 8, 2025. On April 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 10, 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 (Unknown / REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 11, 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 April 12, 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 April 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 7, 2025.

The Center appointed Reyes Campello Estebaranz as the sole panelist in this matter on May 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 is a software innovation company doing business internationally under the tradename SandboxAQ. It develops advanced artificial intelligence (“AI”) and quantum-based computing solutions marketed since 2022 under the SANDBOXAQ, AQTIVE GUARD, and SANDBOXAQ AQTIVE GUARD brands. The Complainant’s products and solutions prevent cybersecurity threats, improve existing workflow processes, and develop large quantitative models to advance predictions and data across various sectors including finance, navigation, and the military. Its products and solutions have been repeatedly awarded since their launch in 2022. <sup>1</sup>

The Complainant owns various trademark registrations for its brands, including:

- International Trademark Registration No.1683240, SANBOXAQ, word, registered on August 5, 2022, in classes 9, 10, 42, and 45;
- International Trademark Registration No. 1791810, AQTIVE GUARD, word, registered on February 20, 2024, in classes 9, and 42; and
- International Trademark Registration No. 1853964, SANDBOXAQ AQTIVE GUARD, word, registered on April 10, 2025, in classes 9, and 42,

(Hereinafter collectively referred as the “SANDBOXAQ marks”).

The Complainant further owns numerous trademark applications for its brands, including United States Trademark Application No. 98806471, SANDBOXAQ AQTIVE GUARD, word, in classes 9, and 42, which was filed on October 17, 2024 at 16:19:12 UTC (just two hours before the registration of the disputed domain name).

The Complainant further owns the domain name <sandboxaq.com> (registered on February 19, 2022), which resolves to its corporate website since at least March 22, 2022. <sup>2</sup>

The disputed domain name was registered on October 17, 2024 (at 18:46:03 UTC), and it resolves to a GoDaddy park page that promotes its possible purchase for USD 2,988.

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<sup>1</sup>Per the Complaint, the Complainant has received the 2022 Next Big Things Security and Privacy Winner; the 2023 Cyber Defense Magazine Global InfoSec Award Winner for Quantum Encryption; the 2023 FedHealthIT Disruptive Tech Program Award Winner; the 2023 Gold Globbee Startup Achievement of the Year in Security Software Winner; the 2024 EM360 AI & Quantum Innovator Award Recipient; 2024 Tech Trailblazers Awards in Artificial Intelligence Winner; and 2025 Business Intelligence Group Artificial Intelligence Excellence Award Winner.

<sup>2</sup>The Complainant has provided an extract of the Internet archive WayBackMachine that corroborates the use of its domain name.

## **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.

Notably, the Complainant contends it has common-law rights over the SANDBOXAQ marks due to its continuous use of these trademarks in the market since 2022. The disputed domain name is confusingly similar to its trademarks, and identical to its SANDBOXAQ AQTIVE GUARD mark. The addition of the generic Top-Level Domain ("gTLD") ".com" does not mitigate the confusing similarity.

The Complainant further contends the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has no authorization to use the Complainant's trademarks, and is not commonly known by the disputed domain name (a google search for the terms "sandboxaq aqtive guard" only reveals the Complainant and its products). The disputed domain name has not been used in connection with a noncommercial fair use or any bona fide offering of goods or services.

The Complainant finally contends the disputed domain name was registered and is being used in bad faith. The Respondent registered the disputed domain name only a few hours after the Complainant filed its United States Trademark Application for the SANDBOXAQ AQTIVE GUARD mark. This fact along with the Complainant's success and worldwide notoriety since its first use of its trademarks in 2022, and the price requested for the disputed domain name, indicates the Respondent's bad faith and the targeting to the Complainant and its trademark. The disputed domain name was registered for the purpose of selling, renting, or otherwise transferring the disputed domain name to the Complainant or one of its competitors, for valuable consideration in excess of the out-of-pocket costs directly related to its registration. The passive holding of the disputed domain name constitutes use and registration in bad faith.

### **B. Respondent**

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

## **6. Discussion and Findings**

The Complainant has made the relevant assertions as required by the Policy and the dispute is properly within the scope of the Policy. The Panel has authority to decide the dispute examining the three elements in paragraph 4(a) of the Policy, taking into consideration all of the relevant evidence, annexed materials and allegations, and performing some limited independent research under the general powers of the Panel articulated, inter alia, in paragraph 10 of the Rules.

### **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.

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

Additionally, the Panel finds the Complainant has established unregistered trademark rights for the purposes of the Policy in respect of the SANDBOXAQ marks, which have been continuously used in the market since at least March 22, 2022, according to the evidence provided by the Complainant. [WIPO Overview 3.0](#), section 1.3.

The Complainant's trademarks are reproduced in their entirety within the disputed domain name. Accordingly, the disputed domain name is identical to the SANDBOXAQ AQTIVE GUARD mark, and confusingly similar to the SANDBOXAQ and AQTIVE GUARD marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Furthermore, as alleged by the Complainant, the gTLD ".com", is considered a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.

Therefore, 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.

The Panel notes the Respondent's name (as revealed by the Registrar's verification) does not share any similarity with the terms included in the disputed domain name or any of the Complainant's trademarks, and it does not seem to be a legitimate name of an individual, a legitimate company name or tradename.

On the contrary, the Respondent's name, given at the Whois records, is a sentence that includes a promotional message potentially offering for sale of the disputed domain name. The Respondent's name includes the text "\*\*\*\*Maybe for sale on Dynadot Marketplace", which indicates an intention on the Respondent's part from the very registration of the disputed domain name of doing business by transferring it or offering it for sale. This fact alone does not by itself indicate a lack of rights or legitimate interests in the Respondent, nor indicate a registration in bad faith, as the business of registering domain names for their subsequent resale may be considered, under certain circumstances, a legitimate bona fide offering of goods under the Policy. In the present case, however, the Panel notes the composition of the disputed domain name, which includes the SANDBOXAQ marks identically in their entirety, the distinctiveness of these marks, and the price requested for the disputed domain name by the Respondent, and finds these circumstances point to a registration of the disputed domain name in consideration to the value derived from the fact that it reflects the Complainant's tradename and notorious trademarks, which cannot be considered a bona fide offering under the Policy.

The Panel further finds remarkable the fact that the Respondent has concealed its identity not only by the use of privacy services, but also by the use for the registration of the disputed domain name of a fictitious name, a phrase that includes the said promotional message, and it has not rebutted the Complainant's prima facie case.

Accordingly, the Panel finds nothing in the record indicates the Respondent may have any rights or legitimate interests in respect of the disputed domain name, and thus 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.

In the present case, the Panel notes the extensive presence of the Complainant and the SANDBOXAQ marks over the Internet (in this respect, the Panel has verified the Internet search provided by the Complainant and has conducted a search over the Internet for the SANBOXAQ marks).<sup>3</sup> The Panel further notes the Complainant's products have been repeatedly awarded since their launch in 2022, and finds the evidence provided by the Complainant in this respect allows considering that the Complainant and its trademarks are at least known within the relevant circles of their industry. The Panel therefore finds the SANDBOXAQ marks are internationally notorious within the software innovation industry, and particularly within the AI and quantum-based computing solutions sector.

Due to the lack of response by the Respondent and its lack of use of a real name or identity for the registration of the disputed domain name, it is not possible to ascertain whether the Respondent may be connected to this industry. However, the Panel finds the circumstances of this case point to the Respondent's bad faith registration and use of the disputed domain name, its knowledge of the Complainant and its trademarks, and a targeting to these marks in bad faith, with the intention to profit from their success and international recognition.

The fact that the Complainant's trademarks are inherently distinctive and notorious, and the identical reproduction of these marks in the disputed domain name, together with all other circumstances of this case point to the Respondent's bad faith under the Policy. These circumstances include, (i) the fact that the disputed domain name was registered on the same date only hours after the filing of an application for registration of an identical trademark by the Complainant, as this filing was publicly available over the United States Patent and Trademark Office ("USPTO") Database; (ii) the lack of use of the dispute domain name, and its offer for sale from its very registration within the Respondent's name itself; (iii) the price requested for the disputed domain name that exceeds normal registration costs; (iv) the fact that the Respondent has concealed its identity and used a fictitious name for the registration of the disputed domain name; and (v) the fact that it has not come forward showing any rights or legitimate interests and has not rebutted the Complainant's allegations of bad faith.

Therefore, the Panel finds that the Respondent registered the disputed domain name in opportunistic bad faith to sell it for profit to the Complainant or one of its competitors.

The Panel further notes the Respondent has been previously involved in a pattern of conduct to prevent trademark owners from reflecting their trademarks in corresponding domain names as per other previous UDRP decisions. In this respect, the Panel has found at least in 9 prior UDRP cases where the same Respondent's name has been found to act in bad faith under the Policy in very similar scenarios, where the respective disputed domain names were identical to third parties' trademarks and were mostly registered the same day or very close in time to the date of the filing of an application for the registration of the mark. See, *Egis Gyógyszergyár Zrt. v. web master, Expired domain caught by auction winner*. \*\*\**Maybe for sale on Dynadot Marketplace*\*\*\*, WIPO Case No. [D2025-0602](#); *Dragonsteel, LLC v. web master, Expired domain*

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<sup>3</sup>Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8.

*caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2024-2445](#); Les Grands Chais de France v. web master, Expired domain caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2024-0262](#); Verisure Sàrl v. web master, Expired domain caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2025-1126](#); Sanofi v. web master, Expired domain caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2024-4311](#); Haeon UK IP Limited v. Web Master, Expired domain caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2024-3215](#); Belfius Bank SA / Belfius Bank NV v. web master, Expired domain caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2024-1473](#); Le Duff Industries v. web master, Expired domain caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2024-1132](#); Belfius Bank SA / Belfius Bank NV v. Web Master, Expired domain caught by auction winner. \*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, WIPO Case No. [D2023-4044](#).*

The Panel finds these circumstances indicate the Respondent is likely involved in a pattern of cybersquatting under the scenarios of paragraph 4(b) (i) and (ii) of the Policy. [WIPO Overview 3.0](#), sections 3.1.1., and 3.1.2.

The Panel therefore 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 <sandboxaqaqtiveguard.com> be transferred to the Complainant.

*/Reyes Campello Estebaranz/*

**Reyes Campello Estebaranz**

Sole Panelist

Date: May 28, 2025