

## ADMINISTRATIVE PANEL DECISION

JetBrains s.r.o. v. Shengyuan Qiu  
Case No. D2025-2121

### 1. The Parties

The Complainant is JetBrains s.r.o., Czech Republic, represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States of America.

The Respondent is Shengyuan Qiu, Taiwan Province of China.

### 2. The Disputed Domain Name and Registrar

The disputed domain name <pycharm.com> (the “Disputed Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 29, 2025. On May 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 2, 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 (Redacted for Privacy / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 2, 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 amendment to the Complaint on June 4, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Disputed Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Disputed Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Disputed 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 June 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 25, 2025. The Respondent sent email communications to the Center on June 20, 2025, requesting an extension to file a Response. The Center granted the Respondent an

extension to file a Response in accordance with paragraphs 5(b) of the Rules but denied any further extension due to paragraph 5(e) of the Rules. The new Response due date was June 29, 2025. The Response was filed with the Center on June 29, 2025.

The Center appointed Nick J. Gardner as the sole panelist in this matter on July 1, 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.

On July 2, 2025, the Complainant lodged an unsolicited supplemental filing (“Complainant’s Supplemental Filing”).

#### **4. Factual Background**

The Respondent has not challenged the Complainant’s description of its business which the Panel accepts as accurate. The Complainant is a global software company founded in 2000 that specializes in the creation of productivity-enhancing tools for software developers. Approximately 11.4 million users consistently use the Complainant’s tools, which are used all over the world by 3 million total customers, including 287,000 business customers, including such well-known brands as Citibank, Expedia, Google, The New York Times, Volkswagen, and Wikipedia.

The Complainant has more than 2,200 employees worldwide in 13 offices: Amsterdam, Belgrade, Berlin, Boston, Foster City, Limassol, Marlton, Munich, Paphos, Prague, Shanghai, Warsaw, and Yerevan.

The Complainant launched its PyCharm product in 2010. PyCharm is a software tool known as an Integrated Development Environment or IDE to be used when coding software in the Python language. An IDE is essentially a software application that provides comprehensive facilities for software development. An IDE normally consists of at least a source-code editor, build automation tools, and a debugger. Use of an IDE makes coding an easier and/or more enjoyable experience, allows users to be more productive, and helps users write better code. Over one million individual software developers in companies and organisations of differing size use the PyCharm IDE.

The Complainant owns various trademark registrations for the term PYCHARM – see for example United States of America Reg. No. 4,163,665 for PYCHARM (registered June 26, 2012) for use in connection with, inter alia, “computer software development tools”. These trademarks are referred to as the “PYCHARM trademark” in this decision. These do not include any registration in Taiwan.

The Disputed Domain Name was, according to current Whois data, originally registered on July 12, 2013 (but see discussion below). The date on which the Respondent acquired it is in dispute and is discussed further below. As of May 28, 2025, the Disputed Domain Name resolved to a website containing links to third party websites which appear to relate to Python software. The Panel infers these links are likely algorithmically generated and are pay-per-click (“PPC”) links which will generate revenue dependent on traffic using the link.

#### **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 can be summarized as follows.

The Disputed Domain Name is identical to the PYCHARM Trademark.

The Respondent has no rights or legitimate interests in the term “pycharm”.

In consequence the Complainant alleges that the Disputed Domain Name was registered and is being used in bad faith. The Complainant says the Respondent acquired the Disputed Domain Name on or about July 12, 2024. It exhibits detailed historical Whois records which it says lead to this conclusion. It says that the use of the Disputed Domain Name which is identical to the Complainant's trademark for resolving to a PPC website is clear evidence of registration and use in bad faith.

The Complainant's Supplemental Filing is discussed below.

## **B. Respondent**

The Respondent contends that the Complainant has not satisfied all of the elements required under the Policy for a transfer of the Disputed Domain Name. The Respondent says that it acquired the Disputed Domain Name in July 2013. The evidence in this regard is discussed below. The Respondent says that it had no knowledge of the Complainant or its PYCHARM trademark when it acquired the Disputed Domain Name.

The Respondent says the Complainant has no registered trademark in Taiwan Province of China. The Respondent says it has rights or a legitimate interest in the Disputed Domain Name by virtue of its intention and preparations to use the Disputed Domain Name in its own business venture. The Respondent's evidence in this regard is discussed below.

The Respondent says "py" is a generic and descriptive prefix used by many people to refer to Python software related products or services. It is also used to refer to the Chinese concept of "Pin Yin". To quote from the Response: "Taiwanese people use Mandarin Chinese, which is the official language of Taiwan. In Mandarin Chinese, 'Py' serves as the pinyin initials for numerous common words, including:

拼音 (PinYin): phonetic transcription of Chinese characters

朋友 (PengYou): friend

皮衣 (PiYi): leather jacket

[list continues with eight more examples none of which include the word charm]".

The Respondent says that it "favored the 'pinyin' interpretation for its clear, descriptive value, and thus planned to use 'Py' as the domain prefix for the site".

The Respondent denies acting in bad faith and says that there has been no opportunistic registration to target the Complainant and no attempts to sell, ransom, or mislead. The Respondent also says that "over NT\$100,000" has been invested in bona fide development activities. The Panel understands that 100,000 New Taiwanese dollars equals approximately USD 3,000.

The Respondent asks for a finding of Reverse Domain Name Hijacking for various reasons including the fact that the Complainant has no Taiwanese trademark.

## **6. Discussion and Findings**

### **Procedural Matters – Admissibility of Complainant's Supplemental Filing**

No provision concerning supplemental filings is made in the Rules or Supplemental Rules, except at the request of the panel according to paragraph 12 of the Rules, which states the panel, in its sole discretion, may request any further statements or documents from the parties it may deem necessary to decide the case.

According to paragraph 10 of the Rules, the panel has the authority to determine the admissibility, relevance, materiality, and weight of the evidence, and also to conduct the proceedings with due expedition, ensuring that the Parties are treated with equality and that each Party is given a fair opportunity to present its case.

As stated in the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.6, unsolicited supplemental filings are generally discouraged – unless specifically requested by the panel – and 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.

Accordingly, UDRP panels generally accept supplemental filings only when they provide material new evidence or a fair opportunity to respond to arguments that could not reasonably have been anticipated. See, for example, *Welcomemat Services, Inc. v. Michael Plummer Jr., MLP Enterprises Inc.*, WIPO Case No. [D2017-0481](#). In the present case the Panel considers that the contents of the Complainant's Supplemental Filing are largely a commentary on the Respondent's evidence and its alleged implausibility. The Panel is also doubtful that the central point it makes (that the Respondent has lied about the date when it acquired the Disputed Domain Name) is as obviously untrue as the Complainant says (see discussion below). Accordingly, the Panel declines to admit the Complainant's Supplementary Filing. The Panel notes that even if the Panel had admitted this material the outcome of the case would have been the same.

### **Substantive Matters**

To succeed, in accordance with paragraph 4(a) of the Policy, the Complainant must satisfy the Panel that:

- (i) the Disputed Domain Name is identical with or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name;
- (iii) the Disputed Domain Name has been registered and is being used in bad faith.

#### **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. See [WIPO Overview 3.0](#) section 1.7.

The Complainant has rights in the PYCHARM trademark. The Panel finds the Disputed Domain Name is identical to this trademark. It is well established that the generic Top-Level Domain ("gTLD"), in this case ".com", does not affect the Disputed Domain Name for the purpose of determining whether it is identical or confusingly similar. See, for example, *Rollerblade, Inc. v. Chris McCrady*, WIPO Case No. [D2000-0429](#).

Accordingly, the Panel finds that the Disputed Domain Name is identical to the Complainant's trademark and hence the first condition of paragraph 4(a) of the Policy has been fulfilled.

#### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances any of which is sufficient to demonstrate that a respondent has rights or legitimate interests in a domain name:

- (i) before any notice to the respondent of the dispute, use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- (ii) the respondent has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Complainant has not authorised, licensed, or permitted the Respondent to register or use the Disputed Domain Name or to use the PYCHARM trademark. The Complainant has prior rights in the PYCHARM trademark which precede the Respondent's acquisition of the Disputed Domain Name. The Complainant has therefore established a prima facie case that the Respondent does not have any rights or legitimate interests in the Disputed Domain Name and thereby the burden of production shifts to the Respondent to produce evidence demonstrating rights or legitimate interests in respect of the Disputed Domain Name (see, for example, *Do The Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#); *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#)).

The Respondent says that (i) above applies. Specifically, the Respondent provides a timeline of relevant events which reads as follows:

“Timeline & Factual Background

Date	Event
2003	“Py” prefix adopted by Python community (e.g., PyPI, PyCon, PyTorch, PyGame, PyInstaller)
2013-07	Registration of pycharm.com by Respondent
2013-2015	Domain parking with “Coming Soon” landing page
2016	Internal prototype created; usability testing among select engineers
2017-2019	Detailed platform architecture designed; development plans drafted
2020-2022	Market research and partnership outreach planning
2023-2024	UX/UI design iterations and legal/regulatory compliance review
2025-06	Final overhaul of platform roadmap; preparation for official launch after dispute
2025-06	Complainant files UDRP Complaint with WIPO”

The Respondent says the above timeline documents is its bona fide preparations prior to the present dispute. The Respondent also says that a separate, forward-looking Website Development Plan (Annex 3 to the Response) outlines the post-dispute implementation schedule (July 2025–Q2 2026). Annex 3 comprises a Word document. The first two sections of the English part of it read as follows:

“A. Objectives & Vision

Objective: Establish pycharm.com as the flagship platform for integrated pinyin education, voice production, and resource services, covering learning → creation → monetization.

Vision: Become the premier “Pinyin + Voice” ecosystem hub in the Sinophone market—highly interactive, reliable, and trusted; target Year 1 GMV of TWD 50 million.

B. Target Audience

1. Language Learners: Pre-school to adult learners needing Mandarin pinyin or bilingual instruction.
2. Content Creators: Voice actors, dubbing artists, YouTubers, online instructors.
3. Educational Institutions: Schools, tutoring centers, e-learning platforms.
4. Enterprise Clients: Companies integrating voice navigation, chatbots, or e-learning solutions.”

Further sections deal with:

C. Core Modules & Features

D. Technical Architecture

E. UX/UI & Branding

F. Content Strategy & Marketing

G. Legal & Compliance

H. Milestones

I. Budget & KPIs

All are in a similar short high level outline form as the first two sections.

The Respondent's claim that it acquired the Disputed Domain Name in 2013 is in dispute. However, on the Respondent's account it has been carrying out preparations to launch some form of "flagship platform for integrated pinyin education, voice production, and resource services" since 2017. The Respondent has not however produced a single item of contemporaneous evidence supporting this account. So, for example if "market research and partnership outreach planning" took place over a two-year period (2020-2022) it should be straightforward to produce relevant contemporaneous documentation. That has not been done. The Respondent's Annex 3 to the Response is a Word document. Its properties show it as having been created on June 29, 2025, which is the date the Response was filed. No other evidence has been provided as to any of the activities listed in the document.

[WIPO Overview 3.0](#) provides at section 2.2: "2.2 What qualifies as prior use, or demonstrable preparations to use the domain name, in connection with a bona fide offering of goods or services?"

As expressed in UDRP decisions, non-exhaustive examples of prior use, or demonstrable preparations to use the domain name, in connection with a bona fide offering of goods or services may include: (i) evidence of business formation-related due diligence/legal advice/correspondence, (ii) evidence of credible investment in website development or promotional materials such as advertising, letterhead, or business cards (iii) proof of a genuine (i.e., not pretextual) business plan utilizing the domain name, and credible signs of pursuit of the business plan, (iv) bona fide registration and use of related domain names, and (v) other evidence generally pointing to a lack of indicia of cybersquatting intent. While such indicia are assessed pragmatically in light of the case circumstances, **clear contemporaneous evidence of bona fide pre-complaint preparations is required** [emphasis added].

Acknowledging that business plans and operations can take time to develop, panels have not necessarily required evidence of such use or intended use to be available immediately after registration of a domain name, but the passage of time may be relevant in assessing whether purported demonstrable preparations are bona fide or pretextual.

If not independently verifiable by the panel, claimed examples of use or demonstrable preparations to use the domain name in connection with a bona fide offering of goods or services cannot be merely self-serving but should be inherently credible and supported by relevant pre-complaint evidence".

The Panel agrees with this approach. In the present case absolutely no evidence of any kind has been provided apart from the Word document at Annex 3 to the Response. The Panel thinks it likely that document was created by the Respondent at the time it submitted the Response and it is a self-serving account which does not satisfy the necessary criteria to be relied upon. See also *Five9, Inc. v. Christopher Gillis, five9.io*, WIPO Case No. [DIO2022-0017](#) - respondent lacked rights or legitimate interests and acted in bad faith where disputed domain name is identical to complainant's trademark and "Respondent has presented only conclusory and self-serving assertions" with a "lack of evidence to support the Respondent's alleged use of the disputed domain name".

The Panel considers that the Respondent has not rebutted the inference established by the Complainant that the Respondent lacks any rights or legitimate interests in the Disputed Domain Name. Accordingly, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

A preliminary issue arises in relation to this question – when did the Respondent acquire the Disputed Domain Name? The Respondent says it registered the Disputed Domain Name in July 2013. The Complainant says the Respondent acquired it on a date between June 26, 2024, and July 12, 2024.

The evidence the Respondent produces to substantiate its claim is a copy of the Center's Notice of Registrant Information email informing the Complainant that the Respondent is the current registrant of the Disputed Domain Name. It is of no relevance whatsoever to the question of who owned the Disputed Domain Name in 2013. It simply does not show when the Respondent acquired it.

The Complainant has produced evidence of historic Whois records for the Disputed Domain Name. This evidence is confusing as it appears to show that the Disputed Domain Name was created in 2010, as opposed to 2013 which is what current Whois records show. Also, many of the records have details which are masked by privacy services. However, the evidence includes the following: -

On February 7, 2010, the registrant of the Disputed Domain Name was “[Redacted]” in Chandler, Arizona (USA).

On November 7, 2012, the registrant of the Disputed Domain Name was “[Redacted]” of Kailua Hona, Hawaii (USA).

On November 6, 2013, the registrant of the Disputed Domain Name was “[Redacted]” of Taipei, Taiwan.

On October 25, 2014, the registrant of the Disputed Domain Name was “[Redacted]” of Taipei, Taiwan.

On November 21, 2017, the registrant of the Disputed Domain Name was “[Redacted]” of Guang Zhou Shi, Guang Dong (China).

Current Whois data shows the Respondent (Shengyuan Qiu) with an address in Taipei, Taiwan. It may be that there is some connection between all the registrants since 2013 as there seem to be some similarities between the given names and other areas of overlap exist – for example the registrants as at November 6, 2013 and October 25, 2014 appear to have the same address in Taipei.

The Panel considers that given the very clear allegation raised in the Complaint it was incumbent on the Respondent to show clearly with supporting documentation its acquisition of the Disputed Domain Name in 2013 and deal with the various Whois records the Complainant had produced. Instead, the Respondent has produced a single piece of irrelevant evidence. Ultimately however the Panel has concluded the point does not matter as even if the Panel accepts the Respondent’s claimed date, July 2013, the Panel concludes that the registration and use was more likely than not in bad faith, for reasons discussed below.

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 Disputed Domain Name in bad faith.

Under paragraph 4(b) of the Policy a non-exhaustive list of factors evidencing registration and use in bad faith comprises:

(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

The Complainant launched its PyCharm product in 2010. It has clearly been successful but there is no real evidence as to how successful or well known it was in 2013 either in Taiwan Province of China or anywhere else. The prefix “py” clearly connotes the Python language and conjoining that prefix with the English word “charm” creates a term which is in the Panel’s opinion unusual and distinctive. There is no evidence anyone else uses that term. The Panel is not in a position to evaluate the Respondent’s claim that “py” is also a

generic term referring to the Chinese concept of “pin yin” but even if that is correct the Respondent has failed to explain at all how or why it decided to combine that prefix with the word “charm”. None of the “pin yin” examples the Respondent gives use this word and the Respondent is silent as to whether it has any meaning or significance in Chinese or as to why it chose it. The Panel regards this omission as significant. The Panel also takes into account the Respondent’s failure to provide any corroborating evidence at all as to its supposed “pin yin” project and considers this throws doubt on the Respondent’s overall credibility. It seems that the Respondent has not in twelve years been able to get its supposed project to a point where the Disputed Domain Name actually resolves to a website relating to its “pin yin” project, but it is still resolving to a PPC website with links to Python software related websites.

So far as the PPC website is concerned the Panel concludes that (iv) applies as the Disputed Domain Name is likely to attract traffic because of confusion with the Complainant’s mark, and presumably either the Respondent or some other party derives commercial gain as a result. The website linked to the Disputed Domain Name comprises a series of PPC links to other third-party websites. The Panel infers that some consumers, once at this website will follow the provided links and “click through” to other sites which offer products some of which may compete with those of the Complainant. The Respondent presumably earns “click-through” linking revenue as a result. The Panel infers the website is automatically generated. This does not however matter. It is well established that where a domain name is used to generate revenue in respect of “click-through” traffic, and that traffic has been attracted because of the name’s association with the Complainant, such use amounts to use in bad faith, see for example *Shangri-La International Hotel Management Limited v. NetIncome Ventures Inc.*, WIPO Case No. [D2006-1315](#); *Owens Corning v. NA*, WIPO Case No. [D2007-1143](#); *McDonald’s Corporation v. ZusCom*, WIPO Case No. [D2007-1353](#); *Villeroy & Boch AG v. Mario Pingerna*, WIPO Case No. [D2007-1912](#); *Rolex Watch U.S.A., Inc. v. Vadim Krivitsky*, WIPO Case No. [D2008-0396](#).

See also [WIPO Overview 3.0](#) section 3.5: “Can third-party generated material ‘automatically’ appearing on the website associated with a domain name form a basis for finding bad faith?”

Particularly with respect to ‘automatically’ generated pay-per-click links, panels have held that a respondent cannot disclaim responsibility for content appearing on the website associated with its domain name (nor would such links *ipso facto* vest the respondent with rights or legitimate interests).

Neither the fact that such links are generated by a third party such as a registrar or auction platform (or their affiliate), nor the fact that the respondent itself may not have directly profited, would by itself prevent a finding of bad faith.”

The Panel thinks in the absence of a credible and corroborated explanation from the Respondent it is more likely than not that the Disputed Domain Name was chosen because it corresponded to the Complainant’s trademark. Apart from anything else a simple Internet search on the term “pycharm” would have likely identified the Complainant and its PyCharm software, the fact that the Disputed Domain Name has only been linked to a PPC website and has not been offered for sale is not sufficient to avoid a finding that the Respondent’s conduct was within paragraph 4(b)(iv) of the Policy.

Accordingly, the Panel finds the Respondent has registered and used the Disputed Domain Name in bad faith and the third condition of paragraph 4(a) of the Policy has been fulfilled.

## 7. Reverse Domain Name Hijacking

The Respondent’s request for a finding of Reverse Domain Name Hijacking is refused.



## **8. 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 <pycharm.com> be transferred to the Complainant.

*/Nick J. Gardner/*

**Nick J. Gardner**

Sole Panelist

Date: July 16, 2025