

ADMINISTRATIVE PANEL DECISION

elasticsearch B.V. v. Alice Korhonen

Case No. D2025-2395

1. The Parties

The Complainant is elasticsearch B.V., Netherlands (Kingdom of the), represented by Quinn IP Law, United States of America (“United States” or “U.S.”).

The Respondent is Alice Korhonen, Finland.

2. The Domain Name and Registrar

The disputed domain name <elasticsearchbusiness.net> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 18, 2025. On June 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 18, 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 (Namecheap, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 23, 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 June 29, 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 June 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 23, 2025.

The Center appointed Daniel Peña as the sole panelist in this matter on July 28, 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 in the software business for creating search-powered solutions in relation to enterprise search, observability, and security for the purpose of helping enhance customer and employee search experiences and to keep mission-critical applications running smoothly and protect against cyber threats.

The Complainant's products and services are utilized and integrated in the data infrastructures of some of the world's most recognizable and technically advanced businesses and solutions providers in addition to many governments. The software branded ELASTIC is widely distributed and accessed worldwide through major platform cloud partnerships with Microsoft, Amazon Web Services (AWS), Google, IBM and many others. The Complainant has an active Elastic Meetup community of over 101,000 members across 55 countries with the first meetup event held in September 2012. It also creates user event experiences and connections, including the Elastic Community, where the Complainant hosts meetups, conferences, in-person, and virtual events and has 140 groups around the world.

The Complainant has registered the trademarks ELASTICSEARCH and ELASTIC in numerous jurisdictions worldwide including:

- International trademark registration No. 1317586 for ELASTIC and design, registered on July 21, 2016, designating several jurisdictions including the European Union; and
- United States trademark registration No. 4212205 for ELASTICSEARCH, registered on September 25, 2012.

Many UDRP panelists have held that the ELASTIC and ELASTICSEARCH marks are famous, well known, and distinctive. See Annex XI to the Complaint, includes *elasticsearch B.V. v. Michael Nava*, WIPO Case No. [D2024-4001](#), *elasticsearch B.V. v. Host Master, Transure Enterprise Ltd*, WIPO Case No. [D2023-2937](#), *elasticsearch B.V. v. Nanci Nette*, WIPO Case No. [D2023-2938](#), and *elasticsearch B.V. v. Jason Harrington*, WIPO Case No. [D2023-4038](#).

The disputed domain name was registered on February 19, 2025, years after the registration and use of the above trademarks by the Complainant. The record shows that the disputed domain name resolves to an inactive parking site.

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 that the disputed domain name consists of the Complainant's trademark with an additional term, which does nothing to avoid confusing similarity so the terms "elastic" and "elasticsearch" will be thus easily identified and will be the first word a consumer will perceive of the disputed domain name.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name, and the Complainant has not licensed or otherwise permitted the Respondent to use any of its trademarks or to apply for any domain name incorporating any of its trademarks, and that the Respondent is not making a fair use, a noncommercial use, as well as no actual or contemplated bona fide or legitimate use of the disputed domain name.

The Complainant contends that the Respondent registered and used the disputed domain name in bad faith, that the Respondent was fully aware of the existence of the Complainant when it acquired the disputed domain name as the disputed domain name refers to the Complainant, and the Respondent has been using the disputed domain name as a “phishing” or “pharming” site.

The Complainant concludes 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

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical 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; and (iii) the disputed domain name has been registered and is being used in bad faith. Considering these requirements, the Panel rules as follows:

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 Pa 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. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the marks ELASTICSEARCH and ELASTIC are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, “business”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The “.net” generic Top-Level Domain (“gTLD”) is viewed as a standard registration requirement and is generally disregarded under the first element confusing similarity test, as set forth in section 1.11.1 of the [WIPO Overview 3.0](#).

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.

The Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1. 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 finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy stipulates that any of the following circumstances, inter alia, shall be considered as evidence of the registration and use of a domain name in bad faith: (i) circumstances indicating that the respondent registered or 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 the respondent's documented out-of-pocket costs directly related to the domain name; or (ii) circumstances indicating that the respondent 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 the respondent has engaged in a pattern of such conduct; or (iii) circumstances indicating that the respondent registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) circumstances indicating that the respondent is using the domain name to intentionally attempt to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on its website or location.

With regard to the bad faith at the time of registration, the Panel notes that ELASTIC and ELASTICSEARCH are not a common or descriptive term, but a renowned trademark in and to which the Complainant has demonstrated rights. The Panel has reviewed the list of registered trademarks submitted with the Complaint confirming the registrations of the ELASTIC and ELASTICSEARCH trademarks predate the date of registration of the disputed domain name.

The disputed domain name reproduces, without any authorization or approval, the Complainant's registered trademarks. Moreover, the disputed domain name is inherently misleading as it reproduces the Complainant's ELASTIC and ELASTICSEARCH trademarks together with the term "business". Therefore, the Panel finds that the Respondent, when registering the disputed domain name, had knowledge of the Complainant's earlier rights to the ELASTIC and ELASTICSEARCH trademarks.

Furthermore, the Panel finds that the passive holding of the disputed domain name in the circumstances of the case does not prevent a finding of bad faith. On the contrary, this Panel agrees with the Complainant's assertion that in this case the disputed domain name containing the Complainant's well-known earlier mark, constitutes an indication of bad faith (see section 3.3 of the [WIPO Overview 3.0](#)).

The bad faith registration and use of the disputed domain name are also affirmed by the fact that the Respondent has not denied, or even responded to, the assertions of bad faith made by the Complainant in this proceeding.

The Panel concludes that the disputed domain name was registered and is being used in bad faith and that consequently, the Complainant has satisfied the requirement under paragraph 4(a)(iii) 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 <elasticsearchbusiness.net> be transferred to the Complainant.

/Daniel Peña/

Daniel Peña

Sole Panelist

Date: August 11, 2025