

ADMINISTRATIVE PANEL DECISION

elasticsearch B.V. v. 薛世峰 (More), 个人用户 (Xue Shifeng)
Case No. D2025-2399

1. The Parties

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

The Respondent is 薛世峰 (More), 个人用户 (Xue Shifeng), China.

2. The Domain Name and Registrar

The disputed domain name <elasticsearch.xyz> is registered with Xin Net Technology Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on June 18, 2025. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the following day, 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 (Xin Net Technology Corporation) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 30, 2025, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. At the Complainant’s request, the proceeding was suspended until August 6, 2025, and the suspension was extended until September 7, 2025. The Complainant filed an amended Complaint in English on September 25, 2025.

On June 30, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On September 25, 2025, the Complainant confirmed its request that the language of the proceeding be English. On the following day, the Respondent requested that the language of the proceeding be Chinese, or both Chinese and English.

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 in English and Chinese of the Complaint, and the proceedings commenced on September 26, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was originally October 16, 2025, but this was extended until October 20, 2025 in accordance with the Rules, paragraph 5(b), at the Respondent's request. The Response was filed in Chinese with the Center on October 19, 2025.

The Center appointed Matthew Kennedy as the sole panelist in this matter on October 31, 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 search company that builds self-managed and software-as-a-service offerings for search, logging, security, observability, and analytics use cases. Its Elasticsearch platform is an open-source, distributed search and analytics engine that provides near real-time search and analytics capabilities for all types of data. As of April 2025, the Elasticsearch platform had been downloaded more than 4.5 billion times. The Complainant has also directly licensed its ELASTIC and ELASTICSEARCH-branded search solutions to around 20,000 customers in approximately 175 countries. In China, these solutions are also distributed via Tencent Cloud and Alibaba Cloud. The Complainant holds multiple trademark registrations in multiple jurisdictions, including the following:

- United States trademark registration number 4212205 for ELASTICSEARCH, registered on September 25, 2012, specifying goods and services in classes 9 and 42;
- International trademark registration number 1114893 for ELASTICSEARCH, registered on January 30, 2012, designating multiple jurisdictions, specifying goods and services in classes 9 and 42; and
- United States trademark registration number 6263801 for ELASTIC, registered on February 9, 2021 with a claim of first use in commerce on March 11, 2015, specifying goods and services in classes 9 and 42.

The above trademark registrations are current. According to information presented by the Respondent, the Complainant's Chinese trademark applications number 71509092 for ELASTIC and device, and number 71503793 for ELASTICSEARCH, both filed in 2023, have been refused and are currently under appeal.

The Complainant has registered the domain name <elastic.co> that it uses in connection with its website where it provides information about itself and its products. The Complainant has also registered multiple domain names that begin with or contain its ELASTIC or ELASTICSEARCH trademark, including <elasticsearch.com>, <elasticsearch.biz>, <elasticsearch.net>, and <elasticsearch.org>.

The Fourth Annual Elasticsearch China Developers' Conference ("第四届 Elasticsearch 中国开发者大会") was held in Beijing, China on October 17, 2015 and attracted 142 attendees.

The Respondent is a natural person named "薛世峰" (Xue Shifeng). The Registrar's Whois database also notes that he is an individual user ("个人用户").

The disputed domain name was registered on October 13, 2015. It has been configured with a Mail eXchange ("MX") record since 2020 and used in an email address since at least 2023. A third-level domain under the disputed domain name has pointed to an IP address since 2019 and is now associated with an online photo album for a school.

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 is identical or confusingly similar to the Complainant's ELASTIC and ELASTICSEARCH trademarks.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name has not been used in connection with a bona fide offering of goods and services. The Respondent is not affiliated with, or licensed by, the Complainant. The disputed domain name effectively impersonates or falsely suggests sponsorship or endorsement by the Complainant. The Complainant's trademarks are well known and used worldwide. In China, ELASTIC and ELASTICSEARCH-branded software is widely accessed, licensed, and distributed through large commercial distribution relationships with Tencent Cloud and Alibaba Cloud, making the brand specifically well-known in China to the developer and software communities as well as internationally.

The disputed domain name has been registered and is being used in bad faith. The Complainant's ELASTIC and ELASTICSEARCH trademarks are famous, distinctive, and well known, having been in use since at least as early as 2010. The Respondent could not have innocently registered a domain name fully incorporating the Complainant's ELASTIC and ELASTICSEARCH trademarks. The Complainant used and promoted these marks in China in connection with its products and services prior to 2015. The Complainant has hosted, promoted, and supported an annual event of Elasticsearch China Developers since as early as 2012. The disputed domain name was registered immediately prior to the start of the Fourth Annual Elasticsearch China Developers' Conference in bad faith. The public is likely to be confused, misled, and deceived as to the source of the disputed domain name and likely to be misdirected away from the Complainant.

B. Respondent

The Respondent contends that the Complainant has not satisfied all the elements required under the Policy and therefore requests that the Panel deny the Complaint.

The Respondent does not contest the similarity of the disputed domain name to the Complainant's trademark, but submits that he did not target the trademark.

The Respondent has rights and legitimate interests in respect of the disputed domain name. He has used it to create a Network Attached Storage (NAS) system by connecting the disputed domain name to a cloud server to access the Internet since 2019, and maintained it at the same IP address. This NAS system provides file storage, a family online photo album, and family multimedia services for the Respondent's family and friends. The total file storage exceeds 17TB. Since 2020, the disputed domain name has been used in an email address for the Respondent's child. Since 2022, the disputed domain name has been used to host a photo album service for classes at the Respondent's wife's school, on which over 2,000 regular users have shared over 360,000 photos and videos. Access is restricted.

The disputed domain name was not registered and is not being used in bad faith. The Respondent alleges that his initial purpose for the disputed domain name was to access easily his home NAS service via the Internet. He chose the disputed domain name because it consists of three simple words: "elastic", "search", and "xyz" which, in combination, convey the meaning of "flexibly exploring the unknown". It is not a meaningless combination and is very easy to remember. The Respondent was completely unaware of the 2015 Elasticsearch China Developers' Conference, as he is not a developer of the relevant technologies and it was not aimed at the general public. The conference was an offline gathering with only 142 persons registered for the event and much smaller than the 2023 conference. The Complainant did not partner with

Alibaba Cloud until 2017 or Tencent Cloud until 2019 and it did not gain significant brand recognition among Chinese developers until long after the registration of the disputed domain name. The Complainant was not publicly listed until 2018. Most of the Complainant's trademark applications were filed after the registration of the disputed domain name, and its Chinese trademark applications have been refused. The Respondent has made long-term, continuous, and stable use of the disputed domain name in good faith.

The Respondent suspects that the Complainant knew it lacked a convincing case and has abused the UDRP procedure. The Complainant did not object to the disputed domain name for almost 10 years but filed the Complaint three months before the expiry date, which prevented the Respondent from renewing the registration in the normal way. The Complainant requested a suspension of the proceeding and an extension of the suspension for the purposes of settlement negotiations, but did not contact the Respondent.

6. Discussion and Findings

6.1. Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint and amended Complaint were filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the disputed domain name is in Latin script and comprised of English words; the Complainant's business is conducted primarily in English; and translation of the Complaint would put the Complainant to great expense.

The Response was submitted in Chinese. The Respondent requested that the language of the proceeding be Chinese (or both Chinese and English) for several reasons, including the fact that he is an individual with only basic English reading skills; conducting the process in English will cause him serious inconvenience and unfairness; Latin script is typical of the Domain Name System and does not indicate an English proficiency level; the Complainant operates in China and submitted substantial evidence in Chinese, demonstrating that it is able to understand that language; and the Registration Agreement is in Chinese.

The Panel notes that the Response is detailed and indicates that the Respondent has in fact understood the Complaint.

In exercising its discretion to use a language other than that of the Registration Agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the Parties' ability to understand and use the proposed language, time, and costs. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English, but that it will accept all submissions as filed in their original language, whether Chinese or English, without translation as the Panel is conversant with both Chinese and English.

6.2. Substantive Issues

Paragraph 4(a) of the Policy provides that a complainant must demonstrate each of the following elements:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and

- (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.

The burden of proof of each element is borne by the Complainant.

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 shown rights in respect of the ELASTICSEARCH trademark, among others, for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the ELASTICSEARCH mark is reproduced within the disputed domain name. The only additional element is a generic Top-Level Domain ("gTLD") extension (".xyz") which, as a standard requirement of domain name registration, may be disregarded in the comparison for the purposes of the first element of the Policy. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. See [WIPO Overview 3.0](#), sections 1.7 and 1.11.1.

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). See [WIPO Overview 3.0](#), section 2.1.

In the present case, the disputed domain name does not resolve to an active website. It is identical to the Complainant's ELASTICSEARCH trademark, adding only a gTLD extension, which gives the impression that it will resolve to a website affiliated with the Complainant. However, the Complainant submits that the Respondent is not affiliated with, or licensed by, the Complainant. These circumstances do not indicate that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services, nor that he is making a legitimate noncommercial or fair use of the disputed domain name for the purposes of the Policy. Further, the Respondent's name is "薛世峰", which may be transliterated as "Xue Shifeng" and does not resemble the disputed domain name. Nothing indicates that the Respondent has been commonly known by the disputed domain name.

Having reviewed the evidence in the Complaint, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

Turning to the Respondent, he provides evidence that the disputed domain name is being used in his child's email address and in a third-level domain name associated with his wife's school's photo album with restricted access. The volume of files stored in the online album may be considerable. However, while these uses are noncommercial, they have no apparent connection to the composition of the disputed domain name. The disputed domain name is composed of two dictionary words ("elastic" and "search"). The Respondent alleges that he chose them in combination with the gTLD extension ".xyz" to connote

“flexibly exploring the unknown”. However, that alleged connotation is irrelevant to the ways in which the Respondent and his family use the disputed domain name and appears to be contrived. The Panel recalls that the disputed domain name is identical to the Complainant’s ELASTICSEARCH mark, and that it was registered within days of an Elasticsearch developers’ conference in China (discussed in Section 6.2C below). In the Panel’s view, the most likely explanation of the available evidence is that the Respondent uses the disputed domain name in an email address and for a photo album as pretexts. Though noncommercial, this is not a legitimate or fair use for the purposes of the Policy.

Having reviewed the evidence in the Response, the Panel finds the Respondent has not rebutted the Complainant’s prima facie showing.

Based on the current record, 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 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. Panels have also held that the use of a domain name for purposes other than to host a website may constitute bad faith. See [WIPO Overview 3.0](#), sections 3.2.1 and 3.4.

In the present case, the disputed domain name was registered in October 2015, three years after the earliest registration of the Complainant’s ELASTICSEARCH mark. According to the evidence, the Complainant had by that time already used the mark in China, where the Respondent is based. The disputed domain name is identical to that mark, which is distinctive and not a common phrase. Moreover, the Respondent registered the disputed domain name merely four days before the Fourth Annual Elasticsearch China Developers’ Conference, which used the mark in Latin script in its promotional material. The close timing of the disputed domain name registration does not appear to be a coincidence. The Respondent points out that the conference attracted only 142 attendees, and alleges that he was not part of its target audience. However, he does not provide a more plausible explanation as to why he chose the disputed domain name at that time. While he alleges that the disputed domain name connotes “flexibly exploring the unknown”, the Panel has found that explanation contrived. Accordingly, on the balance of probabilities, the Panel finds that the Respondent registered the disputed domain name with the Complainant and its mark in mind.

As regards use, the disputed domain name is being used in the Respondent’s child’s email address and in a third-level domain name associated with his wife’s school’s photo album with restricted access. The Panel notes the distinctiveness and reputation of the Complainant’s ELASTICSEARCH trademark, the identity between the disputed domain name and that mark, and the Panel’s findings in Section 6.2B above that the use of the disputed domain name is most likely pretextual. Accordingly, the Panel finds that in the circumstances of this case the use of the disputed domain name does not prevent a finding of bad faith under the Policy.

Therefore, the Panel finds that the Complainant has established the third element of the Policy.

D. Reverse Domain Name Hijacking

The Respondent suggests that the Complainant has abused the administrative procedure. It points out that the disputed domain name registration was due to expire during the proceeding and could not be renewed in the usual way because the Complainant filed the Complaint close to the expiration date of the disputed domain name. The Complainant has waited for 10 years before filing the Complaint, and has never contacted the Respondent during the suspension period.

The Panel has upheld the Complaint. Therefore, it does not find that the Complaint has been brought in bad faith or that it constitutes an attempt at Reverse Domain Name Hijacking. Further, panels have widely recognized that mere delay between the registration of a domain name and the filing of a

complaint neither bars a complainant from filing such case, nor from potentially prevailing on the merits. See [WIPO Overview 3.0](#), section 4.17. In addition, the registration of the disputed domain name has in fact been renewed by the Respondent.

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 <elasticsearch.xyz> be transferred to the Complainant.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: November 13, 2025