

## **ADMINISTRATIVE PANEL DECISION**

Tanium Inc. v. NameInvest Inc.

Case No. D2025-2555

### **1. The Parties**

The Complainant is Tanium Inc., United States of America (“United States”), represented by Kolitch Romano Dascenzo Gates, United States.

The Respondent is NameInvest Inc., United States.

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

The disputed domain name <tanium.org> is registered with INTERNETX GMBH (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 30, 2025. On July 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 2, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 July 14, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was August 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Parties of the Respondent’s default on August 9, 2025.

The Center appointed Ingrida Kariņa-Bērziņa as the sole panelist in this matter on August 18, 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 cybersecurity firm based in California, United States. It is the proprietor of several trademark registrations in various countries, including the following:

- United States Trademark Registration No. 4533496 for TANIUM (word mark), registered on May 20, 2014, for goods in class 9, claiming a date of first use in 2007; and
- United States Trademark Registration No. 6054454 for TANIUM (word mark), registered on May 12, 2020, for goods in class 9, claiming a date of first use in 2007.

The Complainant operates its primary website at the domain name <tanium.com>, which it registered on March 6, 2005.

The disputed domain name was registered on June 23, 2014. At the time of this Decision, it resolved to a website displaying pay-per-click ("PPC") links related to "cloud solutions services" and "cloud cyber security." The Complaint contains evidence that it previously resolved to a website featuring other PPC links.

#### **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 it has used the TANIUM mark in connection with cybersecurity software since its founding in 2007. It offers its goods and services to customers internationally.

- a) The disputed domain name is identical to its TANIUM mark.
- b) The Respondent is not affiliated with the Complainant and has no rights in the TANIUM mark, which is used for a website featuring PPC links. There is no evidence that the Respondent is making fair use of the disputed domain name.
- c) The disputed domain name was registered several years after the Complainant established its rights in the TANIUM mark. The Respondent owns over 3,000 domain names, including those that are identical to or constitute misspellings of well-known brands, such as <americanairlines.com>, <disney-plus.com> and <harry-potter.at>. Such conduct creates a presumption of bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

- (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 Respondent has registered and is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, "[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".

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

The entirety of the TANIUM mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 composition of the disputed domain name, which consists of the Complainant's TANIUM mark. Therefore, the Panel finds that the nature of the disputed domain name carries a risk of implied affiliation to the Complainant that cannot constitute fair use. [WIPO Overview 3.0](#), section 2.5.1.

There is no evidence that the Respondent is commonly known by the disputed domain name, nor that there are any circumstances or activities that would establish the Respondent's rights therein. Rather, the disputed domain name resolves to a website featuring PPC links, including those related to the Complainant's business. Under these circumstances, such use does not represent a bona fide offering of goods or services. [WIPO Overview 3.0](#), section 2.9.

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, 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 that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark. The disputed domain name is identical to the Complainant's TANIUM mark, and was registered at shortly after the registration of the TANIUM mark. Under these circumstances, the Panel finds that the Respondent registered the disputed domain name in bad faith. [WIPO Overview 3.0](#), section 3.1.4.

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.

The Panel finds that, under these circumstances, the use of the disputed domain name to resolve to a website featuring PPC links, including those related to the Complainant's business, is an indication of bad faith use of the disputed domain name. [WIPO Overview 3.0](#), section 3.5.

The Panel further finds that the available evidence indicates that the Respondent has registered numerous trademark-abusive domain names targeting various brand owners. Such registrations indicate a pattern of conduct preventing a trademark holder from reflecting its mark in a domain name. [WIPO Overview 3.0](#), section 3.1.2.

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 <tanium.org> be transferred to the Complainant.

*/Ingrīda Kariņa-Bērziņa/*

**Ingrīda Kariņa-Bērziņa**

Sole Panelist

Date: September 1, 2025