ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Barracuda Networks, Inc. v. Baba Iya
Case No. D2025-2627

1. The Parties

The Complainant is Barracuda Networks, Inc., United States of America ("United States" or "US"), represented by KXT LAW, LLP, United States.

The Respondent is Baba Iya, United States.

2. The Domain Name and Registrar

The disputed domain name <ar-barracuda.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 July 4, 2025. On July 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 4, 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 (Registration Private and Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 7, 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 July 9, 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 July 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 4, 2025.

The Center appointed Peter J. Dernbach as the sole panelist in this matter on August 8, 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 US company, founded in 2003, that provides IT-security, networking, storage appliances, and cloud-based services.

The Complainant holds United States Trademark Registration No. 4,715,332 for the BARRACUDA trademark, registered on April 7, 2015 (the "BARRACUDA Mark"). The BARRACUDA mark has been used in commerce at least as early as December 2002 and covers goods and services in International Classes 9, 41, and 42.

The Complainant owns the domain name <barracuda.com> under which it offers its services.

The Disputed Domain Name was registered by the Respondent on April 7, 2025. It resolves to parking webpage with pay-per click links.

The Respondent, according to the information provided by the Registrar, appears to be an individual with an address located in the United States.

5. Parties' Contentions

A. Complainant

The Complainant contends the following:

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant asserts that the Disputed Domain Name is confusingly similar to its trademark because it wholly incorporates its BARRACUDA Mark. The inclusion of the "ar-" portion further increases this confusing similarity, as it is suggestive of the Complainant's internal email address for its accounts receivable department.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainant asserts the Respondent is not commonly known as BARRACUDA or the Disputed Domain Name. Also, the Complainant has not granted, authorized, licensed, or otherwise permitted the Respondent to register and/or use the Complainant's BARRACUDA Mark in the Disputed Domain Name.

(iii) The Disputed Domain Name has been registered and is being used in bad faith.

The Complainant asserts that the webpage to which the Disputed Domain Name directs contains advertisements incorporating the Complainant's BARRACUDA Mark, which is an attempt to divert traffic from consumers seeking to purchase the Complainant's goods and services by tricking them into believing they are accessing the Complainant's legitimate website.

The Complainant further argues that the Disputed Domain Name directs to a webpage featuring ads directly related to the Complainant's IT security business, such as "Barracuda Cloud Protection Layer" and "Barracuda Bulk Email Detection." Further evidence of bad faith is the use of Sedo Domain Parking, a service designed to monetize unused domains by selling ad space.

Furthermore, the Complainant contends that the inclusion of "ar" in the Disputed Domain Name is an intentional attempt to create a spoofed email address, misleading users into thinking they are receiving a legitimate email from the Complainant's accounts receivable department.

The above circumstances demonstrate that the Disputed Domain Name was registered and is being used in bad faith to intentionally cause market confusion and generate commercial gain.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, in order to succeed in this administrative proceeding and obtain the requested remedy (in this case, transfer of the Disputed Domain Name), the Complainant must prove that each of the three following elements are present:

(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.

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 that it is the owner of a United States registered trademark for the BARRACUDA Mark. WIPO Overview 3.0, section 1.2.1. The entirety of the Complainant's BARRACUDA Mark is reproduced within the Disputed Domain Name. The mere addition of "ar-" in the Disputed Domain Name does not prevent a finding of confusing similarity. WIPO Overview 3.0, section 1.8.

The Top-Level Domain ".com" is a standard registration requirement and does not impact the assessment of confusing similarity. WIPO Overview 3.0, section 1.11.1.

Therefore, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's trademark, and 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 Complainant has asserted that it has not granted, authorized, licensed, or permitted the Respondent to use the Complainant's BARRACUDA Mark. There is no indication that the Respondent has ever been commonly known by the Disputed Domain Name. There is no evidence to show that the Respondent owns any trademarks related to the Disputed Domain Name. Nor does the record reflect the Respondent's use or demonstrable preparation to use the Disputed Domain Name in connection with a bona fide offering of goods or services prior to any notice of the dispute.

In addition, the Disputed Domain Name resolves to a parking webpage that lists multiple third-party links. While parking pages may be permissible in some circumstances, a parking page would not by itself confer rights or legitimate interests in a domain name, especially where a Disputed Domain Name was registered with a trademark owner's mark in mind in the hope and expectation that confused Internet users searching for the trademark owner will be directed to the Respondent's parking page for commercial gain (WIPO Overview 3.0, section 2.9). Such activity does not provide a legitimate interest in that domain name under the Policy (*Owens Corning v. NA*, WIPO Case No. D2007-1143).

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.

Therefore, 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 Complainant's BARRACUDA Mark and its domain name <barracuda.com> have been registered and used extensively since as early as December 2002, which was long before the registration of the Disputed Domain Name. It is not a coincidence that the parking webpage to which the Disputed Domain Name resolves features links directly related to the Complainant's IT security business, such as "Barracuda Cloud Protection Layer" and "Barracuda Bulk Email Detection." Therefore, the Panel finds that the Respondent registered the Disputed Domain Name in bad faith.

Furthermore, the use of "Sedo Domain Parking" and the disclaimer on the parking webpage support a finding of bad faith. According to Sedo Domain Parking's website, the service allows domain owners to monetize unused domains by displaying relevant advertisements. By directing the Disputed Domain Name to a parking page that contains links directly related to the Complainant's business, the Respondent is attempting to attract users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, or affiliation of the Disputed Domain Name. This constitutes use in bad faith.

Accordingly, 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 <ar-barracuda.com> be transferred to the Complainant.

/Peter J. Dernbach/
Peter J. Dernbach
Sole Panelist
Date: August 20, 2025