

ADMINISTRATIVE PANEL DECISION

Barracuda Networks, Inc. v. Admin Admin, barracuda.com
Case No. D2025-4059

1. The Parties

The Complainant is Barracuda Networks, Inc., United States of America (“United States” or “U.S.”), represented by KXT LAW, United States.

The Respondent is Admin Admin, barracuda.com, United States.

2. The Domain Name and Registrar

The disputed domain name <barracudaa.com> is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 3, 2025. On October 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 6, 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 (Not listed, barracuda.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 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 October 10, 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 October 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 6, 2025.

The Center appointed William F. Hamilton as the sole panelist in this matter on November 11, 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 has offered computer software, database, security, and educational services since at least as early as 2002.

The Complainant owns United States Patent and Trademark Office Registration No. 4,715,332, registered on April 7, 2015, for the trademark BARRACUDA (the "Mark").

The Complainant also owns the <barracuda.com> domain name through which its goods and services are offered.

The disputed domain name was registered on September 24, 2025. It resolves to an "Under Construction" landing page that boldly features the disputed domain name.

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 argues that the disputed domain name is confusingly similar to its Mark. The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name, and there is no evidence indicating that the Respondent is commonly known by that name. Additionally, the Complainant states that the Respondent is neither a licensee nor affiliated with the Complainant in any way. Furthermore, the Complainant claims it has not authorized the Respondent to use the Mark. The Complainant argues that the disputed domain name was registered and is being used in bad faith to impersonate the Complainant. The Complainant also asserts that the disputed domain name has been configured to launch phishing emails.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements that a complainant must satisfy to succeed. The Complainant must demonstrate that:

- (i) the 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 such domain name; and
- (iii) the 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 rights in respect to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Complainant has demonstrated rights in the Mark. The disputed domain name incorporates the Mark in its entirety with the mere addition of a second "a" at the end of "barracuda". This minor typographical variation does not prevent the Mark from remaining clearly recognizable within the disputed domain name.

Such one-letter deviations are a classic form of typosquatting and are insufficient to prevent a finding of confusing similarity. See [WIPO Overview 3.0](#), section 1.9.

The Panel therefore finds that 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 entail the difficult task of "proving a negative", requiring information that is often within the respondent's knowledge or control. 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 produce 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 Respondent has provided no evidence of any bona fide use of, or preparations to use, the disputed domain name. The use of false registrant information – specifically adopting the Complainant's own domain name, <barracuda.com>, as the purported registrant organization – is inconsistent with any legitimate interest. The Complainant also reports that the disputed domain name has been associated with phishing emails, and the Respondent has not contested this allegation.

Considering these factors and the totality of circumstances, 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:

(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.

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

First, the disputed domain name contains the Complainant's distinctive trademark with only a minimal typographical alteration. The Respondent also adopted "barracuda.com" – the Complainant's exact domain name - as the "registrant organization", plainly indicating an intent to impersonate or create an association with the Complainant.

Second, even though the disputed domain name resolves to an "Under Construction" page, passive holding does not prevent a finding of bad faith where circumstances suggest targeting of the complainant's mark. See [WIPO Overview 3.0](#), section 3.3; *Telstra Corporation Ltd. v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#). Here, the distinctive nature of the Complainant's Mark, the deceptive registrant information, the non-response by the Respondent, and the absence of any conceivable good-faith use support a finding of bad faith under the passive-holding doctrine.

Third, the Complainant asserts that the disputed domain name has been configured to launch phishing emails. Although the Complainant's assertion is not accompanied by documentation, the allegation is consistent with the construction of the disputed domain name, and the misuse of the Complainant's identity. Panels have consistently held that the use of a domain name for phishing constitutes bad faith under paragraph 4(b)(iv) of the Policy. See [WIPO Overview 3.0](#), section 3.4.

For these reasons, the Panel concludes that the disputed domain name was registered and is being used in bad faith. The third element of the Policy has been established.

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 <barracuda.com> be transferred to the Complainant.

/William F. Hamilton/
William F. Hamilton
Sole Panelist
Date: November 25, 2025