

ADMINISTRATIVE PANEL DECISION

eProfiler Solutions Ltd. v. David Lane

Case No. D2025-4820

1. The Parties

The Complainant is eProfiler Solutions Ltd., United Kingdom, internally represented.

The Respondent is David Lane, United Kingdom, self-represented.

2. The Domain Name and Registrar

The disputed domain name <eprofilersolutions.com> is registered with Register SPA (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 19, 2025. On November 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 21, 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 Complainant filed an amended Complaint on December 1, 2025. On December 8, 2025, the Respondent sent various communications to the Center.

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 December 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 28, 2025. On December 10, 2025, the Respondent requested an automatic four day extension for response in accordance with paragraph 5(b) of the Rules, which was granted and postponed the response due date to January 1, 2026. The Response was filed with the Center on December 28, 2025.

The Center appointed Steven A. Maier, Andrew F. Christie, and Matthew S. Harris as panelists in this matter on January 22, 2026. The Panel finds that it was properly constituted. Each member of 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.

On January 29, 2026, the Complainant submitted an unsolicited supplemental filing. On January 30, 2026, the Respondent submitted an unsolicited supplemental filing in response. Further reference to those filings is made below.

4. Factual Background

The Complainant was incorporated as a United Kingdom limited company on June 1, 2020. It is a provider of products and services to the biotechnology sector.

The Respondent was a founding shareholder and Director of the Complainant.

The Respondent registered the disputed domain name in his personal name on June 13, 2020.

The disputed domain name has been used for the purpose of the Complainant's website at "www.eprofilersolutions.com" since at least December 2021.

The Respondent resigned as a Director of the Complainant on November 17, 2025. The Parties have subsequently been engaged in a legal dispute implicating such matters as the Respondent's shareholding and employment status, and including significant financial claims.

On November 19, 2025, the Complainant filed application number UK00004297121 for a United Kingdom trademark for the word mark EPROFILER SOLUTIONS in International Classes 9 and 42. No relevant trademark had been registered at the date of this Decision.

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.

The Complainant claims to have obtained unregistered or common law trademark rights in the mark EPROFILER SOLUTIONS, based on its continuous use of that mark in commerce since 2020. It evidences in this regard investor decks and fundraising materials, supplier and partner communications, webinar promotion and related materials, quotations and project plans, and its website content.

The Complainant contends that the disputed domain name is identical to its trademark EPROFILER SOLUTIONS.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that the Respondent registered the disputed domain name in his personal name "as a convenience", and that it has at all material times been a company asset of the Complainant.

The Complainant exhibits an email from the Respondent dated June 13, 2020, addressed to the other founding shareholders and Directors of the Complainant. The email attaches the purchase order for the disputed domain name, and states:

"[Names Redacted]

We now own the domain eProfilerSolutions.com."

The email goes on to list other domain names including the string "eprofilersolutions", which the Respondent states are also available.

The Complainant states that the disputed domain name has been used exclusively for the company's business, has resolved to its website and internal IT systems, and that the Complainant has funded all costs connected with the disputed domain name. It contends that the Respondent has no independent rights or interest in the disputed domain name, has not commonly been known by that name, and has never used the disputed domain name for the purpose of any separate business activity.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It repeats that the Respondent registered the disputed domain name in his capacity as a founding shareholder and Director of the Complainant, and that the disputed domain name has been regarded by all parties as the company's asset and not the Respondent's personal property. It submits that it was only following his resignation that Respondent began to assert that the disputed domain name was his personal property and that the Complainant required his authorization for its continued use. It exhibits a "letter before action" from the Respondent dated November 17, 2025, in which he asserts a number of legal claims, and includes the following paragraph:

"Domain Name (Property Rights and Unauthorised Use): As the owner of "www.eProfilerSolutions.com", I revoke all permission for its use by the Company effective 14 days from this letter. Continued use without transfer constitutes trespass to goods or conversion. I can instruct the registrar to suspend services. I demand cessation to protect my property rights."

The Complainant contends that the Respondent's use of the disputed domain name as leverage in respect of his wider legal claims, linked to the threat of disrupting the company's operations, systems and critical infrastructure, clearly represents use of the disputed domain name in bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent submits, as a preliminary matter, that the present proceeding arises from a broader conflict between the parties, encompassing financial, governance, employment and other issues in addition to those concerning the disputed domain name. The Respondent states that this therefore represents a complex business dispute, which is outside the limited scope of the UDRP and should be resolved in national courts (see e.g. *Sanosil v. Ammar Matouk and Sanosil Mena Detergents & Disinfectants*, WIPO Case No. [D2023-1003](#), and section 4.14 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"). The Respondent asserts that the Complainant cannot use the UDRP to "seize an asset" without addressing underlying issues.

The Respondent submits that he registered the disputed domain name at his own expense and that he is the owner of the disputed domain name. He states that, while the disputed domain name was used for the purpose of the Complainant's business, there was never any written or oral agreement assigning the disputed domain name to the Complainant or treating it as a company asset, and that there are no board minutes, resolutions or other terms reflecting the Complainant's claim that the Respondent only held the disputed domain name "as a convenience."

The Respondent denies that the Complainant has ever paid for the disputed domain name. He adds that he also paid for other of the company's IT resources linked to the disputed domain name (e.g. Google Workspace, Zoho, AWS) until the third quarter of 2022, without any reimbursement.

The Respondent concedes that the disputed domain name is identical or confusingly similar to the Complainant's name "eProfiler Solutions". He contends, however, that the Complainant only filed its United Kingdom trademark application after he had resigned from the company, and that any unregistered trademark rights that the Complainant may have obtained were the result of the joint efforts of the company's founders. The Respondent denies that the Complainant has ever traded, or engaged in any substantial advertising, external webinars or other marketing, although it had participated in several Universiti Malaya events. He states that, at the date of his resignation, it had no sales or subscription systems in place.

The Respondent submits that he has rights or legitimate interests in respect of the disputed domain name by virtue of being a co-founder of the Complainant, and that such rights derive from his status as a shareholder, creditor, former Director and former employee. He adds that he has been commonly known by the disputed domain name by virtue of his involvement with the Complainant. He states that he has only ever used the disputed domain name for the purpose of the bona fide business that he co-founded, and contends that the Complainant's argument that he has never used the disputed domain name for the purpose of any independent business does not negate his rights as described above.

The Respondent denies that the disputed domain name was registered or has been used in bad faith. He contends, in particular, that the Complainant's grievances relate only to events post his resignation from the company, and cannot establish registration of the disputed domain name in bad faith. He states that there is no evidence that he registered the disputed domain name to sell back to the Complainant, to disrupt its business, or to confuse Internet users. He submits that the disputed domain name has only ever been used for the Complainant's benefit, and that the Complainant cannot retroactively claim registration of the disputed domain name bad faith based on a breakdown in the relationship over five years later.

The Respondent states that he has done nothing to restrict the Complainant's operational access to any system, and that since December 16, 2025, he has provided full control of the Complainant's IT infrastructure to the company. He states that he has not blocked the Complainant's access to the disputed domain name despite its "trespass" in its use. While reiterating that the present proceeding forms part of a wider dispute outside the scope of the UDRP, the Respondent denies having used the disputed domain name as leverage to obtain financial payments from the Complainant. He states that he is happy to hand over the disputed domain name "at no cost", subject to the settlement of his broader claims.

The Respondent seeks a finding that the Complaint is denied, or terminated as being outside the scope of the UDRP.

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (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.

A. First Preliminary Issue – Unsolicited Supplemental Filings

While unsolicited supplemental filings are generally discouraged in proceedings under the UDRP, the Panel has determined in its discretion under paragraph 10 of the Rules to admit both parties' submissions in this instance.

The Complainant exhibits a document dated November 16, 2024, which it states is a term sheet relating to a new investment in the company. The term sheet includes the following provision as a condition of completion:

"... the Founders assigning all intellectual property rights, whether registered or unregistered, to the Company, including but not limited to domain names, trade marks and research & development materials..."

The Founders are defined to include the Respondent, and the Complainant asserts that the document supports its view that the disputed domain name was always regarded as a company asset and never intended to be the property of the Respondent.

In his submission in response, the Respondent submits that the opposite interpretation of the document is correct. He argues, in particular, that the requirement to assign assets, including the disputed domain name, is an acknowledgement that the disputed domain name was not already owned by the company, and would require assignment by the Respondent for that to be the case.

The Panel's findings with regard to the above submissions are discussed below.

B. Second Preliminary Issue – Scope of the UDRP

As observed in section 4.14.6 of [WIPO Overview 3.0](#):

“Depending on the facts and circumstances of a particular case, and irrespective of whether the parties may also be engaged in court litigation, in some instances (e.g., complex business or contractual disputes) panels have tended to deny the case not on the UDRP merits but on the narrow grounds that the dispute between the parties exceeds the relatively limited “cybersquatting” scope of the UDRP, and would be more appropriately addressed by a court of competent jurisdiction.”

While the Respondent asserts that his wider legal claims against the Complainant bring the proceeding within the ambit of the above, the Panel is not of that view. The situation described in this section of [WIPO Overview 3.0](#) is one where ownership of the disputed domain name itself may be subject to complex contractual arrangements or other matters requiring a detailed evidential enquiry, not merely cases where other legal claims (whether complex or not) have been intimated by the parties. The Panel sees no reason in the circumstances why this proceeding cannot be determined on its own merits within the scope of the UDRP.

C. Identical or Confusingly Similar

It is well accepted that the first element under the Policy 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 3.0](#), section 1.7.

It is established in prior decision under the UDRP that a pending application for a trademark registration can not of itself establish rights for the purposes of the Policy. In this case, therefore, the Complainant is reliant on its claim of unregistered or common law trademark rights deriving from its use in commerce of the EPROFILER SOLUTIONS mark.

As discussed in section 1.4 of [WIPO Overview 3.0](#): “To establish unregistered or common law trademark rights for purposes of the UDRP, the complainant must show that its mark has become a distinctive identifier which consumers associate with the complainant's goods and/or services.”

While the Respondent denies that the Complainant has engaged in extensive public-facing activity in connection with the EPROFILER SOLUTIONS mark, the Panel finds that the Complainant has offered sufficient evidence of its commercial use of that mark to give rise to unregistered or common law rights, in view particularly of the status of the first element as a threshold requirement to determine a complainant's standing to bring the complaint.

The disputed domain name is identical to the Complainant's EPROFILER SOLUTIONS trademark, ignoring the space between the two words comprising the trademark, which is immaterial for the purposes of comparison, and the “.com” Top-Level Domain. The first element under the Policy is therefore satisfied.

D. 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.

The Respondent contends that he has rights or legitimate interests in respect of the disputed domain name by virtue of being its registrant, because he was a co-founder of the company for whose benefit it has been used, and because he has been commonly known by the disputed domain name in his capacity of a co-founder and Director until recently of the Complainant.

The Panel does not accept the Respondent's contentions in this regard. The Panel finds on the evidence that the disputed domain name was registered, and has at all material times been used, for the sole benefit of the Complainant. Further, the Respondent is unable to point to any agreement with the Complainant that the disputed domain name belonged to him. While the Respondent claims that he was not reimbursed for the registration of the disputed domain name or other related expenses (which the Complainant disputes), the Panel finds that that would be a matter giving rise to potential financial claims, rather than providing him with some sort of a right or interest in the domain name itself so far as the second element of the Policy is concerned.

The Panel finds in the circumstances that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The second element under the Policy is therefore satisfied.

E. Registered and Used in Bad Faith

In order to succeed in the Complaint, the Complainant must meet the conjunctive requirement of showing that the disputed domain name was both registered, and has been used, in bad faith.

The Respondent submits that the Complainant's contentions are based on events relating to the Respondent's resignation and subsequent conduct, and that the Complainant cannot therefore establish that the Respondent's original registration of the disputed domain name was in bad faith.

Again, the Panel disagrees with the Respondent's contentions. In particular, the Panel is of the view that, where a company Director registers a domain name for the benefit of the company, it represents bad faith for the Director to register that domain name in his own name, rather than that of the company, in the absence of the express and informed consent of the company to his so doing. In this case, the Respondent notified his fellow Directors that "we" had acquired the disputed domain name, but does not appear to have made clear that the registration was in his personal name, to have explained the implications of that fact, or to have sought the company's specific consent to that position. While the Complainant does not appear at that time to have challenged the Respondent as to the circumstances of the registration, that does not amount to express and informed consent in the Panel's view.

The Panel does not consider the contents of the term sheet exhibited by the Complainant in its unsolicited supplemental filing to assist the argument of either of the Parties. In particular, the wording relied on by the Complainant appears to the Panel to be a generic safeguarding clause typically to be found in a document of this nature. Neither this clause nor anything else in the term sheet bears upon the issues of knowledge and consent to registration of the disputed domain name as identified above.

As to the Respondent's use of the disputed domain name, it is entirely clear from his "letter before action" dated November 17, 2025, that he sought to use the registration of the disputed domain name in his own name as leverage against the Complainant in support of his financial and other legal claims. Moreover, his statement that he would hand over the disputed domain name "at no cost", providing his other claims were settled, merely emphasizes his intention of using the disputed domain name as leverage, as indeed does his attempt to have the present proceeding terminated as being subsumed by the parties' wider disputes.

The Panel finds in the circumstances that the disputed domain name was both registered and has been used in bad faith. The third element under the Policy is therefore satisfied.

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 <eprofilersolutions.com> be transferred to the Complainant.

/Steven A. Maier/
Steven A. Maier
Presiding Panelist

/Andrew F. Christie/
Andrew F. Christie
Panelist

/Matthew S. Harris/
Matthew S. Harris
Panelist
Date: February 5, 2026