

ADMINISTRATIVE PANEL DECISION

Snowflake Inc. v. anishh bhattarai, abc@net
Case No. D2026-0095

1. The Parties

The Complainant is Snowflake Inc., United States of America (“United States”), represented by Schwegman Lundberg & Woessner, P.A., United States.

The Respondent is anishh bhattarai, abc@net, United States.

2. The Domain Name and Registrar

The disputed domain name <datavolo.org> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 9, 2026. On January 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 13, 2026, 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 (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 13, 2026, 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 amendment to the Complaint on January 13, 2026.

The Center verified that the Complaint together with the amendment to 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 January 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 9, 2026.

The Center appointed Phillip V. Marano as the sole panelist in this matter on February 13, 2026. 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 global cloud computing-based data cloud company, which through its 2024 acquisition of Datavolo, Inc., also provides infrastructure for data pipelines that facilitate the capture and utilization of unstructured data for large language models (LLMs) and generative AI applications. The Complainant offers information about its goods and services on its official “www.datavolo.io” website. The Complainant asserts unregistered rights to the DATAVOLO trademark, with continuous use asserted since 2023.

The Respondent registered the disputed domain name on December 3, 2025. At the time of this Complaint, the disputed domain name resolved to an inactive parking website which read, “Welcome to the home of datavolo.org. To change this page, upload your website into the public_html directory.” It previously resolved to an identical copy of the Complainant’s website, inclusive of the Complainant’s logo and all copywritten content.

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 asserts unregistered common law ownership of the DATAVOLO trademark and has adduced the following evidence to support its claim: (i) continuous use by the Complainant and its predecessor since 2023; (ii) “Complainant prominently highlights its DATAVOLO brand for its services” on its website; (iii) “public recognition of the DATAVOLO Mark is demonstrated through [three] customer testimonials on the Complainant’s site”; (iii) “[a]ccording to Tracxn, a global market intelligence platform, Datavolo is ranked third among its top 10 competitors”; (iv) “in April 2024, Datavolo announced [on its own website] that it had raised over \$21 million in financing, led by General Catalyst, with participation from notable investors including Citi Ventures, Human Capital, Rob Bearden and MVP Ventures”; (iv) and “the acquisition of Datavolo [Inc.] by [the Complainant] was widely reported in business and technology news outlets, emphasizing the strategic importance of Datavolo’s technology.” News articles proffered by the Complainant were published by AnalyticsIndiaMag.com, on a Medium.com blog, on PHData.io, on MarketScreener.com, and on GovConWire.com. Furthermore, the Complainant argues that unauthorized use by the Respondent supports the conclusion that its DATAVOLO mark has achieved significance as a source identifier.

The disputed domain name is identical or confusingly similar to the Complainant’s DATAVOLO trademark, according to the Complainant, because the disputed domain name incorporates the entirety of the DATAVOLO trademark which the Complainant used the more than two years prior to its registration.

The Complainant further asserts that the Respondent lacks any rights or legitimate interests in the disputed domain name based on: the lack of any relationship with the Complainant; the lack of any license, permission, or authorization from the Complainant; the lack of any evidence that the Respondent is known by the disputed domain name; the lack of any evidence the Respondent holds any trademark rights in the disputed domain names; the Respondent’s use of the disputed domain name to host a cloned version of the Complainant’s website and to impersonate the Complainant; and the identity of the disputed domain name and the Complainant’s DATAVOLO trademark, which carries a high risk of implied affiliation.

The Complainant argues that the Respondent has registered and used the disputed domain name in bad faith for numerous reasons, including: the Complainant's longstanding use of the DATAVOLO trademark, which predates registration of the disputed domain name by two years; the Respondent's intentional targeting of the Complainant to mimic the Complainant's official website under the domain name <datavolo.io>; the Respondent's use of the disputed domain name in connection with illegal activity, namely website impersonation of the Complainant; and the Complainant's successful website takedown notices sent to the Registrar and/or the Respondent's webhost.

B. Respondent

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

6. Discussion and Findings

To succeed in its Complaint, the Complainant must establish in accordance with paragraph 4(a) of the Policy:

- i. the disputed domain name is identical or confusingly similar to a trademark 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.

Although the Respondent did not reply to the Complainant's contentions, the burden remains with the Complainant to establish by a balance of probabilities, or a preponderance of the evidence, all three elements of paragraph 4(a) of the Policy. WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("[WIPO Overview 3.1](#)"), section 4.3 ("A respondent's default [...] would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's contentions are accurate [...] [UDRP] panels have been prepared to draw certain inferences in light of the particular facts and circumstances of the case e.g., where a particular conclusion is prima facie obvious, where an explanation by the respondent is called for but is not forthcoming, or where no other plausible conclusion is apparent."); *The Vanguard Group, Inc. v. Lorna Kang*, WIPO Case No. [D2002-1064](#) ("The Respondent's default does not automatically result in a decision in favor of the complainant. The Complainant must still prove each of the three elements required by Policy paragraph 4(a)").

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 3.1](#), section 1.7.

To establish unregistered or common law trademark rights for purposes of the Policy, the Complainant must show that its mark has become a distinctive identifier which consumers associate with the Complainant's goods and/or services. Specific evidence demonstrating such acquired distinctiveness is required, rather than mere conclusory assertions of common law trademark ownership. Such evidence includes: (i) the duration and nature of the use of the mark; (ii) the amount of sales under the mark; (iii) the nature and extent of advertising using the mark; (iv) the degree of actual public (e.g., consumer, industry such as trade and professional associations, media) recognition; and (v) consumer surveys. [WIPO Overview 3.1](#), Section 1.3. In addition, the fact that a respondent has clearly targeted a complainant and its trademark can also support a finding of acquired distinctiveness and common law trademark rights for purposes of the Policy. See e.g. *Roper Industries, Inc. v. VistaPrint Technologies Ltd.*, WIPO Case No. [D2014-1828](#) (Accepting unregistered trademarks for the purpose of the Policy where inter alia "[t]he disputed domain name is a close typo-variant of the Complainant's trademark", was "used as the return email address in fraudulent correspondence sent to Complainant, seeking to dupe the Complainant into sending money to a stated banking account", and "[t]he Respondent failed to respond to the Complainant" cease and desist correspondence or the complaint).

Here, the Complainant has primarily offered conclusory assertions of common law trademark ownership supported through the content published by the Complainant on the Complainant's own website. Such argumentation and evidence alone (and even considered in concert with less than three years' continuous trademark use) would be insufficient to demonstrate acquired distinctiveness for purposes of the Policy. The Complainant has not submitted any evidence concerning its amount of sales under the mark, the nature or extent of advertising under the mark, any consumer surveys, or any sworn declaration to support any of the foregoing. However, the Complainant did submit unsolicited news coverage from several third-party sources that reported on its acquisition of Datavolo, Inc. in 2024. And, the Complainant appropriately notes that the Respondent's registration and use of the disputed domain name, which is identical to the Complainant's DATAVOLO mark, specifically targets the Complainant, the Complainant's services, and the Complainant's identical website content, in an ostensible attempt to impersonate the Complainant for illegal purposes. In addition, the Panel takes notice that the entire first page of search engine results for the term "datavolo" are each related to the Complainant. And, most importantly, the Panel places significant weight on the nature of the DATAVOLO mark itself, which the Panel views as neither generic, nor merely descriptive in its entirety in relation to the Complainant's services. Indeed, while the term "data" certainly describes the Complainant's services, the fact that it is telescoped with the term "volo" (which has no definition in English, but may refer to "flight" in Italian or "wish" in Latin) signals that it may be fanciful and may be capable of being inherently distinctive. Therefore, the Panel finds that the Complainant's common law rights to the DATAVOLO trademark have been sufficiently established for the limited purposes of the first element of the Policy. To be clear, the result would be different for a more descriptive trademark, or in a case where the Complainant was not targeted with an imposter website.

The only remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to the Complainant's DATAVOLO trademark. In this case, the disputed domain name is identical to the Complainant's DATAVOLO trademark because, disregarding the ".org" generic Top-Level Domain ("gTLD"), the entirety of the mark is reproduced within the disputed domain name. [WIPO Overview 3.1](#), section 1.7. ("This test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name [...] [I]n cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar [...]"). gTLDs, such as ".org" in the disputed domain name, are generally viewed as a standard registration requirement and are disregarded under the first element. [WIPO Overview 3.1](#), section 1.11.

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 3.1](#), 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. Where, as in this case, the Respondent fails to come forward with any relevant

evidence, the Complainant is deemed to have satisfied the second element of the Policy. [WIPO Overview 3.1](#), section 2.1.

There is no evidence that the Respondent, identified by registration data for the disputed domain name as “anishh bhattarai, abc@net”, is commonly known by the disputed domain name.

UDRP panels have categorically held that use of a domain name for illegal activity - including, as claimed here, the copycat site, passing off, and other types of fraud - can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13. Circumstantial evidence can support a credible claim made by the complainant asserting the respondent is engaged in such illegal activity, including that the respondent has masked its identity to avoid being contactable, or that the respondent’s website has been suspended by its hosting provider. See e.g. *Graybar Services Inc. v. Graybar Elec, Grayberinc Lawrenge*, WIPO Case No. [D2009-1017](#) (“[T]he Respondent has used the domain name to pretend that it is the Complainant and in particular to create false emails pretending that they are genuine emails coming from the Complainant and one of its senior executives”). See also *The Commissioners for HM Revenue and Customs v. Name Redacted*, WIPO Case No. [D2017-0501](#) (“In addition, the disputed domain names [...] have had their web hosting suspended as a result of fraudulent activities. This is evidence of bad faith registration and use of the disputed domain names.”)

Circumstantial evidence can support a complainant’s otherwise credible claim of illegal respondent activity, including evidence that: (i) goods are offered disproportionately below market value; (ii) goods are ordinarily only sold under license or through a prescription; (iii) images of the goods used by a respondent suggest they are not genuine; (iv) the respondent has misappropriated copyrighted images from the complainant; (v) the goods at issue are extremely rare; (vii) the goods at issue have prompted consumer complaints; (viii) the respondent has improperly concealed its identity to avoid being contactable; and (ix) so-called “trap purchases” demonstrate illegal respondent activity. [WIPO Overview 3.1](#), section 2.13.2. Here, the Complainant submitted side-by-side screengrab evidence depicting the Respondent’s attempt to clone the Complainant’s official website content and thereby illegally impersonate the Complainant.

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 proscribes the following non-exhaustive circumstances as evidence of bad faith registration and use of the disputed domain name:

- i. Circumstances indicating that the Respondent has registered or the Respondent has acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant who is the owner of the trademark to a competitor of that Complainant, for valuable consideration in excess of the Respondent’s documented out of pocket costs directly related to the disputed domain name; or
- ii. the Respondent has registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or
- iii. the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or
- iv. by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent’s website or other online location, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website or location or of a product or service on the Respondent’s website or location.

UDRP panels have categorically held that registration and use of a domain name for illegal activity - including, as claimed here, copycat sites, passing off, and other types of fraud - is manifestly considered evidence of bad faith. [WIPO Overview 3.1](#), section 3.1.4. Use of the disputed domain name by the Respondent to pretend that it is the Complainant or that it is associated with the Complainant is evidence of

the Respondent's bad faith. See *GEA Group Aktiengesellschaft v. J. D.*, WIPO Case No. [D2014-0357](#) (concluding that the respondent's use of the domain name to disrupt the complainant's business by using it to impersonate the complainant for commercial gain was evidence of the respondent's bad faith registration and use of the domain name).

Here, the Complainant has proffered persuasive and uncontroverted evidence that the Respondent has used the disputed domain name for illegitimate or illegal activity. Specifically, the Complainant submitted side-by-side screengrab evidence depicting the Respondent's attempt to clone the Complainant's official website content and thereby illegally impersonate the Complainant.

Moreover, numerous panels have viewed website suspension by the Registrar or webhost, absent any explanation or attempted justification by the respondent, as added corroboration of bad faith. See *LEGO Juris A/S v. Ammar Briouel / Brahim Mahjoubi*, WIPO Case No. [D2019-0750](#) (involving website suspension following a takedown request by the complainant); *Hershey Entertainment & Resorts Company v. Matthew Faust et al.*, WIPO Case No. [D2023-3384](#) ("Respondent's [...] failure to respond to the takedown of its Shopify page at the disputed domain name [...] make it more likely than not that Respondent opportunistically registered and used the disputed domain name" in bad faith). Here, the Respondent's website content was disabled by the Registrar and/or the Respondent's webhost in reaction to the takedown notices sent by the Complainant. Domain name suspension or content removal in this manner provides independent third-party corroboration of bad faith registration and use of the disputed domain name by the Respondent in connection with impersonation of the Complainant.

Therefore, the Panel finds 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 <datavolo.org> be transferred to the Complainant.

/Phillip V. Marano/

Phillip V. Marano

Sole Panelist

Date: March 7, 2026