ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Sandisk Technologies, Inc. v. themytexas house and Dynadot Privacy Service
Case No. D2026-1699

1. The Parties

The Complainant is Sandisk Technologies, Inc., United States of America ("United States"), represented by Ploum, Netherlands (Kingdom of the).

The Respondents are themytexas house, China ("Respondent 1"), and Dynadot Privacy Service, United States ("Respondent 2").

2. The Domain Name and Registrar

The disputed domain names are <sandisk-professional.com> ("Domain Name 1") registered with Dynadot Inc ("Registrar A"), and <thesandiskprofessional.com> ("Domain Name 2") registered with Hosting Concepts B.V. d/b/a Registrar.eu (Registrar B"). Registrar A and Registrar B are individually and collectively referred to as the "Registrar", and Domain Name 1 and Domain Name 2 are, where appropriate, collectively referred to as the "Domain Names".

3. Procedural History

The Complaint in relation to Domain Name 1 was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 22, 2026. On April 22, 2026, the Center transmitted by email to the Registrar A a request for registrar verification in connection with Domain Name 1. On April 23, 2026, Registrar A transmitted by email to the Center its verification response disclosing registrant and contact information for Domain Name 1 which differed from the named Respondent (Redacted for Privacy, Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 24, 2026, providing the registrant and contact information disclosed by Registrar A, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on April 28, 2026.

The Center verified that the Complaint in relation to Domain Name 1 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 Respondent 1 of the Complaint, and the proceedings commenced on April 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2026. The Complainant sent a further communication on April 30, 2026, requesting the addition of the Domain Name 2 into the Complaint asking it to be treated as a consolidated complaint. Respondent 1 did not submit any response. Accordingly, the Center notified the Respondent's default on May 27, 2026.

The Center appointed Karen Fong as the sole panelist in this matter on June 2, 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.

On June 18, 2026, in accordance with the Panel's instructions, the Center transmitted by email to Registrar B a request for registrar verification in connection with Domain Name 2. On June 29, 2026, Registrar B transmitted by email to the Center its verification response disclosing registrant and contact information for Domain Name 2. On June 29, 2026, the Panel issued Procedural Order No. 1 providing the registrant and contact information disclosed by Registrar B and providing a timetable for the Complainant to amend the Complaint and the Respondents to submit comments.

The Complainant filed an amended Complaint on June 30, 2026. Respondents did not submit any comments by the deadline of July 9, 2026.

4. Factual Background

Founded in 1988, the Complainant is part of the group of companies under the umbrella of Sandisk Corporation ("Sandisk"). Sandisk is a multinational computer semiconductor company based in the United States, that designs and manufactures computer data storage products, in particular flash memory products, such as memory cards, USB flash drives, and solid-state drives (SSDs), both for the professional and consumer markets. In 2025, Sandisk had 11,000 employees and a revenue of USD 7.4 billion.

The Complainant is the owner of a large global portfolio of trade marks, including trade mark registrations for the word mark SANDISK or containing the word element SANDISK including:

- United States Trade Mark Registration No. 2036202 for SANDISK, registered on February 4, 1997;
- European Union Trade Mark Registration No. 001874791 for SANDISK registered on February 25, 2002;

  (individually and collectively, the "SANDISK Mark");
- United States Trade Mark Registration No. 7134092 for SANDISK PROFESSIONAL, registered on August 8, 2023 (the "SP Mark").

The SANDISK Mark and the SP Mark are individually and collectively referred to as the "Trade Mark".

Sandisk operates its main website through the domain name <sandisk.com>.

Respondent 1, who appears to be based in China, registered Domain Name 1 on October 15, 2025. Domain Name 1 resolved to a website that prominently displayed the Trade Mark, in particular the SP Mark, and featured images of the Complainant's products bearing the SP Mark. The website purported to offer for sale products bearing the Trade Mark and was presented in a manner that appeared designed to mimic the Complainant's official website.

Respondent 2, a privacy service, registered Domain Name 2 on April 27, 2026, less than a week after the Complaint was filed. Domain Name 2 resolves to a website which displays content almost identical to that previously found at the website connected to Domain Name 1. At some point after the registration of Domain Name 2, Domain Name 1 redirected to the website connected to Domain Name 2 (the "Website"). The Website provides contact details which includes an email address at Domain Name 2.

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 Domain Names.

Notably, the Complainant contends that the Domain Names are identical or confusingly similar to the Trade Mark, that the Respondents have no rights or legitimate interests with respect to the Domain Names, and that the Domain Names were registered and are being used in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issue - Addition of a Domain Name and Consolidation

Section 4.12.2 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") provides that requests to add domain names after notification and commencement of proceedings "are generally not encouraged – in particular given the potential to delay the case", and would be addressed by the panel on appointment. Except in limited cases involving "clear evidence of respondent gaming/attempts to frustrate the proceedings (e.g., by the respondent's registration of additional domain names subsequent to complaint notification)", panels are "generally reluctant to accept such requests because the addition of further domain names would delay the proceedings", and a refusal "would not prevent the filing of a separate complaint where such additional domain names may be addressed".

Even in the limited cases where panels have granted such requests — for example *Thule Sweden AB v. Cameron David Jackson*, WIPO Case No. D2016-0414, where the same registrant and registrar were confirmed by registrar verification and the respondent's own conduct supported an inference of gaming — the WIPO Overview 3.1 makes clear that the proposed additional domain name must be "prima facie registered by the same or related respondent", and that granting the request "may also order partial or full re-notification of the proceeding (which would extend the case timelines)".

The Panel issued a procedural order directing registrar verification of Domain Name 2, together with a corresponding extension of time for further submissions based on:

- Domain Name 2's registration less than one week after the Complaint was filed;
- similarity in website content between the two Domain Names;
- an email address incorporating Domain Name 2 used in connection with Domain Name 1;
- redirection of Domain Name 1 to the website at Domain Name 2; and
- Respondent 1's failure to file a Response.

Registrar B's verification confirms that Domain Name 2 is registered via a privacy service connected to Registrar A.

The second amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that Respondent 1 and Respondent 2 are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against both registrants pursuant to paragraph 10(e) of the Rules.

The Respondents did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview 3.1, section 4.11.2.

As regards common control, the Panel notes the following:

(1) Both Domain Names incorporate the Trade Mark;

(2) Both Domain Names have a connection to Registrar A;

(3) Domain Name 2 was registered less than a week after the Complaint was filed.

(4) Both Domain Names resolved to websites with similar content bearing the Trade Mark, featuring images of the Complainant's products bearing the SP Mark;

(5) Domain Name 1 subsequently redirected to the Website connected to Domain Name 2; and

(6) Neither Respondent filed a Response.

The evidence submitted points to the fact that all the Domain Names are subject to common control by the Respondents. The above pattern evidences common conduct based on the registration and use of the Domain Names and that such conduct interferes with the Trade Mark. The Respondents had the opportunity but did not respond to the Complaint. As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different Domain Name registrants (referred to below as "the Respondent") in a single proceeding.

6.2 Substantive Issues

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 identity or confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trade mark and the disputed domain name. WIPO Overview 3.1, section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the entirety of the SP Mark is reproduced within the Domain Names. Accordingly, the Domain Names are identical and/or confusingly similar to the Trade Mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Based on the available record, 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.

While 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 often impossible 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. 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 record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Names. 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 Domain Names such as those enumerated in the Policy or otherwise.

Moreover, the nature of the Domain Names, which comprise the SP Mark in its entirety with the addition of a hyphen between the words SANDISK and PROFESSIONAL in the case of Domain Name 1 and "the" in Domain Name 2, is likely to mislead Internet users expecting to find the Complainant as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. In addition, the Domain Names resolve to a website through which the Respondent passes off as the Complainant which further affirms the Respondent's intention to take unfair advantage of the likelihood of confusion between the Domain Names and the Complainant as to the source, origin, or affiliation of the Website.

Based on the available record, 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 considers it evident that the Respondent was aware of the Trade Mark when registering the Domain Names given the Trade Mark was registered prior to registration of the Domain Names, the reputation of the Trade Mark and the use of the Trade Mark and the images of the Complainant's products on the Website. The Panel further notes that the Domain Names reproduces the SP Mark in its entirety with the mere addition of a hyphen between the two words comprising the mark in one and the addition of "the" in the other.

In the WIPO Overview 3.1, section 3.2.2 states as follows:

"Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent's claim not to have been aware of the complainant's mark."

The fact that there is a clear absence of rights or legitimate interests coupled with the Respondent's choice of the Domain Names incorporating the Trade Mark with only trivial easily overlooked variations, without any explanation, is also a significant factor to consider (as stated in WIPO Overview 3.1, section 3.2.1). The Domain Names fall into the category stated above and the Panel finds that registration is in bad faith.

The Domain Names are also being used in bad faith. The Respondent has made unauthorised use of the Complainant's Trade Mark and the Website purports to offer for sale the Complainant's SANDISK PROFESSIONAL products without authorisation. Taken together, these factors strongly indicate that the Respondent is deliberately passing off as the Complainant, with a view to misleading Internet users and potentially facilitating fraudulent activity.

The Website prominently displays the Trade Mark and purports to offer for sale the Complainant's branded products, without any disclaimer clarifying the absence of any relationship between the Parties. The overall presentation of the Website is calculated to give the false impression that it is operated by, authorised by, or otherwise affiliated with the Complainant.

It is highly likely that Internet users who type the Domain Names into their browser or encounter them via a search engine would expect to reach a website operated by the Complainant. The Domain Names wholly incorporate the Trade Mark and have been used in a manner that reinforces that false association, thereby increasing the risk of confusion.

In light of the above, the Panel concludes 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 Trade Mark as to the source, sponsorship, affiliation, or endorsement of the Website and the products offered on it, within the meaning of paragraph 4(b)(iv) of the Policy.

Accordingly, the Panel finds that the Domain Names have been registered and are being used in bad faith, and that the third element of the Policy has been established. Based on the available record, 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 Domain Names <sandisk-professional.com> and <thesandiskprofessional.com> be transferred to the Complainant.

/Karen Fong/
Karen Fong
Sole Panelist
Date: July 23, 2026