

ADMINISTRATIVE PANEL DECISION

Qualys, Inc. v. Sunday Opadijo
Case No. D2026-1915

1. The Parties

The Complainant is Qualys, Inc., United States of America ("United States"), represented by Rochman Trademark Law PC, United States.

The Respondent is Sunday Opadijo, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <qualyssevs.com> is registered with IONOS SE (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 4, 2026. On May 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 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 (Name Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 7, 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 amended Complaint on May 7, 2026.

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 May 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2026. The Respondent sent an email communication to the Center on May 26, 2026. The Center sent a possible settlement email to the Parties on June 2, 2026. The Center sent the Commencement of Panel Appointment on June 12, 2026.

The Center appointed Jeremy Speres as the sole panelist in this matter on June 15, 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.

The Panel issued Procedural Order No. 1 on June 22, 2026, inviting the Complainant to substantiate its claims that its mark was well-known in the United Kingdom prior to registration of the disputed domain name by June 26, 2026. The Respondent was given until July 1, 2026, to respond to any response received from the Complainant. The Complainant requested an extension of time until June 29, 2026, to respond to Procedural Order No. 1. The request was submitted on June 29, 2026, after the Complainant's deadline of June 26, 2026, set in Procedural Order No. 1. The Panel issued Procedural Order No. 2 on June 30, 2026, extending the Complainant's deadline to respond to Procedural Order No. 1 until July 3, 2026. The Respondent was given until July 8, 2026, to respond to any response received from the Complainant. The Complainant responded substantively to Procedural Order No. 1 on June 30, 2026. No response was received from the Respondent by its deadline.

4. Factual Background

According to the Complainant's cease and desist correspondence annexed to the Complaint, the Complainant is a provider of computer services relating to IT security, inventory and management. The Complainant trades under the QUALYS mark and is listed on the NASDAQ stock exchange. According to the Complainant's supplemental filing made in response to Procedural Order No. 1, the Complainant serves in excess of 10,000 enterprise customers across more than 130 countries, including in the United Kingdom, and maintains dedicated United Kingdom media-relations operations. The Complainant's United Kingdom subsidiary, Qualys Limited, was incorporated in 2000.

The Complainant's primary website is accessible at its domain name <qualys.com>, which was registered in 1999.

The Complainant owns the following trademark registrations:

- United Kingdom Trademark Registration No. UK00904900874 QUALYS in classes 9, 37, and 42, having a registration date of January 8, 2010; and
- United States Trademark Registration No. 2892390 QUALYS in class 45, having a registration date of October 12, 2004, and a use in commerce date of June 15, 1999.

The disputed domain name was registered on April 9, 2024. The Complainant's evidence establishes that the disputed domain name previously resolved to a website entitled "Qualys", ostensibly offering IT services, in particular those focusing on data centers. The Respondent's director, who is also listed as a contact person in the Whois record for the disputed domain name, states in the email communication that he has "over 26 years of professional experience in IT, Networking, Data Centres, MEP, and Data Centre Facilities."

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 contends that the disputed domain name was registered and is being used in bad faith because the Respondent knew or should have known of the well-known QUALYS mark in the United Kingdom cybersecurity sector, would have discovered the Complainant's rights through even basic due

diligence, deliberately adopted the invented QUALYS mark despite those rights, and reinforced the inference of bad faith by failing to respond to two cease-and-desist letters.

B. Respondent

The Respondent denies any bad faith, contending that its United Kingdom company name, Qualys Services Ltd, was adopted independently, without knowledge of the Complainant, and based on the word “quality” and the founder’s long-standing professional nickname “Qualys”, without any intention to target or benefit from the Complainant’s mark.

6. Discussion and Findings

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 Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of another term, here “servs”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 that 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 sought to rebut the Complainant’s prima facie case by contending that it independently adopted the name Qualys Services Ltd based on the word “quality” and the alleged nickname of its director. The Panel is not persuaded by these explanations for the reasons set out below.

The Respondent's claim to have adopted the company name Qualys Services Ltd based on the alleged nickname of its director and a connection to the dictionary term "quality" is unsupported by evidence. No evidence of a preexisting nickname has been provided. Nor does the Respondent explain how the term "quality" was adapted to "qualys", which is not a simple abbreviation, but both removes and adds letters. In this context the claim has the character of having been contrived after the fact.

In any event, in light of the evidence discussed in relation to bad faith below, particularly the evidence of the Complainant's preexisting reputation in the QUALYS mark in the same jurisdiction and the same industry, the Panel considers it likely that the Respondent was aware of the Complainant at the time it registered the disputed domain name and incorporated its company, and sought to take advantage of confusion with the Complainant. This cannot confer rights or legitimate interests. *Sistema de Ensino Poliedro Vestibulares Ltda., Editora Poliedro Ltda. v. Anonymize, Inc. / Stanley Pace*, WIPO Case No. [D2022-1981](#).

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.

For the following reasons, the Panel finds that it is more likely than not that the Respondent registered and has used the disputed domain name to take advantage of confusion with the Complainant's mark for the Respondent's commercial gain.

The Complainant's QUALYS mark was registered in the Respondent's jurisdiction of the United Kingdom approximately 14 years prior to registration of the disputed domain name, and in relation to goods and services that coincide with those offered by the Respondent. The Complainant's supplemental evidence of media coverage specifically in the United Kingdom dating from 2023 also establishes that its QUALYS mark enjoyed a reputation in the Respondent's industry in the United Kingdom prior to registration of the disputed domain name.

The Panel has independently¹ established, using publicly available companies' registration records, that the Respondent's company, Qualys Services Ltd, was incorporated in April 2023. The Complainant's supplemental evidence of media coverage dates from 2023 and shows that at that point, the Complainant enjoyed a reputation in the Respondent's own jurisdiction and within its industry.

The Panel's independent Internet searches for "Qualys" return results overwhelmingly relating to the Complainant, including when the search results are time-limited to websites published prior to incorporation of the Respondent's company in 2023 and prior to registration of the disputed domain name in 2024.

The Complainant claims to have been trading under the QUALYS mark since 1999, in line with the use in commerce date of its United States trademark registration. The Complainant's own domain name <qualys.com> was registered in 1999, and the Panel's viewing of Internet Archive records for that domain name shows that it has been in use by the Complainant since at least 2000. The Complainant's United Kingdom subsidiary, Qualys Limited, was incorporated in 2000. The Complainant's mark was therefore in use for at least 23 years prior to incorporation of the Respondent's company and prior to registration of the disputed domain name.

The Respondent's director claims to have 26 years of experience in the IT sector – the very sector in which the Complainant's mark has a reputation, and in the same jurisdiction. As such, with his longstanding

¹ In accordance with its powers articulated inter alia in paragraphs 10 and 12 of the Rules, the Panel is entitled to conduct limited independent research into matters of public record. [WIPO Overview 3.1](#), section 4.8.

experience in the sector, the Respondent's director is more likely to have been aware of the Complainant's mark.

In the circumstances, it is more likely than not that the Respondent was aware of the Complainant's mark when it registered the disputed domain name and incorporated its company. Given that the Respondent's director appears to be an experienced IT professional well-versed in IT matters, it would have been trivially easy for him to have conducted a brief internet search for his proposed company name, which would have revealed the existence of the Complainant's mark in the same industry and jurisdiction and the likely conflict. As such, the Respondent either knew, or should have known, that its company name and the disputed domain name would be confusingly similar to the Complainant's mark. [WIPO Overview 3.1](#), section 3.2.2.

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 <qualysservs.com> be transferred to the Complainant.

/Jeremy Speres/

Jeremy Speres

Sole Panelist

Date: July 13, 2026