

ADMINISTRATIVE PANEL DECISION

TES Global Limited v. Akhilendra Sahu, Quick LLC
Case No. D2026-2008

1. The Parties

Complainant is TES Global Limited, United Kingdom, represented by Fieldfisher LLP, United Kingdom.

Respondent is Akhilendra Sahu, Quick LLC, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <tesmagazine.com> is registered with TurnCommerce, Inc. DBA NameBright.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 8, 2026. On May 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 12, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on May 20, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on May 22, 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 Respondent of the Complaint, and the proceedings commenced on May 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 18, 2026. Respondent sent an email communication to the Center on May 29, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on June 30, 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

Complainant is a company organized under the laws of the United Kingdom that is active in the education industry. Complainant also provides a magazine service under the name “Tes Magazine” which was established in 1910.

Complainant has provided evidence that it is the registered owner of various trademarks relating to its company name and brand TES, including, but not limited to, the following:

- word trademark TES, Intellectual Property Office United Kingdom (“IPO”), registration number: UK00003031639, registration date: March 21, 2014, status: active;
- word trademark TES, IPO, registration number: UK00002476806, registration date: April 24, 2009, status: active;
- word trademark TES, International registration designating the United States, registration number: 1199625, registration date: November 27, 2013, status: active.

Moreover, Complainant has demonstrated to own the domain name <tes.com> which resolves to Complainant’s official website at “www.tes.com”, used to promote its education services and related products globally; this website also offers a subscription service for Complainant’s “Tes Magazine” publication.

Respondent is located in the United States. The disputed domain name was registered on September 8, 2020; it resolves to a website at “www.tesmagazine.com” which is headed “Tesmagazine” and which displays numerous posts on various business subjects; other provided-for categories on this website such as “Home”, “About Us”, “Contact” and “Privacy Policy”, have been left empty.

Complainant requests that the disputed domain name be transferred to Complainant.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Notably, Complainant contends that it provides, inter alia, a magazine service under the name “Tes Magazine”, which was established in 1910, began as a pull-out supplement of the “Times” Newspaper and started selling separately in 1914; meanwhile, this award-winning service has transitioned to a fully online offering where it continues to use the brand “Tes Magazine” under a subscription service at “www.tes.com/magazine”.

Complainant submits that the disputed domain name is confusingly similar to Complainant’s highly distinctive and well-known TES trademark, as it reproduces the latter entirely, merely adding the descriptive term “magazine”. Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since Complainant has never licensed or otherwise authorized Respondent to register the disputed domain name. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) the disputed domain name is highly similar to Complainant’s TES trademark, (2) the disputed domain name replicates an exact subscription-based business service offered by Complainant, (3) the website hosted under the disputed domain name offers a log-in page which may be used to harvest sensitive information from Complainant’s legitimate subscribers, and (4) given the reputed and distinctive nature of Complainant TES trademark, and activities undertaken by Respondent, it is clear that the latter had actual notice of Complainant’s trademark at the time it registered the disputed domain name.

B. Respondent

Respondent did not formally reply to Complainant’s contentions but sent an informal email communication to the Center on May 29, 2026, indicating that the acronym “TES” stands for “The Entrepreneur Story” Magazine and that, in order to avoid further confusion, the website under the disputed domain name would be renamed accordingly.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) that Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Respondent's lack of a formal Response in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondent's failure to submit a response as it considers appropriate.

A. Identical or Confusingly Similar

First, 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 Complainant's TES trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Complainant has shown rights in respect of its TES trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, merely added by the term "magazine". Accordingly, the disputed domain name is confusingly similar to Complainant's TES trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other terms (here, the term "magazine") 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 Complainant's TES trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel, therefore, holds that the first element of the Policy has been established.

B. Rights or Legitimate Interests

Second, paragraph 4(c) of the Policy provides a list of circumstances in which 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

In particular, Respondent has not been authorized to use Complainant's undisputedly well-known TES trademark, either as a domain name or in any other way. Also, Respondent's name does not seem to correspond with the disputed domain name, and Respondent does not appear to have any trademark rights associated with the term/acronym "tes" on its own. Rather, the disputed domain name fully reproduces

Complainant's TES trademark together with the descriptive term "magazine" which directly points at Complainant's core business. Moreover, the disputed domain name resolves to a website at "www.tesmagazine.com" which is headed "Tesmagazine" and which displays numerous posts on business subjects, in a setting that is similar to the one used by Complainant for its own Internet presence. Other provided-for categories on this website such as "Home", "About Us", "Contact" and "Privacy Policy", which may have allowed Internet users to distinguish Respondent's identity and website from the one of Complainant, however, have been left empty. Such use of the disputed domain name by Respondent, therefore, neither qualifies as bona fide offering of services nor as legitimate noncommercial or fair use within the meaning of the Policy. In this context, the Panel has certainly noticed Respondent's informal email communication to the Center on May 29, 2026, indicating that the acronym "TES" stands for "The Entrepreneur Story" Magazine and that, in order to avoid further confusion, the website under the disputed domain name would be renamed accordingly. However, until the time of issuing this Decision, Respondent apparently did not make any changes to the website under the disputed domain name, and there are no facts apparent from the records that Respondent ever used this term "The Entrepreneur Story" in connection with the disputed domain name in the past. In determining whether Respondent has rights or legitimate interests in the disputed domain name, the Panel must reasonably consider the date on which the Complaint was filed, not the date of the Response to the Complaint or some unpredictable point of time in the future. [WIPO Overview 3.1](#), section 2.11. Panels will consider any evidence of previous legitimate use under the third UDRP element. However, although Respondent claims that the disputed domain name was "initially categorized as 'TES'" by its "developers as part of [its] bulk newswire distribution network", as far as the Panel has been able to verify, the disputed domain name has always resolved to a news website branded as "Tesmagazine" - which is Complainant's exact branding - rather than "The Entrepreneur Story".¹ The Panel infers, on balance, from such composition and use that by registering the disputed domain name Respondent rather intended to take unfair advantage of the likelihood of confusion between the disputed domain name and Complainant as to the origin or affiliation of the website.

The Panel, therefore, holds that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Third, 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 notes that Complainant's TES trademark is undisputedly well-reputed in many countries worldwide. Moreover, the disputed domain name incorporates such trademark in its entirety, merely followed by the descriptive term "magazine", which directly points at Complainant's well-known "Tes Magazine" which was introduced already back in the year 1910. Besides, Respondent has offered an explanation as to why it needed to rely exactly on the acronym "tes" - which is also Complainant's registered trademark - as it is included in the disputed domain name. The Panel, however, notes that there are no facts apparent from the records that Respondent ever used the term "The Entrepreneur Story" before it got notice of this dispute. Also, Respondent's offer of May 29, 2026 to rename the website under the disputed domain name in order to avoid any further confusion, has not become reality until the issuance of this Decision. Taking all of these factors together, and on the balance of probabilities, the Panel takes the view that it is more likely than not that Respondent registered and has been using the disputed domain name with Complainant's well-known TES trademark in mind and that it did so for some business purpose, aiming at profiting from the reputation which Complainant's TES trademark undisputedly enjoys. Such doing, however, is considered as bad faith within the larger meaning of paragraph 4(a)(iii) of the Policy.

The Panel, therefore, holds that Complainant has established the third element of the Policy, too.

¹www.web.archive.org/web/20220714163316/https://tesmagazine.com/ (noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, [WIPO Overview 3.1](#), section 4.8.

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, <tesmagazine.com>, be transferred to Complainant.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: July 14, 2026