

ADMINISTRATIVE PANEL DECISION

Atlan Pte. Ltd. v. Rocio Bachmaier, Atlan Insights AB
Case No. D2026-2116

1. The Parties

Complainant is Atlan Pte. Ltd., Singapore, represented by SIM AND SAN, Attorneys at Law, India.

Respondent is Rocio Bachmaier, Atlan Insights AB, Sweden, self-represented.

2. The Domain Name and Registrar

The disputed domain name <atlan-ai.com> (hereinafter “Disputed Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 15, 2026. On May 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On May 19, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on May 21, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on May 21, 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 Respondent of the Complaint, and the proceedings commenced on May 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 20, 2026. The Response was filed with the Center on June 20, 2026. Complainant filed a Supplemental filing on June 27, 2026. On June 29, 2026, Respondent filed its objection and, in the alternative, a Response to Complainant’s Supplemental Filing.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on June 29, 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 has used the trademark ATLAN (hereinafter the “Mark”) since 2019, in connection with “active metadata management and data governance,” which it promotes at its website under its domain name <atlan.com> that it acquired in 2019. Complainant owns trademark registrations for the Mark, including:

- European Union registration No. 019235487 (registered January 17, 2026, based on an application filed August 21, 2025);
- United States registration No. 7435851 (registered July 9, 2024, with a date of first use in commerce August 20, 2019).

The Disputed Domain Name, which was registered on January 24, 2024, resolves to an active website where Respondent promotes its AI consulting and advisory services. Respondent is a Swedish consultancy based in Stockholm. On April 20, 2023, about nine months before Respondent registered the Disputed Domain Name, Respondent registered its business name “Atlan Insights AB” with the Swedish Companies Registration Office (Bolagsverket). Since that time, Respondent asserts it has provided consulting services relating to AI, including AI strategy development, advisory workshops, and training, to small and medium-sized enterprises.

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, with respect to the issue that is, in the Panel’s view, most relevant to the Panel’s decision, Complainant alleges that:

- The Disputed Domain Name “resolves to an active website offering services that directly compete with or overlap with Complainant’s core business.” Complainant also alleges that “Respondent’s website explicitly offers paid professional services, including AI training and strategic workshops.”;
- Respondent’s professional services, including AI training and strategic workshops, are “a transparent attempt to clothe trademark infringement in the guise of a legitimate business...”.

Although not relevant to the controlling issue, the Panel acknowledges that Complainant also contends that:

- Complainant is well known in the field of artificial intelligence for the services offered under the Mark;
- Complainant’s market prominence is confirmed by a designation as a “Leader” in two industry surveys, namely the 2025 Gartner® Magic Quadrant™ for Metadata Management Solutions (dated November 19, 2025) and also in The Forrester Wave™: Data Governance Solutions (Q3 2025), dated July 9, 2025;
- Complainant invests millions of dollars annually in marketing;
- Complainant has over 155,000 followers on LinkedIn, 17,000 on Facebook, and 9,000 on X (formerly Twitter). The official YouTube channel features Complainant’s commercial content and has reached over 300,000 views;
- The Mark is an invented and inherently distinctive trademark.

B. Respondent

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, with respect to the issue most relevant to the Panel's decision, Respondent contends that:

- Respondent has legitimate rights under Policy paragraph 4(c)(i) because Respondent began using the Disputed Domain Name to promote and deliver bona fide services before notice of the dispute;
- Respondent is a genuine operating company based in Stockholm Sweden that adopted the term "Atlan Insights" on April 20, 2023, as its own registered name before it registered any domain name on January 24, 2024;
- On May 24, 2024, the website at <atlan-ai.com> went live and began promoting Respondent's artificial intelligence consultancy, including a discovery workshop, AI training, and consulting, and featured a client case study;
- The first notice of any dispute reached Respondent on August 28, 2025;
- Complainant held no trademark rights in Sweden or the European Union when Respondent registered the Disputed Domain Name on January 24, 2024. Complainant applied for its European Union trademark on August 21, 2025, and it was thereafter registered in January 2026.

Although not relevant to the determinative issue, the Panel acknowledges that Respondent also contends that:

- Even assuming the view most favorable to Complainant, an inference of awareness is not alone sufficient to prove that the registration was made in order to target Complainant's Mark and exploit Complainant's goodwill;
- Complainant has not shown that Respondent trades on Complainant's Mark. Respondent's website promotes Respondent's own services under its own branding and does not reproduce or imitate Complainant's website or marks. There is no pay-per-click advertising, no parking page, and nothing on the site is directed at Complainant or its customers;
- Respondent had no duty to conduct a trademark search before registering the Disputed Domain Name. Regardless, a search before Respondent registered the Disputed Domain Name in January 2024, would not have found a relevant trademark registration in the European Union;
- The Mark is not distinctive. As of the date the Disputed Domain Name was registered, the European Union trademark register already contained two live ATLAN word marks owned by unrelated third parties, registered in 2003 and 2017. These third-party registrations undercut the contention that "Atlan" is so uniquely associated with Complainant that Respondent's use of the term is explicable only as an attempt to target Complainant.

Complainant's Supplemental Submission

Complainant requests consideration of a Supplemental Submission of evidence because "Complainant could not have anticipated the specific, documented corporate timeline asserted by Respondent (Atlan Insights AB) regarding its April 2023 Swedish incorporation until the true registrant data was unmasked and the formal Response was delivered."

Complainant Supplemental Submission includes:

- A Hubspot Analytics data report showing Complainant's digital presence inside Sweden and Europe before April 2023.
- Complainant's European Marketing Spend by year since 2021;
- A table showing dates when Complainant acquired customers in Europe. The table shows that Complainant started acquiring customers in Europe in 2021. It has acquired three (3) Scandinavian customers: Two in Finland in 2024 and one in Sweden in 2025;
- Complainant was mentioned in a Gartner Cool Vendor in DataOps (2020), a representative vendor in Gartner's inaugural Market Guide for Active Metadata Management (2021), and a Forrester Wave Leader (Q2 2022).

Respondent's Opposition to the Supplemental Submission

Respondent objects to the consideration of Complainant's supplemental evidence, arguing that:

- Complainant could have anticipated all of Respondent's contentions. After the Center informed Complainant that Respondent's organization was "Atlan Insights AB" with an address and contact details in Stockholm, Sweden, Complainant could have anticipated the value of arguments and evidence relating to its reputation in Sweden on the date the Disputed Domain Name was registered. Complainant had the opportunity to include relevant allegations and evidence when it amended its complaint but did not do so.

Respondent also challenges the sufficiency of the offered supplemental evidence, arguing it does not prove or support an inference that Respondent had actual knowledge of or intent to target the Mark.

Respondent contends that the evidence does not show the extent to which Complainant's reputation was known in Sweden before April 2023 when Respondent registered its business name. Complainant's evidence shows that Complainant acquired its first customer in Sweden in May 2025, which was more than two years after Respondent registered its business name.

Respondent contends that it has no duty to explain its selection of the Disputed Domain Name, emphasizing that Complainant has the burden to prove bad faith targeting when the Disputed Domain Name was registered.

Ruling regarding the Supplemental Submission

The Panel grants Complainant's request and has considered the newly offered evidence but finds that it undermines rather than helps Complainant. Complainant's assertion that it could "not have anticipated the specific, documented corporate timeline asserted by Respondent (Atlan Insights AB) regarding its April 2023 Swedish incorporation" may be superficially correct, but Complainant could have and should have anticipated the need to demonstrate the extent of its reputation in January 2024 when, as it was well aware, the Disputed Domain Name was registered. But the reputation evidence submitted with the Complaint (the Gartner and Forrester reports) was published in 2025. Attempting to cure this defect, Complainant's supplemental submission offers its own press releases about earlier Gartner and Forrester reports, but not the Gartner and Forrester Wave reports themselves. The Panel finds that the need for this evidence, which was available to Complainant when it filed the Amended Complaint, was foreseeable based on the date the Disputed Domain Name was registered irrespective of the earlier date that the Respondent registered its business name. For similar reasons, Complainant could have anticipated the need for the other evidence in the supplemental submission as well.

The Panel nonetheless admits the supplemental evidence primarily because denying the request serves no purpose. Respondent has responded to the Supplemental submission, and the Panel reviewed it to decide the request. Moreover, the Panel finds that the supplemental evidence does not change the outcome of the case because it ignores the dispositive issue, which, as explained below, is, in the Panel's view, whether Respondent in fact offered real services before any notice of the dispute.

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 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.

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.

Respondent does not contest that the Disputed Domain Name is confusingly similar to the Mark for the purposes of Policy, Paragraph 4(a)(i).

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 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 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 that, although Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name, Respondent has rebutted Complainant’s prima facie showing with evidence that, before notice to Respondent of the dispute, Respondent used the Disputed Domain Name in connection with a bona fide offering of services. [WIPO Overview 3.1](#), section 2.2.

Respondent asserts and Complainant does not deny that Respondent first learned of this dispute in August 2025. Respondent started providing services after the business name was registered in April 2023. In May 2024 the website associated with the Disputed Domain Name was published and Respondent commenced promoting its services.

Complainant has not offered any evidence to contradict Respondent’s assertion that it has been offering services under its tradename Atlan Insights AB since April 20, 2023. Instead, Complainant alleges that the Disputed Domain Name “resolves to an active website offering services that directly compete with or overlap with Complainant’s core business.” Complainant also alleges that “Respondent’s website explicitly offers paid professional services, including AI training and strategic workshops.” These allegations are consistent with Respondent’s assertion that before notice of the dispute it started using the Disputed Domain Name in real commerce to promote the delivery of authentic (not fictitious) services.

Complainant had the opportunity in its Supplemental Submission to offer argument or evidence to undermine Respondent’s argument and evidence that it was a “a real company under a name it had registered before the domain name; and the disputed domain name resolves to the Respondent’s own consultancy website, as it has throughout the period shown in the evidence.” Complainant ignored this issue and instead focused solely on its contention that Respondent must have been aware of Complainant’s Mark.

Complainant alleges that Respondent’s services are not bona fide because they are “a transparent attempt to clothe trademark infringement in the guise of a legitimate business...” The Panel is not persuaded.

Complainant does not contend that Respondent is cybersquatting but instead alleges that Respondent is an “infringer.” Although prior panels have held that infringement claims are outside the scope of the Policy,

[WIPO Overview 3.1](#), section 4.14.6,¹ which should be limited to cybersquatting and not “ordinary” brick and mortar trademark infringement disputes, other panels have held that the Policy is not so limited and that an infringing use, even if it involves transactions involving real goods or services in the physical world, should not be considered bona fide. [WIPO Overview 3.1](#), section 2.13².

But even if one accepts the view that an infringing use cannot be bona fide, the complainant has the burden to prove the elements of an infringement claim. Complainant has not done so here. It is not clear that Complainant had any trademark rights in Sweden when Respondent started its business in Stockholm in 2023. Complainant did not apply for its European Union trademark until August 21, 2025, and the Mark was not registered until January 17, 2026. Although Sweden may recognize rights in unregistered trademarks,³ Complainant has not offered any legal authority or evidence to support such a claim.

Moreover, after comparing the Parties’ websites, the Panel is not persuaded that Respondent is engaged in passing off or otherwise impersonating Complainant. Respondent’s website displays a graphic logo:



This graphic is not similar to any graphic that appears on Complainant’s website. In its “About Us” statement, Respondent asserts that it aims to make AI accessible to “small and medium sized enterprises” and further explains “Atlan Insights was initially just one woman with a laptop and the ambition to make people use data better for a more strategic and creative work in their daily jobs.” The source of Respondent’s services is clearly identified with a photo of Respondent labeled “CEO & Founder of Atlan Insights.” Complainant has not pointed to any aspect of Respondent’s website that reflects imitation of Complainant’s website or marketing.

Respondent’s evidence demonstrates that, since prior to receiving notice of the dispute, Respondent began using the Disputed Domain Name to promote actual consultancy services that it provides in the real physical world. There is no allegation of cybersquatting and no proof of infringement. Respondent has demonstrated

¹ “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.

In some cases, the complainant alleges that the respondent’s actions constitute trademark infringement under national law. Although the UDRP is not the forum to conclusively assess whether a respondent’s actions constitute trademark infringement (as those are matters for a court or trademark office tribunal to decide), such cases can also be decided under the Policy, and allegations and evidence that the respondent’s behavior constitutes trademark infringement may be relevant to the assessment of whether the respondent’s use of the domain name is bona fide for purposes of assessing the second and third elements.” [WIPO Overview 3.1](#), section 4.16.6.

² “Some panelists have held that (properly argued and evidenced) trademark infringement would render a use not legitimate under the Policy; in other cases, where the evidence is not adequate to substantiate a claim of trademark infringement, panels have held that the parties may avail themselves of national courts.” [WIPO Overview 3.1](#), section 2.13. see also *ORIENT EXPRESS v. Nguyen Trong Hanh*, WIPO Case No. [D2025-2528](#); *Nara Aziza Smith v. Vanessa Clarke*, WIPO Case No. [D2025-1839](#).

³ “Establishment through use of a mark [in Sweden] will give the same protection as if the mark were registered. However, the bar is set high for demonstrating establishment through use. To establish an unregistered right through use, the trademark owner must show that one-third of the relevant public has knowledge of the mark on the market.” <https://www.worldtrademarkreview.com/guide/the-wtr-yearbook/2022/article/sweden> visited July10, 2026.

that “before any notice to you of the dispute, your use of ... the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services.” Policy, paragraph 4(c)(i).

The Panel finds the second element of the Policy has not been established.

C. Registered and Used in Bad Faith

Because Complainant has not satisfied the second element of the Policy, the Panel need not rule on the third element. The Panel nonetheless addresses the issue and finds that Complainant has not proved registration or use in bad faith.

In support of its claim to a well-known world-wide reputation, Complainant submitted a Forrester Wave Report (dated July 9, 2025) and Gartner Report (dated November 2025) that ranked Complainant as a leading provider of Metadata management solutions. This evidence is not sufficient to demonstrate the extent of Complainant’s reputation in 2023 when Respondent registered its business name or in 2024 when the Disputed Domain Name was registered.

With its Supplemental Submission, Complainant offered evidence that Complainant was mentioned in earlier Gartner reports in 2020 and 2021 and also in a Forrester Wave Report in 2022. This evidence supports Complainant reputational claims, but the weight of this evidence is minimal because Complainant did not submit the reports themselves, but only its own self-serving press release about the reports. These press releases do not contain any information that would allow the Panel to infer that the Gartner and Forrester Wave reports were circulated in or had an impact in Sweden in 2023-24. Furthermore, this evidence is countered by Complainant’s failure to acquire any customers in Sweden until 2025.

Complainant also argues that the Mark is an “invented” and highly distinctive word that has no dictionary meaning. Accordingly, Complainant contends that it is unlikely that Respondent conceived of the term independently. Respondent points to two other ATLAN trademarks registered in the European Union as evidence that the term is not distinctive and may be innocently adopted by others. Nonetheless, the Panel finds that the distinctiveness of the Mark supports Complainant’s awareness arguments.

Complainant also argues that Respondent had a duty to conduct a trademark search before choosing the Disputed Domain Name, but, as Respondent contends, prior panels have not generally recognized such a duty, except with respect to domainers, [WIPO Overview 3.1](#), section 3.2.2. In any event, if Respondent had conducted a search in 2023, Respondent would not have found any reference to Complainant’s Mark on the European Union Trademark registry where it would have most reasonable to search.

The Panel acknowledges that Complainant has offered meaningful arguments and evidence that its reputation was emerging in 2023 and that Respondent may have been aware of Complainant and its Mark when it registered the Disputed Domain Name. On this point, the case is close.

However, even if the Panel assumes that Respondent was aware of Complainant’s Mark when it registered the Disputed Domain Name, this alone is not enough to show bad faith targeting of the Mark. Although proof of awareness is a necessary precondition to a finding of bad faith, it is not sufficient. Complainant must still offer evidence that Respondent targeted Complainant with the intent of exploiting its goodwill.

The evidence in the case file as presented does not indicate that Respondent’s aim in registering the Disputed Domain Name was to profit from or exploit Complainant’s trademark. As explained in the prior section, there is no evidence that Respondent is engaged in passing off or otherwise impersonating Complainant. Complainant has not pointed to any aspect of Respondent’s website that reflects impersonation of Complainant’s website or mimicking of its marketing.

The Panel is not persuaded that Respondent has intentionally used the Disputed Domain Name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with Complainant’s Mark. Policy paragraph 4(b)(iv).

The Panel finds that Respondent did not register or use the Disputed Domain Name in bad faith to target Complainant or its Mark.

The Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: July 17, 2026