

ADMINISTRATIVE PANEL DECISION

Electric Software, Inc. v. Ong GC

Case No. D2026-2129

1. The Parties

The Complainant is Electric Software, Inc., United States of America ("United States"), internally represented.

The Respondent is Ong GC, Malaysia.

2. The Domain Name and Registrar

The disputed domain name <glowcode.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 17, 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 18, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 19, 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 May 19, 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 May 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 12, 2026. The Respondent sent two identical email communications to the Center on June 13, 2026. The proceedings were suspended on June 23, 2026. The proceedings were reinstituted on July 9, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on July 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 the provider of a software development tool named GlowCode, designed for memory profiling, resource leaks and related functions.

The Complainant is the owner of United States trademark registration number 2249599 for the word mark GLOWCODE, registered on June 1, 1999, in International Class 9.

The Complainant originally registered the disputed domain name on June 7, 1997. It states that it allowed the disputed domain name to lapse in about July 2025, at which time it was acquired by the Respondent.

The Complainant formerly operated a website at "www.glowcode.com". It provides evidence of that website content, including the availability of licenses for its GlowCode product.

The Complainant provides evidence that the disputed domain name has been used as follows:

- on February 26, 2026, for a website headed "Glow Code" and inviting visitors to "Purchase GlowCode" with various pricing options. The website footer stated "GlowCode is created by Electric Software, Inc., since 1982";
- on March 1, 2026, for a website in the Thai language appearing to offer courses in technology skills. The website included the same footer as above; and
- on May 14, 2026, to redirect to a website "www.shawnraham.me", appearing to offer online gambling services.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical to its GLOWCODE trademark, in that the disputed domain name incorporates that trademark in its entirety, and that the generic Top-Level Domain ("gTLD") ".com" should be disregarded for the purpose of comparison.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its GLOWCODE trademark, that the Respondent has not commonly been known by the disputed domain name, and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name. The Complainant submits that, on the contrary, the Respondent has used the disputed domain name to impersonate the Complainant and to divert Internet users to a gambling website.

The Complainant contends that the Respondent registered and has used the disputed domain name in bad faith. It asserts that the Respondent acquired the disputed domain name following 28 years' prior use by the Complainant itself, and has used the disputed domain name to impersonate the Complainant and otherwise exploit its trademark rights. It states that its mark GLOWCODE is distinctive and not generic. It submits that the Respondent has appropriated content from the Complainant's prior web pages, and has used the Complainant's own name, falsely to solicit orders for licenses. It adds that, by using the disputed domain name, the Respondent has sought to divert Internet users to a gambling website by creating a likelihood of

confusion between the disputed domain name and the Complainant's trademark (paragraph 4(b)(iv) of the Policy).

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent did not file any Response in reply to the Complainant's contentions.

In its two identical emails to the Center dated June 13, 2026, the Respondent stated: "The domain is taken down pending investigation with my client, if the domain ex-owner owns the copyright to glowcode I will surrender the domain no question asked".

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark 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.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of registered trademark rights in the mark GLOWCODE. The disputed domain name is identical to that trademark, ignoring the gTLD ".com", which may typically be disregarded for the purpose of comparison.

The first element under the Policy is therefore satisfied.

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.

In the view of the Panel, the Complainant's submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to reply to the Complainant's contentions in this proceeding, and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise.

For the avoidance of doubt, there is nothing in the Respondent's informal emails to the Center dated June 13, 2026, that indicates any substantive defence to the Complainant's claims.

The Panel finds, moreover, that the Respondent has used the disputed domain name in order to impersonate the Complainant and otherwise to take unfair advantage of its trademark rights, which conduct cannot give rise to rights or legitimate interests on the part of the Respondent.

The second element under the Policy is therefore satisfied.

C. Registered and Used in Bad Faith

Having regard to the evidence provided by the Complainant, it appears to the Panel that the Respondent registered the disputed domain name, after the Complainant had allowed it to lapse, in the knowledge of the Complainant's business under the GLOWCODE trademark, and in an opportunistic attempt to leverage the goodwill attached to that trademark.

While the registration of a lapsed domain name by another party does not of itself constitute bad faith, the Panel finds in this case that the Respondent has used the disputed domain name directly to impersonate the Complainant, by operating a website that purported to offer the Complainant's product licenses while falsely including the Complainant's own details as the supposed provider of that website.

The Respondent has also sought to take unfair advantage of the Complainant's GLOWCODE trademark, by using the disputed domain name to redirect to a gambling website, which had no connection with the Complainant's trademark or with any legitimate use of the disputed domain name.

The Panel therefore finds, in particular, that by using the disputed domain name, 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 trademark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The third element under the Policy is therefore satisfied.

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 <glowcode.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: July 22, 2026