

ADMINISTRATIVE PANEL DECISION

Pack Ayoub, Inc. v. Christian Light
Case No. D2026-3136

1. The Parties

The Complainant is Pack Ayoub, Inc., United States of America, internally represented.

The Respondent is Christian Light, Canada, self-represented.

2. The Domain Name and Registrar

The disputed domain name <packayoub.net> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 16, 2026. On July 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 17, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 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 July 25, 2026 and a second amended Complaint on July 27, 2026, clarifying the annexures relied on.

The Center verified that the Complaint together with the amended Complaints 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 July 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2026. On August 13, 2026, the Respondent requested a four (4) day extension for the Response, pursuant to paragraph 5(b) of the Rules. On August 14, 2026, the Center confirmed that the new Response due was August 22, 2026. The Response was filed with the Center on August 23, 2026. On August 24, 2026, the Complainant submitted the supplemental filings to the Center via email. On August 24, 2026, the Respondent sent an email communication to the Center.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on August 31, 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 September 17, the Panel issued Administrative Procedural Order No. 1 affording the Respondent the opportunity it had requested to provide a response in reply to the Complainant's unsolicited supplemental filing. The Respondent submitted his foreshadowed supplemental filing on September 24, 2026.

4. Factual Background

Both Parties offer online coaching services for students wishing to take the TCF Canada test, which is a test of French language proficiency for people wishing to emigrate to Canada.

A Whois record shows that the Complainant's domain name <packayoub.com> was registered on September 14, 2025. According to the Complaint which has been submitted by the Complainant's founder and representative, Mr K. A., Mr K. A. registered the domain name <packayoub.com> in his own name at that time. According further to the Complaint, Mr Agouda transferred the business and the domain name <packayoub.com> to the Complainant on its incorporation on June 22, 2026.

The Complaint includes some evidence that the website "www.packayoub.com" was accessible by the public after September 14, 2025 and at latest by January 2026. It offers for sale or subscription coaching services for the TCF Canada. The coaching services, or at least a core component of the services, are identified under the designation "PACK AYOUB". Notable features of the website are that it offers exercises for the four components of the TCF Canada and three levels of subscription: Pack Ayoub Express for USD 14.99 for 14 days, Pack Ayoub Standard for USD 24.99 for one month, and Pack Ayoub Premium for USD 39.99 for two months.

Further, the Complainant's supplemental filing includes evidence that:

- (1) between January and July 2026, the business being operated from the website "www.packayoub.com" generated USD 18,127.75 or net revenues of USD 17,001.68;
- (2) between January and July 2026, there were 4,291 visitors to the website;
- (3) appears to show that between January 2026 and April 29, 2026 the website attracted "more than" 180 paid customers; and
- (4) between January 2026 and April 29, 2026, Firebase authentication records show that "more than" 2,000 accounts were created on the website.

The significance of April 29, 2026 is that according to the Whois record that is the date when the disputed domain name was registered.

Subsequently, the disputed domain name has resolved to a website. The subject matter of the website and, to an extent, the layout of the website is similar to that of the Complainant's website. The colour scheme and precise wording and, to an extent, the arrangement of features, however, is different.

The materials before the Panel show that "Pack Ayoub" was the name given to study materials created by Ayoub B. The materials Mr B. offered were, or included, "Le Pack Ayoub", a kit or sequenced pack of study materials to assist in preparing for the TCF Canada test.

Mr B. has a YouTube channel entitled AYOUB TCF; he also has a Facebook page, the landing page of which is headed "PACK AYOUB : tcf canada". This page has 3,600 followers. Exhibit 4.2 to the Response claims that the YouTube channel was created in December 2020 and has had 101,000 views. The screenshot in the Exhibit has these details obscured. At the time this Decision is being prepared, the YouTube "More Info" states there are now 53,200 subscribers and there have been 2,101,091 views.¹

Mr B. appears to have begun offering his services by March 2023 (if not earlier) from the website at "www.formation-tcfcanada.com". There are also screenshots of Mr B.'s offering of his "Le Pack Ayoub" from September and October 2024.

In addition, there are "Pack Ayoub" offerings by the websites "www.tcfcanadaonline.com/pack-ayoub" and "www.tcf-canada.ca". The Respondent describes these websites as independent third parties.

In addition, at least three websites, "www.formation-tcfcanada.com" (mentioned above), "www.tcf-canada-formation.com", and "www.formationstcfcanada.com" which have similar functionality and layout to the Parties' respective websites although the latter two do not appear to reference "Pack Ayoub" in the materials before the Panel.

5. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of the disputed domain name, the Complainant must demonstrate each of the following:

- (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.

Paragraph 15(a) of the Rules directs the Panel to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.

Apart from documents requested by the Panel pursuant to paragraph 12 of the Rules, neither the Policy nor the Rules expressly provide for supplemental filings. Their admissibility is therefore in the discretion of the Panel bearing in mind the requirements under paragraph 10 of the Rules to ensure that the proceeding is conducted with due expedition and both parties are treated equally, with each party being given a fair opportunity to present its case.

Much of the material which the Complainant has submitted in its unsolicited supplemental filing was known to the Complainant before it filed the Complaint and should have been included in the Complaint. On the other hand, there are a number of ambiguities in the Complaint and the supplemental filing goes some way to clarifying those ambiguities or at least making it clear what the Complainant is not claiming. The Respondent has also had an opportunity to address the substantive matters raised in the supplemental filing. In the interests of deciding the proceeding on the substantive material before the Panel, therefore, the Panel admits both the unsolicited supplemental filing and the Respondent's reply.

¹ Panel's own independent research undertaken pursuant to paragraph 10 of the Rules: WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.7.

A. Identical or Confusingly Similar

The first element that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, the Complainant's trademark rights.

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 3.1](#), section 1.7.

In the present case, the Complainant claims to have trademark rights in PACK AYOUB or, perhaps, <packayoub.com> as an unregistered trademark. Such a claim requires the Complainant to show by evidence that it has acquired a reputation or distinctiveness by reason of use or other circumstances. [WIPO Overview 3.1](#), section 1.3.

In addition, contrary to the Respondent's contention, it is necessary only for the Complainant to demonstrate it holds the necessary trademark rights at the time the Complaint is filed. [WIPO Overview 3.1](#), section 1.1.3. If the Respondent registered the disputed domain name before the Complainant had acquired those rights, that is still a factor which, if relevant, may fall for consideration under the other elements of the Policy. See e.g., [WIPO Overview 3.1](#), section 1.7.

In the present case, the Complainant claims its rights stem from the use and reputation it inherited when it assumed the business formerly carried on by its founder, Mr K. A. The Respondent contests this, pointing out that there is no formal documentation constituting or evidencing an assignment. The absence of such documentation can be an issue. In this case, however, the Panel does not accept the Respondent's contention. If there is really a dispute between the Parties that Mr K.A. was the original registrant of the disputed domain name, the Panel accepts Mr K.A.'s evidence to that effect and that the business was transferred to the Complainant. Mr K. A. is the founder of the Complainant and has prepared and submitted the Complaint (and unsolicited supplemental filing) on behalf of the Complainant. In these circumstances, the Panel accepts the Complainant's claim that it is the successor in title to the claims founded on Mr K.A.'s activities before the incorporation of the Complainant.

The evidence on which the Complainant relies has been summarised in section 4 above. It indicates that the Complainant's website has been publicly accessible since at least January 2026; between January and July 2026, the website had 4,291 visitors and generated approximately USD 18,000 in revenue. In addition, even before April 30, 2026, the business had "more than" 180 paid customers and "more than" 2,000 registered accounts.

This evidence is slender. Notwithstanding that, in many situations it would be sufficient to establish a sufficient claim to trademark rights for the purposes of the standing test set by paragraph 4(a) of the Policy. See for example, *Clifford Chance LLP And Pünder GmbH v. CPIC Inc.*, WIPO Case No. [D2000-1603](#) and more recently the Panel's own decision in *Jennifer Moncur v. Emma Stewart, Larry's Markets*, WIPO Case No. [D2026-2745](#).

The *Clifford Chance LLP And Pünder GmbH* case, above, involved publicity on a much wider scale than appears to have been the case for the Complainant's website even allowing for the fact it is accessible over the Internet. The *Jennifer Moncur* case, above, involved use over a much longer timeframe and recognition in some notable publications or by notable organisations.

More fundamentally, in each case the name in question was distinctive of the complainant. In the present case, however, the Complainant appears to be very much a junior claimant compared particularly to Mr. B. In addition, there are at least five users of the same expression to describe the same subject matter – courses preparing for or revising for the TCF Canada.

In these circumstances, the Panel finds that the Complainant has not established it has trademark rights for the purposes of the Policy. As a result, the Complaint must fail.

As the Complaint must fail, no good purpose would be served by considering the remaining requirements under the Policy.

B. Reverse Domain Name Hijacking

The Respondent contends that the Panel should make a finding of reverse domain name hijacking.

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.1](#), section 4.16.

Despite the failure of the Complaint, the Panel rejects the Respondent's claim. The basis on which either Party uses the expression "Pack Ayoub" is far from clear to the Panel particularly in the face of Mr B.'s interests. That, however, is not an issue the Panel is called upon to decide. Nonetheless, it seems very likely that the Respondent was aware of that the Complainant's predecessor was already using <packayoub.com> when registering the disputed domain name. While the Complainant has failed to establish trademark rights under the Policy, it is hardly surprising that it took objection to another party adopting a domain name which so closely resembled its own.

6. Decision

For the foregoing reasons, the Complaint is denied.

/Warwick A. Rothnie/

Warwick A. Rothnie

Sole Panelist

Date: October 1, 2026