

ADMINISTRATIVE PANEL DECISION

Christian Schön v. Heythem Boukedjani
Case No. DAI2025-0040

1. The Parties

The Complainant is Christian Schön, Germany, self-represented.

The Respondent is Heythem Boukedjani, Algeria, self-represented.

2. The Domain Name and Registrar

The disputed domain name <eyeye.ai> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 31, 2025. On August 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 4, 2025, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 5, 2025, 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 August 6, 2025.

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 August 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 1, 2025.

The Center appointed John Swinson as the sole panelist in this matter on September 10, 2025. 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 an individual who has an address in Germany. The Complainant operates an advertising agency that develops brands and advertisements that are created by the fusion of creativity and artificial intelligence (AI). The advertising agency operates under the brand EYEEYE.

The Complainant has trademark registrations for EYEEYE including the European Union Trade Mark Registration No. 019093642, that was filed on October 20, 2024 and registered on June 12, 2025.

The Complainant's agency operates from a website located at <eyeye.studio> and operates associated LinkedIn and Instagram accounts.

The Complainant attempted to register the disputed domain name on June 16, 2025, but was unsuccessful. According to the conversation provided between the Complainant and the service provider used by the Complainant for such attempt "the domain you requested is already taken", and there may have been an "overlap with orders from other domain providers".

The disputed domain name was registered on July 1, 2025.

The Respondent did not file a Response, so little information is known about the Respondent. According to the Registrar's records, the Respondent has an address in Algeria.

The disputed domain name resolves to a website that lists the disputed domain name for sale.

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 Complainant has used the mark EYEEYE in commerce extensively, for an advertising agency is centered on generative AI-driven content and brand strategies that emphasize innovation, individuality, and aesthetic impact.

The disputed domain name was listed for sale for a five-figure USD amount immediately after registration.

The Complainant attempted to register the disputed domain name on June 16, 2025, when the disputed domain name was publicly listed as available. The attempt failed, and a third party registered the disputed domain name two weeks later.

The Respondent's actions directly impeded the Complainant's ability to operate under its own trademark and benefit from its brand name online. Such conduct is incompatible with good-faith commercial behavior.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (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.

The *onus* of proving these elements is on the Complainant.

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.

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 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 3.0](#), 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 not rebutted the 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.

There is no evidence that the Respondent is commonly known by the disputed domain name. The disputed domain name was registered after the Complainant established its trademark rights in EYEEYE.

Offering a domain name for sale – while certainly not prohibited – does not, of itself, constitute a legitimate interest under the second element of the Policy. *Khadi & Village Industries Commission v. Michael F Mann, Domain Asset Holdings, LLC*, WIPO Case No. [D2021-3242](#); *So Bold Limited v. TechOps, VirtualPoint Inc.*, WIPO Case No. [D2022-1100](#); and *Sammontana S.p.A v. Domain Sales - (Expired domain caught by auction winner) c/o Dynadot*, WIPO Case No. [D2023-0502](#).

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.

In the present case, the Panel notes that the Respondent listed the disputed domain name for sale immediately after registering the disputed domain name. The disputed domain name is identical to the Complainant's trademark. The Complainant's business relates to artificial intelligence, and the disputed domain name has the ".ai" country code Top-Level-Domain ("ccTLD"); the Panel notes that this ccTLD is popular for artificial intelligence related businesses.

The disputed domain name is listed for sale through GoDaddy, and a GoDaddy broker explicitly confirmed in writing to the Complainant that the disputed domain name is being offered at a price in the mid five-figure USD range.

Based on the evidence before the Panel, the Panel concludes that the Respondent acquired the disputed domain name primarily for the purpose of selling it to the Complainant or to a competitor, which is evidence of bad faith under paragraph 4(b)(i) of the Policy.

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 <eyeye.ai> be transferred to the Complainant.

/John Swinson/

John Swinson

Sole Panelist

Date: September 18, 2025