

ADMINISTRATIVE PANEL DECISION

Basware Oy v. Stephen Hereward
Case No. DAI2025-0051

1. The Parties

Complainant is Basware Oy, Finland, represented by Boco IP Oy Ab, Finland.

Respondent is Stephen Hereward, Australia.

2. The Domain Name and Registrar

The disputed domain name <basware.ai> (hereinafter “Disputed Domain Name”) 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 October 3, 2025. On October 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On October 3, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 October 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 2, 2025. The Response was filed with the Center on October 20, 2025. Respondent sent an email communication to the Center on October 22, 2025.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on November 13, 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

Complainant is a Finnish company that started in 1985 to assist businesses more efficiently process accounts payable and now offers software and online services in this field. It has more than 6,500 customers in over 190 countries including DHL, Heineken and Sony.

The name Basware has no meaning in connection with the goods and services provided. Complainant use the trademark BASWARE (hereinafter the “Mark”), for which it owns trademark registrations in several jurisdictions, including:

- European Union Registration No. 001473123 (registered February 2, 2001)
- International Registration No. 1463849 (registered October 19, 2018), designating, among others, Australia.

Complainant operates its main website at <basware.com>. Complainant has been developing Artificial Intelligence (“AI”) capabilities since 2016.

The Disputed Domain Name was registered on February 20, 2025. It resolves to a webpage that says “Launching Soon ... Contact Us.”

On September 23, 2025, Complainant sent a Cease-and-Desist letter to Respondent via the “Contact Us” form on the website associated with the Disputed Domain Name. The letter informed Respondent of Complainant’s trademark rights and demanded that Respondent cease and desist all use of the Mark in connection with the domain name and transfer the Disputed Domain Name to Complainant.

Respondent replied the next day, stating that he was “prepared to transfer the domain name for a fair commercial value, consistent with industry practice and recent transactions”.

Complainant responded with an offer of USD 500 to cover Respondent’s actual expenses. Respondent responded the next day that the USD 500 offer “does not reflect the commercial market value of a premium .ai domain that exactly matches a globally recognized brand name” and observed that “comparable domains regularly transact in the five-figure to six-figure range.” Complainant responded with a USD 5,000 counteroffer that was not accepted.

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.

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.

Respondent asserts that he registered the Disputed Domain Name in good faith with legitimate plans for independent business and creative projects wholly unrelated to Complainant’s operations. These include the BasCookware and Bas Studios concepts. “The first concept, BasCookware, envisions a cookware brand endorsed by Chef Sebastian, with 'BAS' (short for Sebastian) combined with 'ware' to denote cookware and kitchenware. The second concept, Bas Studios (Basan Educational Media), involves children’s educational content based on folklore. It will operate under brands such as 'Basan World' or 'Bas Studios' and use AI tools for animation and learning. Together, these concepts demonstrate a legitimate interest in basware.ai rooted in creative entrepreneurship, not trademark exploitation.”

Respondent argues that “Given global AI trends, registering a short, brandable .ai domain was commercially rational. Verified 2023–2025 .ai domain sales (Annex 4) show prices frequently between USD 75,000 and 700,000, validating the Respondent’s valuation of USD 50,000 as reasonable.” Respondent cites sources of substantial sums paid for “.ai” domain names.

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

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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name.

Respondent asserts that he registered the Disputed Domain Name in good faith with legitimate plans for independent business and creative projects wholly unrelated to Complainant’s operations. These include the BasCookware and Bas Studios concepts.

The Panel is not persuaded Respondent’s two “independent business and creative projects” are authentic. Respondent offers no sufficient evidence that he made any “demonstrable preparations to use” the Disputed Domain Name with respect to the described concepts. Instead, he points to undated text descriptions of these concepts that are apparently Respondent’s private ruminations about these concepts possibly invented to add bulk to the response to the Complaint. This does not satisfy Policy paragraph 4(c)(i).

It is also telling that Respondent made no mention of these plans in the exchange of correspondence with Complainant’s counsel. The Panel finds that Respondent’s proffer of these “creative projects” reflects a lack of candor that undermines his credibility.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel finds that Respondent registered the Disputed Domain Name in bad faith. Complainant has offered ample evidence that it is well-known, and Respondent has not offered any evidence to the contrary. On the contrary, as noted further below, Respondent acknowledges that Complainant is a “globally recognized brand name.”

Respondent does not offer any evidence to contradict Complainant’s assertion that “basware” has no meaning apart from its function as Complainant’s Mark. Although many words employ the suffix “ware” these portmanteaus typically begin with a dictionary or descriptive term acting as an adjective--”— kitchenware, firmware, dinnerware, earthenware”. Respondent has not offered any sufficient evidence that the “bas” component of the Mark has any common dictionary or descriptive meaning that would serve as common adjective for “ware”. Respondent’s explanation as to the selection of the disputed domain name lacks credibility. Respondent claims the registration of the disputed domain name was selected due to independent business plans around the concepts of “BasCookware” and “Bas Studios”. However, the disputed domain name does not correspond to “BasCookware” (missing the element “cook” in the disputed domain name) nor to “Bas Studios”. Even from the perspective of assessing whether the element “bas” was due to some sort of contraction of “Sebastian” and in connection with “Chef Sebastian”, the Respondent did not explain who is this “Chef Sebastian”, nor did the Respondent provide any credible and relevant evidence to support such assertions.

The Panel finds that it is more likely than not that Respondent was aware of Complainant and its rights when he registered the Disputed Domain Name.

Respondent argues that other “.ai” domain names have been recently sold for substantial sums. None of the cited examples are for brand names with which the Panel is familiar. Instead, they appear to be dictionary words that have non-trademark descriptive or dictionary value (service, adapt, scoop, velocity) or short domain names that have inherent value unrelated to any trademarks (usdc, you) that Respondent disclosed.

Regardless, such third-party transactions are not relevant to the instant case. The issue here is whether Respondent sought to base his sale price demand on the trademark value of Complainant’s Mark. Although a domain name owner may propose any price for a generic or descriptive domain name he registered or acquired in good faith without reliance of its correspondence to a trademark owned by another, he may not seek to profit from the value of an existing trademark owned by another. *Web 3.0 Technologies Foundation v. Registration Private, Domains By Proxy LLC / Su Tingting, Haugzhou Midaizi Network Co., Ltd.*, D2021-3593 (acquiring domain name based on perceived value to trademark owner “impermissibly seeks to take advantage of the trademark significance of the disputed domain name ...”); See also “In order to find rights or legitimate interests in a domain name based on its dictionary meaning, the domain name should ... not [be used] to trade off third-party trademark rights.” [WIPO Overview 3.0](#), section 2.10.1.

Although Respondent stated in correspondence with Complainant’s counsel that he never sought to exploit [your client’s name or] reputation,” he justified the USD 50,000 asking price by doing just that: “[T]he figure of USD 500 you propose does not reflect the commercial value of a premium .ai domain name that exactly matches a globally recognized brand name.” The Disputed Domain Name commanded a higher price because it “exactly matched a globally recognized brand name.” Of course, Respondent’s statement does not say which “globally recognized brand name,” but Complainant’s Mark is the only known “exact match” and the context and balance of evidence indicates the obvious that Respondent referred to Complainant’s brand.

Accordingly, the Panel finds that the evidence reflects “circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark ... for

valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name.” Policy paragraph 4(b)(i).

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 <basware.ai> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: November 27, 2025