ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Nutanix, Inc. v. Connor Walsh
Case No. DAI2026-0086

1. The Parties

The Complainant is Nutanix, Inc., United States of America ("United States"), represented by Baden Law Firm, United States.

The Respondent is Connor Walsh, United States.

2. The Domain Name and Registrar

The disputed domain name <nutanix.ai> (the "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 September 11, 2026. On September 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On September 15, 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 (DomainsByProxy.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 16, 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 September 17, 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 the Respondent of the Complaint, and the proceedings commenced on September 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 14, 2026.

The Center appointed Lynda M. Braun as the sole panelist in this matter on October 21, 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 a publicly-traded cloud computing company founded in 2009 and headquartered in San Jose, California, United States, with artificial intelligence ("AI") a central part of its company. The Complainant markets a family of AI products and services under the NUTANIX trademark. As of August 2026, the Complainant reported revenue of approximately USD 2.75 billion, a market capitalization of approximately USD 18 billion, and about 7,800 employees. The Complainant serves more than 29,000 customers and maintains more than 65 offices worldwide.

The Complainant is the owner of numerous trademarks, including, but not limited to: NUTANIX, United States Registration No. 4,151,659, registered on May 29, 2012, in International Class 9; NUTANIX, European Union Registration No. 016985384, registered on November 14, 2017, in International Classes 37 and 42; and NUTANIX, Canadian Registration No. TMA1,065,476, registered on December 6, 2019, in International Class 42 (hereinafter collectively referred to as the "NUTANIX Mark").

The Complainant is the owner of the domain name <nutanix.com>, which resolves to the Complainant's official website at "www.nutanix.com", and through which it lists its services, products, and resources.

The Disputed Domain Name was registered on February 10, 2023, when the Disputed Domain Name was purchased by the Respondent at auction. At least as of June 23, 2026, the Disputed Domain Name resolved to a pay-per-click ("PPC") landing page served through the Registrar's parking program, and from which the Respondent likely earned click-through revenue. By August 2026, the Disputed Domain Name resolved to a Registrar page soliciting offers to purchase the Disputed Domain Name and subsequently reverted to a PPC page displaying sponsored hyperlinks related to the Complainant's mark and AI services, and to which it presently resolves as of the writing of this Decision.

The Complainant's representative sent three cease-and-desist notices to the Respondent at the privacy service email address on July 14, 2026, July 24, 2026, and August 3, 2026, demanding that the Respondent cease use of the trademark and transfer the Disputed Domain Name to the Complainant, requiring the Respondent to reply within 10 days. According to the Complaint, the Complainant received no reply from the Respondent.

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 Disputed Domain Name is identical to the NUTANIX Mark as the entirety of the mark is reproduced in the Disputed Domain Name, followed by the country code Top-Level Domain ("ccTLD") ".ai", which may be disregarded because it is a technical requirement of domain names;

- the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, among other things, the Disputed Domain Name resolves to a landing page that contains PPC third-party sponsored hyperlinks; and

- the Disputed Domain Name was registered and is being used in bad faith since, among other things, the Respondent must have had actual knowledge of the Complainant and the NUTANIX Mark when registering the Disputed Domain Name and the Respondent has never used the Disputed Domain Name for anything but monetization, first through a PPC parking page and subsequently through an open solicitation of purchase offers.

The Complainant seeks the transfer of the Disputed Domain Name from the Respondent to the Complainant in accordance with paragraph 4(i) of the Policy.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy requires that the Complainant prove the following three elements in order to prevail in this proceeding:

(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 was registered and is being used in bad faith.

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a two-fold inquiry: a threshold investigation into whether a complainant has rights in a trademark, followed by an assessment of whether the disputed domain name is identical or confusingly similar to that trademark. The Panel concludes that in the present case, the Disputed Domain Name is identical to the NUTANIX Mark, differing only by the addition of the ccTLD ".ai".

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. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

It is uncontroverted that the Complainant has established rights in the NUTANIX Mark based on its registered trademarks for the NUTANIX Mark in numerous jurisdictions worldwide. The registration of a mark satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case. As stated in section 1.2.1 of the WIPO Overview 3.1, "[w]here the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case". The Respondent has not rebutted this presumption, and therefore the Panel finds that the Complainant has rights in the NUTANIX Mark. Thus, the Panel finds that the Complainant satisfied the threshold requirement of having trademark rights in the NUTANIX Mark.

Further, the addition of a ccTLD such as ".ai" in a domain name is a technical requirement. As such, it is well established that a ccTLD may typically be disregarded when assessing whether a disputed domain name is identical or confusingly similar to a trademark. See WIPO Overview 3.1, section 1.11.1. Thus, the Panel finds that the Disputed Domain Name is identical to the Complainant's NUTANIX Mark for purposes of the Policy.

Based on the available record, the Panel finds that 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 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 this case, given the facts as set out above, the Panel finds that the Complainant has made out a prima facie case that the Respondent lacks rights or legitimate interests. The Panel finds that the Respondent has failed to rebut the Complainant's prima facie case. Furthermore, the Complainant has not authorized, licensed, or otherwise permitted the Respondent to use the NUTANIX Mark. Nor does the Complainant have any type of business relationship with the Respondent. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name or by any similar name, nor any evidence that the Respondent was using or making demonstrable preparations to use the Disputed Domain Name in connection with a bona fide offering of goods or services. See Policy, paragraph 4(c).

Further, as noted above, the Disputed Domain Name resolves to a landing page displaying PPC links directly referencing the Complainant. Panels have found that the use of a domain name to host a parking page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant's mark or otherwise mislead Internet users. The Panel finds that the Respondent has attempted to generate click-through revenue from Internet users drawn to the Respondent's web page due to a perceived association between the Disputed Domain Name and the Complainant's Mark. [1] Such conduct, where the Respondent is seeking to unfairly capitalize on the goodwill associated with the Complainant's trademark, does not amount to use of the Disputed Domain Name in connection with a bona fide offering of goods or services. Since the Respondent's registration and use of the Disputed Domain Name may be deemed commercially motivated, this does not amount to a legitimate noncommercial or fair use within the meaning of paragraph 4(c)(iii) of the Policy.

Based on the available record, the Panel finds that 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith. Other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

The Panel finds that the Respondent had actual knowledge of the Complainant and its rights in the NUTANIX Mark when registering the Disputed Domain Name, emblematic of bad faith registration and use. It strains credulity to believe that the Respondent did not know of the Complainant or its NUTANIX Mark as evidenced by the Respondent's use of the mark in the Disputed Domain Name. Thus, the Panel finds that in the present case, the Respondent had the Complainant's NUTANIX Mark in mind when registering and using the Disputed Domain Name.

[1] The Complainant submitted a screenshot of the resolving landing page containing the PPC links as an Annex to the Complaint.

Moreover, the Disputed Domain Name resolves to a landing page displaying PPC links to sponsored services and the Panel infers that the Respondent likely derives a financial benefit in the form of click-through revenue from the presence of such links on the website to which the Disputed Domain Name resolves. Regardless of whether the Respondent is generating click-through revenue, however, it is well established that the use of a domain name to redirect Internet users to a web page with competing services constitutes bad faith registration and use in and of itself. See *Volvo Trademark Holding AB v. Unasi, Inc.*, WIPO Case No. D2005-0556. The Panel finds that by using the Disputed Domain Name in such a manner, the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's NUTANIX Mark as to the source, sponsorship, affiliation, or endorsement of the Disputed Domain Name, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Based on the available record, the Panel finds that the third element of the Policy has been established.

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 <nutanix.ai> be transferred to the Complainant.

/Lynda M. Braun/
Lynda M. Braun
Sole Panelist
Date: November 4, 2026