

## **ADMINISTRATIVE PANEL DECISION**

### **SAS Institute Inc. v. SAHID SIDDIQUE HUSSAIN, SAS Technologies Case No. DCO2026-0009**

#### **1. The Parties**

The Complainant is SAS Institute Inc., United States of America (“U.S.” or “United States”), represented by Tepper & Eyster, PLLC, U.S.

The Respondent is SAHID SIDDIQUE HUSSAIN, SAS Technologies, Kuwait, self-represented.

#### **2. The Domain Name and Registrar**

The disputed domain name <sastechnologies.co> (the “Disputed Domain Name”) is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

#### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 21, 2026. On January 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 23, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 27, 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 January 27, 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 January 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 17, 2026. The Respondent sent email communications to the Center on January 29, 2026. On February 20, 2026, the Center informed the Parties of the commencement of the panel appointment process.

The Center appointed Nick J. Gardner as the sole panelist in this matter on February 26, 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 was founded in 1976 and has since that time used the trademark SAS (the “SAS Mark”) and the trade name SAS Institute in connection with its business providing computer software, data analytics, and related products and services. The Complainant is one of the largest privately-held software companies in the world and serves tens of thousands of business, government, and university customers across more than 119 countries.

The Complainant holds numerous United States federal trademark registrations for the SAS mark, including, inter alia, U.S. Registration Nos. 1,132,122 (registered on April 1, 1980); 2,484,944 (registered on September 4, 2026); 2,593,712 (registered on July 16, 2002); and 2,657,842 (registered on December 10, 2002), covering computer software (International Class 9), printed educational materials (International Class 16), and educational services (International Class 41). The earliest of these registrations dates to 1980. The Complainant also holds registrations for the SAS mark in numerous countries outside the United States. The Complainant has operated the website at “www.sas.com” since 1990 and the website at “www.sasinstitute.com” since approximately 1999.

The Disputed Domain Name was registered on May 24, 2021. It resolves to an active website (the “Respondent’s website”) presenting the entity “SAS Technologies” as a Kuwait-based provider of software solutions, POS systems, IT security, digital marketing, and smart home products and services. The website displays the initials “SAS” prominently in the header logo.

The Complainant submitted an affidavit attesting that an investigation conducted in Kuwait found that there was no business located at the address provided on the Respondent’s website and the telephone number listed on the Respondent’s website was reported as disconnected. The Complainant’s enquiries had been unable to identify any business in Kuwait that was operating the Respondent’s website.

The Respondent is identified in the registrar verification response as Sahid Siddique Hussain, trading as SAS Technologies. The Respondent submitted, via email communications of January 29, 2026, a certificate issued by the Kuwait Chamber of Commerce and Industry dated May 14, 2025, showing that “SAS TECHNOLOGIES GENERAL TRADING COMPANY WLL” (Commercial Registration No. 411331) has been registered at that Chamber since 2019. The Respondent also produced a Kuwaiti business licence issued under the Kuwait Ministry of Commerce and Industry, reflecting the same entity under the trade name “Sharikat Saas Taqniyat lil-Tijarah al-’Ammah” (SAS Technologies General Trading Company WLL), with a licence date of July 3, 2023 and an expiry date of July 2, 2027, and listing wholesale and retail trade as the licensed activity.

#### **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 confusingly similar to its SAS mark. It submits that the domain name incorporates the SAS mark in its entirety with the addition only of the generic descriptive word “technologies”, which does not serve to distinguish the domain name from the mark but rather enhances the association with the Complainant’s software and technology business. The

Complainant further notes that the “.co” country code Top-Level Domain (“ccTLD”) suffix is irrelevant to the similarity analysis.

The Complainant contends that the Respondent has no rights or legitimate interests in the Disputed Domain Name. It submits that the Respondent is not known by the SAS mark, has not been licensed or authorised by the Complainant to use its marks, and has no connection or affiliation with the Complainant. The Complainant argues that the Respondent’s use of the Disputed Domain Name to host a website promoting IT services — in direct competition with the Complainant — together with the use of false contact information on that website, demonstrates that there is no bona fide use and no legitimate interest.

The Complainant contends that the Disputed Domain Name was registered and is being used in bad faith. It submits that the SAS mark is well known in the software industry, and that the Respondent must have been aware of it when registering the Disputed Domain Name. The Complainant argues that the Respondent has intentionally attempted to attract Internet users to its website by creating confusion with the Complainant’s mark, contrary to paragraph 4(b)(iv) of the Policy. The Complainant also relies upon: (i) the Respondent’s use of a privacy shield at the time of filing; (ii) the provision of false address and telephone information on the website; and (iii) the use of the Complainant’s trademark on the Respondent’s website without authorisation.

## **B. Respondent**

The Respondent did not file a formal Response. However, the Center received two email communications from the Respondent dated January 29, 2026. In those communications the Respondent stated, in substance, that the Disputed Domain Name is owned by “SAS Technologies General Trading Co. WLL”, a company registered in Kuwait and engaged in software and IT solutions for the Kuwait and Middle East markets. The Respondent asserted that it had no intention of targeting the Complainant and was not even aware of SAS Institute or its customers, contending that “SAS” is a commonly used name in Kuwait and that there are hundreds of companies using it. The Respondent offered to share further information concerning its company registration and social media activity if required, and provided a link to its Instagram profile.

By a further email of January 29, 2026, the Respondent submitted copies of: (i) a certificate from the Kuwait Chamber of Commerce and Industry (Certificate No. 250087384, dated May 14, 2025) confirming the registration of “SAS TECHNOLOGIES GENERAL TRADING COMPANY WLL” since 2019; and (ii) a Kuwaiti business licence (Licence No. 2022/2654, issued July 3, 2023, valid to July 2, 2027) in the same company name.

## **6. Discussion and Findings**

### **Preliminary Issue: Admissibility of the Respondent’s Informal Communications**

The Respondent did not submit a formal Response in accordance with the Rules and the Supplemental Rules. However, the Center received two email communications from the Respondent on January 29, 2026, together with copies of documentary exhibits (see above). In the exercise of its discretion under paragraphs 10 and 14 of the Rules the Panel has determined to treat those communications and the documents attached thereto as the Respondent’s informal response, and to take them into account in reaching this Decision. The Panel considers that it would be consistent with the general principle of procedural fairness to do so, and that the Complainant suffers no prejudice thereby.

The Panel notes, however, that the Respondent’s email communications were not filed in the form required by the Rules and Supplemental Rules, were not certified in accordance with the relevant provisions, and do not constitute a formal Response for the purposes of paragraph 5 of the Rules. Accordingly, the Panel accords the Respondent’s submissions such weight as it considers appropriate in the circumstances.

## **Substantive Matters**

To succeed, in accordance with paragraph 4(a) of the Policy, the Complainant must satisfy the Panel that:

- (i) the Disputed Domain Name is identical with 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;
- (iii) the Disputed Domain Name has been registered and is being used in bad faith

### **A. Identical or Confusingly Similar**

The Complainant holds numerous United States trademark registrations for the SAS mark, the earliest registered in 1980, as well as registrations in many other jurisdictions. The Panel is satisfied that the Complainant has well-established rights in the SAS mark. See WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition ("[WIPO Overview 3.1](#)"), section 1.2.1.

The Disputed Domain Name consists of the element "sastechnologies" combined with the ".co" ccTLD. Under the consensus view of UDRP panels, the applicable ccTLD or generic Top-Level Domain is typically disregarded in the assessment of confusing similarity. See [WIPO Overview 3.1](#), section 1.11. The relevant comparison is therefore between "sastechnologies" and the SAS mark.

The Disputed Domain Name incorporates the SAS mark in its entirety as the first and dominant element. The addition of the purely generic and descriptive term "technologies" does not serve to distinguish the domain name from the Complainant's mark. On the contrary, the word "technologies" directly references the sector in which the Complainant is most prominently active, being the computer software and data analytics industry, and is therefore apt to reinforce rather than dispel consumer association with the Complainant. See [WIPO Overview 3.1](#), section 1.8 ("Where the relevant trademark is recognisable within the Disputed Domain Name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity.").

The Panel accordingly finds that the Disputed Domain Name is confusingly similar to the Complainant's SAS trademark, and that the first element under paragraph 4(a)(i) of the Policy has been satisfied.

### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances any of which is sufficient to demonstrate that a respondent has rights or legitimate interests in a domain name:

- (i) before any notice to the respondent of the dispute, use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- (ii) the respondent has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Complainant has not licensed, authorised, or otherwise permitted the Respondent to register or use the SAS mark or the Disputed Domain Name. The Complainant has prior and well-established rights in the SAS mark, which long predate the registration of the Disputed Domain Name in May 2021. The Complainant has thereby made out a prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name, and the evidential burden shifts to the Respondent to produce evidence demonstrating such

rights or legitimate interests. See [WIPO Overview 3.1](#), section 2.1; *Do The Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#); *Croatia Airlines d.d. v. Modern Empire Internet Ltd*, WIPO Case No. [D2003-0455](#).

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(ii) the respondent has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or

(iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel is conscious that the SAS mark comprises a three letter acronym. The position with regard to such acronyms is not necessarily straightforward. The registration by another party of a domain name which includes such a short acronym can itself establish a legitimate interest where the registration is effected for its descriptive (in that it corresponds to initials) or so-called inherent value – as opposed to its value because of its likely association with a particular trademark holder. The Panel takes the view that there are some three letter trademarks where the evidence of fame and reputation is well established on a world-wide basis and it is generally straightforward to at least draw an inference that registration of a corresponding domain name will have been targeting that trademark holder. See for example *BMW AG v. Loophole*, WIPO Case No. [D2000-1156](#), concerning the domain name <bmw.org>. There may be other cases where a trademark holder can establish some fame and reputation in its trademark/acronym on a limited geographical or field of use basis but that is not sufficient to raise an inference that a domain name registration by a party in a different geographical area or field of activity lacked a legitimate interest. See for example the decision of the present Panel in the earlier case of *ETH Zürich (Eidgenössische Technische Hochschule Zürich) v. Andre Luiz Silva Rocha, Construtora Norberto Odebrecht S/A*, WIPO Case No. [D2016-0444](#), concerning the domain name <eth.com>. Commonly if the evidence establishes that three letter acronym is registered without knowledge of a complainant, and for the inherent value of the acronym a case may fail. See in this regard *Banca Monte dei Paschi di Siena S.p.A v. Charles Kirkpatrick*, WIPO Case No. [D2008-0260](#) concerning the domain name <mps.mobi>, where the panel highlighted the significance of short-letter expressions that have meanings other than those claimed by the complainant by noting:

“The Respondent was at the time of registration, of the view that no one company could claim exclusive rights in MPS because it stood for so many things. From its own searches of the term ‘MPS’, the Panel finds the Respondent’s view reasonable”.

See also *PCO AG v. Register4Less Privacy Advocate, 3501256 Canada, Inc.* WIPO Case No. [D2017-1778](#) concerning the domain name <pco.com>. In this case, no response had been filed but the panel declined to find for the complainant. It noted that “[t]he Complainant claims to be widely known by the name ‘PCO’ and to have a strong reputation worldwide but it has supplied no evidence in support of this assertion”.

In the present case, the Panel considers that the Complainant has established it has a significant reputation in the SAS mark in relation to software and related services and that reputation subsists internationally. It has also filed evidence which establishes that it had a significant reputation on a worldwide basis prior to the date the Disputed Domain Name was acquired by the Respondent. In those circumstances the Panel considers that an inference can be drawn that the Respondent’s registration of the Disputed Domain Name would have been made with knowledge of the Complainant’s reputation and with intent to take advantage of that reputation. Conceivably this inference could, with appropriate evidence, be rebutted – but as [WIPO Overview 3.1](#) notes at 2.10.2: “For a respondent to have rights or legitimate interests in a domain name comprising an acronym, the respondent’s evidence supporting its explanation for its registration (and any

use) of the domain name should indicate a credible and legitimate intent which does not capitalize on the reputation and goodwill inherent in the complainant's mark". In the present case, given the lack of any explanation from the Respondent as to how and why it chose the Disputed Domain Name (beyond an unsupported bare assertion that SAS is a common beginning of business names in Kuwait used supposedly by hundreds of companies) the Panel does not consider the inference has been rebutted.

The Panel has considered each of the circumstances listed in paragraph 4(c) of the Policy in turn. As regards paragraph 4(c)(i), the Respondent contends that it operates a genuine IT solutions and general trading business in Kuwait and the wider Middle East under the name SAS Technologies, and that this business was established prior to the registration of the Disputed Domain Name. The Respondent has not however provided any evidence of that business and the Complainant's investigations were unable to identify the business in question. The Panel accepts that the Respondent has produced the Kuwaiti Chamber of Commerce certificate (recording registration since 2019) and the business licence which suggest some business may exist but beyond that nothing has been provided in terms of evidence of business operations as opposed to bare assertions. However, the question is not simply whether the Respondent operates a business, but whether the domain name was registered and used in connection with a bona fide offering of goods or services.

In the Panel's assessment, the Respondent's use of the Disputed Domain Name cannot be characterised as bona fide in circumstances where the domain name adopts the entirety of the Complainant's SAS mark — a globally well-known trademark in the software industry — as its lead element, and where the associated website promotes services that are directly analogous to or overlapping with those of the Complainant. The Panel notes that the SAS mark has been in use since 1976, long predating the Respondent's business registration.

The Panel further observes that the Complainant has adduced uncontested evidence that no business could be found at the physical address prominently displayed on the Respondent's website, and the telephone number shown on the Respondent's website was found to be disconnected. The provision of false or inaccurate contact information on a commercial website is inconsistent with bona fide use within the meaning of paragraph 4(c)(i) of the Policy.

As regards paragraph 4(c)(ii), the Respondent asserts that it is known as "SAS Technologies" and has submitted documents showing its corporate registration under that name since 2019. The Panel acknowledges the existence of those documents. However, as [WIPO Overview 3.1](#), section 2.3, makes clear, a respondent claiming to have been "commonly known by" the domain name must demonstrate that the use of the name pre-dates the filing of the Complaint and is genuinely bona fide. Where a respondent adopts a name that is materially similar to a complainant's well-known trademark, panels are cautious about accepting an "own name" defence unless there is clear and convincing evidence of genuine independent use unconnected to any intention to trade on the complainant's goodwill. See also *Peter Frampton v. Frampton Enterprises, Inc*, WIPO Case No. [D2002-0141](#).

In this case, the SAS mark was internationally well-known in the software and data analytics fields many years before the Respondent came into existence. The Respondent has produced no evidence beyond bare assertions showing that it adopted the name "SAS Technologies" independently of, and without awareness of, the Complainant's SAS mark. The Respondent's bare assertion that "SAS" is a commonly used name in Kuwait and that it was unaware of SAS Institute is, in the Panel's view, implausible given the global fame of the Complainant's mark in precisely the fields in which the Respondent operates and its use of the domain name <sas.com>. The Panel therefore considers that even if the Respondent has adopted the name "SAS Technologies" for commercial registration purposes, the adoption of that name does not give rise to a right or legitimate interest within the meaning of paragraph 4(c)(ii) of the Policy where there is no credible evidence that the name was chosen independently and without reference to the Complainant's prior trademark rights.

As regards paragraph 4(c)(iii), the Respondent's use of the Disputed Domain Name is plainly commercial in nature. This limb of the Policy is therefore inapplicable.

The Panel finds that the Respondent has failed to rebut the Complainant's prima facie case, and concludes that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The second element under paragraph 4(a)(ii) of the Policy has accordingly been satisfied.

### **C. Registered and Used in Bad Faith**

Under paragraph 4(b) of the Policy a non-exhaustive list of factors evidencing registration and use in bad faith comprises:

(i) 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 or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

The Panel finds that the circumstances of this case clearly establish registration and use in bad faith, for the following reasons.

First, the SAS mark is a widely recognised trademark in the global software and data analytics industry, having been in continuous use since 1976 and the subject of United States registrations since 1980. Any party operating in the IT and software sector — as the Respondent plainly does — would be likely to have been aware of the Complainant's SAS mark at the time of the registration of the Disputed Domain Name in May 2021. The Respondent's bare assertion to the contrary is, in the Panel's assessment, not credible. See [WIPO Overview 3.1](#), section 3.2.2 ("When a respondent registers a domain name consisting of a complainant's well-known mark, panels will typically infer that the respondent registered the domain name with full knowledge of the complainant's trademark."). See also *Veuve Clicquot Ponsardin v. The Polygenix Group Co*, WIPO Case No. [D2000-0163](#).

Second, the Respondent has registered a domain name that incorporates the entirety of the Complainant's SAS mark, combined with the term "technologies", and used it to host a commercial website promoting IT and software solutions — services in the same or closely related sector as the Complainant's core business. This use falls squarely within the circumstances described in paragraph 4(b)(iv) of the Policy: 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 mark as to source, sponsorship, affiliation, or endorsement. See [WIPO Overview 3.1](#), section 3.5.

Third, the Complainant adduced uncontested affidavit evidence that the physical address and telephone number displayed on the Respondent's website were false; the Respondent did not file a response other than the two emails noted above and in particular did not react to the Complainant's allegation on this point. False or materially misleading contact details on a website associated with a Disputed Domain Name are a

recognised indicator of bad faith. See *Salomon Smith Barney Inc. v. Salomon Internet Services*, WIPO Case No. [D2000-0668](#).

The Panel has considered whether the Respondent's production of Kuwaiti business registration documents — which pre-date the filing of the Complaint and indicate registration of a company under a similar name since 2019 — is sufficient to rebut the inference of bad faith. In the Panel's view, it is not. The production of a business registration in the name "SAS Technologies" does not, of itself, establish good faith registration of the Disputed Domain Name. The relevant question is whether the domain name was registered with the Complainant's trademark in mind. Given the international fame of the SAS mark in the software sector, the nature of the Respondent's business, and the other indicators above, the Panel concludes that the business registration documents do not displace the inference arising from the totality of the evidence.

The Panel is satisfied, on the balance of probabilities, that the Disputed Domain Name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) and paragraph 4(b)(iv) of the Policy. The third element has accordingly 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 <sastechnologies.co> be transferred to the Complainant.

*/Nick J. Gardner/*

**Nick J. Gardner**

Sole Panelist

Date: March 13, 2026