

ADMINISTRATIVE PANEL DECISION

elasticsearch B.V. v. Thomas Kim

Case No. DCO2026-0019

1. The Parties

The Complainant is elasticsearch B.V., Netherlands (Kingdom of the), represented by Quinn IP Law, United States of America (“United States”).

The Respondent is Thomas Kim, United States.

2. The Domain Name and Registrar

The disputed domain name <elastc.co> is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 19, 2026. On February 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 19, 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 (private registration) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 20, 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 February 26, 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 February 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 23, 2026.

The Center appointed Andrea Mondini as the sole panelist in this matter on March 30, 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 operates since at least 2012 as an entity based in the Netherlands and is publicly listed on the New York Stock Exchange. It develops and sells search, observability, artificial intelligence and security technology related goods and services.

The Complainant owns numerous trademark registrations in several jurisdictions, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE
ELASTIC	International Registration	1317586	July 21, 2016
ELASTICSEARCH	United States	4212205	September 25, 2012

The Complainant holds several domain names containing the term “elastic”, among them <elastic.co> which host its main website.

Because the Respondent did not file a Response, not much is known about the Respondent.

The disputed domain name was registered on October 29, 2019.

The disputed domain name currently resolves to an error page.

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 as follows:

The trademark ELASTIC has been extensively used to identify the Complainant and its products and services. The disputed domain name is confusingly similar to the ELASTIC trademark in which the Complainant has rights, because it incorporates this trademark in its entirety, and the omission of the letter “I” constitutes typosquatting and is not sufficient to prevent a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use this trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services.

The disputed domain name was registered and is being used in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its well-known trademarks ELASTIC and ELASTICSEARCH at the time it registered the disputed domain name and is likely to deceive the Complainant's customers and vendors. Moreover, the disputed domain name may be used for fraudulent “phishing” or “pharming” activities.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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.

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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Panel finds the disputed domain name consists of an obvious and intentional misspelling of the Complainant's trademark which is recognizable within the disputed domain name, and this is considered to be confusingly similar to the Complainant's mark for purposes of the first element. [WIPO Overview 3.1](#), sections 1.7 and 1.9.

The addition of the country code Top-Level Domain ".co" in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.1](#), section 1.11.1.

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 for a complainant to prove 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.

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.

Furthermore, the composition of the disputed domain name itself suggests a connection or implied affiliation between the Complainant and the Respondent which in fact does not exist, particularly considering that the Complainant's official website is hosted under the highly similar domain name <elastic.co>. [WIPO Overview 3.1](#), section 2.5.1

Based on the available record, 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. [WIPO Overview 3.1](#), section 3.2.1.

In the view of the Panel, noting that the Complainant's trademark predates the registration of the disputed domain name and considering that the Complainant's trademark is well-known, it is highly unlikely that the Respondent could have registered the disputed domain name without knowledge of the Complainant's trademark. In the circumstances of this case, this is evidence of registration in bad faith.

The disputed domain name currently resolves to an error site.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iii) the respondent's concealing its identity or use of false contact details, and (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement). Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa. [WIPO Overview 3.1](#), section 3.3.

Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, the composition of the disputed domain name (its similarity with the Complainant's domain name), and the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use.

Therefore, the Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel further notes that the Complainant also claims that the disputed domain name may be used for fraudulent "phishing" or "pharming" activities. However, the Panel finds there is no evidence on record to support the Complainant's above assertions and declines to make any findings on these matters.

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <elastc.co> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: April 10, 2026