

PANEL DECISION

Zoho Corporation Private Limited, Zoho Corporation B.V. v. Freja Simmons
Case No. DEU2026-0002

1. The Parties

The Complainants are Zoho Corporation Private Limited, India, and Zoho Corporation B.V., Netherlands (Kingdom of the), represented by Abion GmbH, Switzerland.

The Respondent is Freja Simmons, Portugal.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <zohocloud.eu> is the European Registry for Internet Domains (“EURid” or the “Registry”). The Registrar of the disputed domain name is Namecheap, Inc.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 29, 2026. On January 29, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On January 30, 2026, the Registry transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the “ADR Rules”) and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the “Supplemental Rules”).

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on February 5, 2026. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was February 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 2, 2026.

The Center appointed Anna Carabelli as the sole panelist in this matter on March 4, 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 ADR Rules, Paragraph B(5).

4. Factual Background

The following facts are undisputed.

The Complainants Zoho Corporation Private Limited and Zoho Coporation B.V. are part of the same technology group, a global provider of cloud-based software offering a wide range of products including, among others, private cloud systems, marketing, finance, IT management, project management and developer platforms.

The Complainant Zoho Corporation Private Limited is the parent company of Zoho Corporation B.V., its wholly owned subsidiary. Founded in 1996 as AdventNet, Inc., it was renamed Zoho Corporation Private Limited in 2009, after launching its first software product, “Zoho Virtual Office”, in 2004.

With 18,000 employees across 24 different jurisdictions and an extensive network of partners, the group is able to offer its products and services in various countries around the world, including Portugal, where the Respondent is reportedly based.

The Complainants, individually or jointly, hold several registrations for the ZOHO trademark, including:

- The European Union trademark ZOHO No. 018721836, registered on November 2, 2022, in class 9.
- The International trademark ZOHO No. 929558, registered on June 19, 2007, in class 42, designating, among others, the EU countries;
- The German trademark ZOHO No. 302023006294 (figurative), registered on July 26, 2023, in classes 9 and 42.

The Complainant Zoho Corporation B.V owns the domain names <zoho.eu> registered in 2016, <zoho.it> registered in 2012, and <zoho.fr> registered in 2017; the Complainant Zoho Corporation Private Limited owns the domain name <zoho.com> which was registered in 2004 and resolves to the Complainants’ official website.

The disputed domain name was registered on May 6, 2024. The evidence submitted with the Complaint show that the disputed domain name used to resolve to a parking page displaying pay-per-click (“PPC”) links competing with the Complainants’ products and services. Currently, the disputed domain name resolves to an inactive webpage.

In July and August 2025, and January 2026, the Complainants sent cease-and-desist letters to the Respondent, both directly and via the Registrar’s abuse reporting email address, informing of the Complainants’ rights regarding the ZOHO trademark, to which the Respondent did not reply.

5. Parties’ Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the ADR Rules for a transfer of the disputed domain name.

Notably, the Complainants contend that:

- Due to its extensive use and advertising, the Complainants and its ZOHO trademark are widely known in connection with technology and cloud-based software;
- The disputed domain name is confusingly similar to the Complainants’ trademark ZOHO, since it consists of the Complainants’ exact mark with the addition of the term “cloud” which is directly related to the Complainants’ services;

- The Respondent has no rights or legitimate interests in the disputed domain name since:
(i) the Complainants have not authorized or somehow given consent to the Respondent to register and use the disputed domain name, (ii) the Respondent is not commonly known by the disputed domain name, and (iii) the Respondent's use of the disputed domain name is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use;
- The disputed domain name was registered and is being used in bad faith. The structure of the disputed domain name shows that the Respondent registered it having in mind the Complainants' ZOHO mark, and reflects the Respondent's clear intention to create an association with and take advantage of the Complainant's widely known trademark. The fact that the disputed domain name does not currently resolve to an active website does not prevent a finding of bad faith;
- The Respondent has configured MX records for the disputed domain name, which indicates that the disputed domain name may be used to send email communications. The activation of an email on a domain name that is confusingly similar to the Complainants' trademark creates a risk of deceptive or fraudulent use.

Based on the above the Complainants request the disputed domain name be transferred to the Complainant Zoho Corporation B.V.

B. Respondent

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

6. Discussion and Findings

This matter will be decided in the light of the Complaint, the absence of a response, the Regulation (EU) No. 2019/517 of the European Parliament and of the Council of March 19, 2019, on the implementation and functioning of the .eu Top Level Domain, the ADR Rules, and the Supplemental Rules. Considering that panels in earlier .eu cases have established that there are substantive similarities between the ADR Rules and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), this Panel will refer to the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), where appropriate.

6.1. Preliminary Issue – Consolidation - Multiple Complainants

The applicable ADR Rules do not directly contemplate the consolidation of multiple complainants in a single complaint. Prior panels in similar .eu cases involving multiple complainants rendered decisions based on the consensus view developed in the UDRP proceedings and accepted a complaint filed by more than one complainant against a single respondent.

See *Vitalen Otomotiv A.Ş and Vitalen Technology GmbH v. Faith Ünsal*, WIPO Case No. [DEU2022-0001](#) and *BGIN Trading Limited and BGIN EU Limited v. Michal Beno*, WIPO Case No. [DEU2025-0038](#).

As per section 4.11.1 of the [WIPO Overview 3.1](#), in assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.

In the present case, the Complainants are affiliated with each other and have a common interest in the trademark ZOHO (which, incidentally, appears in both of their company names) for the purposes of the ADR Rules. Consequently, the Respondent's use of the disputed domain name affects their rights in a similar manner.

The Panel finds that there is sufficient nexus to allow them to bring this Complaint as joint complainants (hereinafter collectively referred to as “Complainant”). In these circumstances consolidation would be equitable and procedurally efficient.

6.2. Substantive Issues

In accordance Paragraph B(11)(d) of the ADR Rules, the Complainant, in order to succeed, is required to prove that:

- (i) The disputed domain name is identical or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law and; either
- (ii) The disputed domain name has been registered by the Respondent without rights or legitimate interests in the name; or
- (iii) The disputed domain name has been registered or is being used in bad faith.

Paragraph B11(f) of the ADR Rules sets out five illustrative circumstances, which for the purposes of paragraph B11(d)(1)(iii) of the ADR Rules, shall be evidence of registration and use of a domain name in bad faith.

Paragraph B11(e) of the ADR Rules sets out three illustrative circumstances any one of which, if found by the Panel, shall be evidence of a respondent’s rights to or legitimate interests in a disputed domain name for the purpose of paragraph B11(d)(1)(ii) of the ADR Rules.

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

Under Paragraph B(11)(d)(1)(i) of the ADR Rules, the Panel shall issue a decision granting the remedies requested in case that the complainant proves that the disputed domain name is identical or confusingly similar to a name in respect of which a right recognized by the national law of a Member State and/or European Union law.

The Panel finds that the Complainant has shown rights in respect of a number of EU, international and national ZOHO trademarks registered before the competent authorities, for the purposes of standing to file the Complaint.

The Complainant’s ZOHO trademark is reproduced and recognizable within the disputed domain name. Indeed, the disputed domain name incorporates the term “zoho”, which corresponds exactly to the Complainant’s ZOHO mark. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the ADR Rules. The addition of the term “cloud” does not prevent a finding of confusing similarity under the first element ([WIPO Overview 3.1](#), sections 1.7 and 1.8).

As stated in numerous prior cases, the “.eu” ccTLD, being a mere technical requirement for registration, is typically disregarded for the purposes of consideration of confusing similarity between a trademark and a domain name. See [WIPO Overview 3.1](#), section 1.11.

The Panel therefore finds that the disputed domain name is confusingly similar to the ZOHO trademark in which the Complainant has rights as required by Paragraph B(11)(d)(1)(i) of the ADR Rules.

B. Rights or Legitimate Interests

Under Paragraph B(11)(e) of the ADR Rules, rights or legitimate interests may be demonstrated where:

- (i) prior to any notice of the dispute, the Respondent has used the disputed domain name in connection with the offering of goods and services or has made demonstrable preparations to do so;
- (ii) the Respondent, being an undertaking, organization or natural person has been commonly known by the domain name, even in absence of a right recognized or established by national and/or European Union law;
- (iii) the Respondent is making a legitimate and non-commercial or fair use of the domain name, without intent to mislead consumers or harm the reputation of a name in respect of which a right is recognized or established by national and/or European Union law.

Although the overall burden of proof in .eu proceedings is on the complainant, cases have shown that it is often impossible for a complainant to prove negative facts because some required information is only within the knowledge 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.

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 ADR Rules or otherwise.

There is no indication before the Panel of any activity in relation to the disputed domain name that would give rise to rights or legitimate interests to the Respondent.

Furthermore, the Panel notes the composition of the disputed domain name (incorporating the Complainant's ZOHIO trademark in its entirety) which carries a risk of implied affiliation with the Complainant. As per the evidence submitted with the Complaint, the disputed domain name had been used for competing commercial pay-per-click (PPC) links, which does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. Prior panels in .eu proceedings have found that the use of a domain name to host a parked 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 ([WIPO Overview 3.1](#), section 2.9).

The Panel finds that the second element of the ADR Rules (i.e., the requirement that the domain name has been registered by the Respondent without rights or legitimate interest in the name), has been established.

C. Registered or Used in Bad Faith

As the two conditions stipulated in Paragraph B(11)(d)(1)(i) and (ii) of the ADR Rules have already been fulfilled and lack of rights or legitimate interests and registration or use in bad faith are alternative requirements, the Panel does not need to examine whether the Respondent has registered or is using the disputed domain name in bad faith, under Paragraph B(11)(d)(1)(iii) of the ADR Rules.

However, since the Complainant has put forward facts and arguments to support a claim that the Respondent has registered or is using the disputed domain name in bad faith, for the sake of completeness, the Panel will further address these issues as well.

The Panel notes that according to the un rebutted evidence in the Complaint, the Complainant's ZOHOO trademark was widely used in commerce for many years well before the registration of the disputed domain name, and has, as a result, acquired considerable reputation and goodwill. In the circumstances of the case, particularly noting the composition of the disputed domain name, it is difficult to believe that the Respondent did not have in mind the Complainant's trademark when registering the disputed domain name, consisting of the Complainant's trademark with the addition of the term "cloud" which is directly related to the Complainant's services. Such fact suggests that the disputed domain name was registered in bad faith.

With respect to use in bad faith, the Complainant has provided evidence that the disputed domain name initially resolved to a parking page hosting PPC links that compete directly with the Complainant's products and services. The Respondent was probably deriving some income from each click on those links thereby capitalizing on the Complainant's trademark and goodwill for its own profit. The Panel finds the use of the confusingly similar disputed domain name to lure Internet users to a website hosting links to competing products/services is evidence of bad faith.

The fact that the disputed domain name currently resolves to an inactive webpage does not prevent a finding of bad faith under the passive holding doctrine given the totality of the circumstances in the present case, noting the composition of the disputed domain name as discussed above and the failure of the Respondent to submit a response. [WIPO Overview 3.1](#), section 3.3.

The Panel therefore finds that the Respondent has registered and is using the disputed domain name in bad faith under Paragraph (B)(11)(f)(4) of the ADR Rules, and that the condition under Paragraph B(11)(d)(1)(iii) of the ADR Rules has been established.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, the Panel orders that the disputed domain name, <zohocloud.eu> be transferred to the Complainant¹ Zoho Corporation B.V.

The Panel finds that the Complainant Zoho Corporation B.V. meets the general eligibility criteria for registration set out in Article 3 of Regulation (EU) 2019/517.

/Anna Carabelli/

Anna Carabelli

Sole Panelist

Date: March 18, 2026

¹ (i) The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.