

## **ADMINISTRATIVE PANEL DECISION**

Shopify Inc. v. Zubair Ahmed  
Case No. DIO2026-0010

### **1. The Parties**

The Complainant is Shopify Inc., Canada, represented Smart & Biggar LP, Canada.

The Respondent is Zubair Ahmed, United States of America ("US").

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

The disputed domain name <shopifygeeks.io> is registered with Key-Systems GmbH (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 12, 2026. On March 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 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 (Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not amend the Complaint.

The Center verified that the Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the "Policy"), the Rules for .IO Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .IO 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 April 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 24, 2026.

The Center appointed Theda König Horowicz as the sole panelist in this matter on May 12, 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 Canadian based company which was founded on September 28, 2004. It operates a well-known cloud-based e-commerce platform designed for small and medium-sized businesses. Its software is used by merchants to run businesses across all sales channels, including web, tablet and mobile storefronts, social media storefronts, and brick-and mortar pop-up shops.

The Complainant has a Partnership Program. The program is free to join and allows Partners to experiment with the Shopify platform through unlimited test stores. For every client they refer, theme they design, or app they build, the Partner receives ongoing monthly income from Shopify, as well as the early access to new features, marketing materials. The Program is governed by the Shopify Partner Agreement, which is entered into by all Partners. The Agreement provides an explicit prohibition in section 5.3 against obtaining any domain name containing any Shopify Trademarks (including Shopify) or misspellings thereof.

The Complainant owns several registrations for the trademark SHOPIFY in many countries, including:

- Canadian Registration No. TMA787767, filed October 22, 2009, registered on January 18, 2011
- US Registration No. 38404212, filed November 12, 2009, registered on August 31, 2010.

The Complainant also owns several domain names containing SHOPIFY such as <shopify.com> and <shopify.ca> on which it offers its services through various websites.

The disputed domain name was registered on March 6, 2022. At the time of the filing of the Complaint, the disputed domain name resolved to a webpage purporting to provide “Shopify development services”, such as “Shopify Theme Development”, “Shopify App Development” and “Shopify Store Migration”.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant alleges that the disputed domain name is confusingly similar to its SHOPIFY trademark as it prominently reproduces SHOPIFY which is an invented and distinctive word. The addition of the descriptive term “geeks” in the disputed domain name does not prevent a finding of confusing similarity.

The Complainant further alleges that there is no evidence of the Respondent’s use of, or demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services. The Respondent entered into an agreement that expressly prohibited such use of the Complainant’s trademark but nonetheless chose to register and use the disputed domain name without authorization. Additionally, the disputed domain name resolves to a commercial website that uses the Complainant’s trademark SHOPIFY without contain a disclaimer or otherwise identify that the Respondent is not affiliated with the Complainant, thus leading Internet users to wrongfully believe that the Respondent has some special relationship with the Complainant. The association in the disputed domain name of Complainant’s trademark SHOPIFY with the descriptive term “geek” is also misleading.

The Complainant submits that the disputed domain name was registered and used in bad faith notably because it contains its SHOPIFY famous trademark without authorization. The Respondent also used the disputed domain name for commercial gain by trying to attract internet users into wrongfully believing that it had an affiliation with the Complainant. The violation of the Partnership Agreement is another indication of bad faith use.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy to succeed:

- (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 has been registered or is being used in bad faith.

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

The Panel finds that the Complainant is the owner of the trademark SHOPIFY both by registration and use and that the disputed domain name is confusingly similar to the trademark SHOPIFY, as the latter is incorporated in its entirety.

The addition of the term "geek" does not prevent a finding of confusing similarity. See [WIPO Overview 3.1](#), section 1.8.<sup>1</sup>

It is well accepted that a country code Top-Level Domain ("ccTLD") suffix, in this case ".io", is typically ignored when assessing the confusing similarity between a trademark and a domain name. See [WIPO Overview 3.1](#), section 1.11.

The Panel finds that the Complainant has therefore met its burden of proving that the disputed domain name is confusingly similar to the Complainant's trademarks, pursuant to the Policy, paragraph 4(a)(i).

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

Paragraph 4(a)(ii) of the Policy requires the Complainant to prove that the Respondent has no rights or legitimate interests in the disputed domain name.

The Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating in accordance with paragraph 4(c) of the Policy any of the following circumstances, in particular but without limitation:

- "(i) before any notice to you of the dispute, your 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) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or
- (iii) you are 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."

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<sup>1</sup> In light of the similarities between the .IO Domain Name Dispute Resolution Policy and the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the Panel has made references to the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), where appropriate.

According to paragraph 4(a) of the Policy, the Complainant has the burden of proving the three elements of the Policy. However, satisfying the burden of proving a lack of the Respondent's rights or legitimate interests in respect of the disputed domain name according to paragraph 4(a)(ii) of the Policy is potentially quite difficult, since proving a negative circumstance is generally more complicated than establishing a positive one. As such, it is well accepted that it is sufficient for the Complainant to make a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name in order to shift the burden of production to the Respondent. If the Respondent fails to demonstrate rights or legitimate interests in the disputed domain name in accordance with paragraph 4(c) of the Policy or on any other basis, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy.

The Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name. In particular, the Complainant has disclosed that it entered into an agreement with the Respondent prohibiting the latter to use of the Complainant's trademark, allegation which was not rebutted by the Respondent. Despite the prohibition mentioned in the agreement, the Respondent chose to register and use the disputed domain name without authorization for a commercial website promoting Respondent's services

In addition, said website does not contain any disclaimer indicating that the Respondent is not affiliated with the Complainant, thus leading Internet users to wrongfully believe that the Respondent has some special relationship with the Complainant.

The prima facie case presented by the Complainant is enough to shift the burden of production to the Respondent to demonstrate that it has rights or legitimate interests in the disputed domain name. However, the Respondent has not presented any evidence of any rights or legitimate interests it may have in the disputed domain name.

The Panel therefore concludes that the disputed domain name is not being used in connection with a bona fide offering of goods or services and finds that paragraph 4(a)(ii) of the Policy has been satisfied.

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

Paragraph 4(a)(iii) of the Policy requires a demonstration that a domain name has either been registered or is being used in bad faith.

Considering the circumstances of the present case, in particular the prohibition which was made by the Complainant to the Respondent not to register domain names containing its SHOPIFY trademark, the Panel find that the condition of bad faith registration is fulfilled, being reminded that the Respondent chose to remain silent within these proceedings and has not rebutted Complainant's allegations and evidence in this regard.

Furthermore, the Panel considers that the nature and composition of the inherently misleading disputed domain name, which wholly incorporates the Complainant's trademarks SHOPIFY (registered) and the descriptive term "geek" which relates to the Internet world in which the Complainant is active further supports a finding of bad faith. See [WIPO Overview 3.1](#), section 3.2.1.

The Panel therefore concludes that paragraph 4(a)(iii) has been satisfied.

## 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, <shopifygeeks.io>, be transferred to the Complainant.

*/Theda König Horowicz/*

**Theda König Horowicz**

Sole Panelist

Date: June 9, 2026