



## CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

### DOMAIN NAME DISPUTE

### ADMINISTRATIVE PANEL

### DECISION

CIIDRC case number:	25029-UDRP	Decision date: May 28, 2025
Domain Name:	<b>tailscale-careers.com</b>	
Panel:	<b>Gabriel Leonardos</b>	
Complainant:	<b>Tailscale Inc.</b>	
Respondent:	<b>Edward Casillas</b>	

#### 1. PROCEDURAL HISTORY

This matter is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the Policy) and the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules) of the Internet Corporation for Assigned Names and Numbers (ICANN).

The proceeding concerns the domain name <tailscale-careers.com>, registered on April 2, 2025. The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre (“CIIDRC”) to the Panel containing the following information:

On April 16, 2025, the above-named Complainant Tailscale Inc. filed a Complaint with the Canadian International Internet Dispute Resolution Centre (the “Centre” or “CIIDRC”) via the CIIDRC online platform, pursuant Uniform Domain Name Dispute Resolution Policy (the Policy) and the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules) of the Internet Corporation for Assigned Names and Numbers (ICANN). Since the identity of Registrant is not published in the public WHOIS database, Registrant’s name was not included in the Complaint.

On April 16, 2025, CIIDRC transmitted by email to Registrar a request for registrar verification in connection with the disputed domain name, and Registrar responded advising of the identity of Respondent and providing contact details. In addition, Registrar confirmed that the disputed domain name <tailscale-careers.com> was placed in a Registrar LOCK.

After Complainant was informed of Respondent's information as provided by Registrar, Complainant submitted the amended Complaint on April 21, 2025.

On April 22, 2025, CIIDRC confirmed compliance of the Complaint and commencement of the dispute resolution process. That day, pursuant to UDRP Rule 4 and Supplemental Rule 5, CIIDRC notified the Respondent of this administrative proceeding and forwarded a Notice of Complaint to Respondent.

Respondent failed to file a response by the deadline of May 12, 2025.

On May 16, 2025, CIIDRC appointed Mr. Gabriel Francisco Leonardos, as a single-member Panel in the present matter. This Administrative Panel ("the Panel") has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by CIIDRC to ensure compliance with the UDRP Rules, paragraph 7.

Having reviewed CIIDRC's records, Panel finds that CIIDRC has discharged its responsibility under paragraph 2(a) of the UDRP Rules "to employ reasonably available means calculated to achieve actual notice to Respondent" through submission of electronic and Written Notices, as defined in the UDRP Rules paragraph 2(a)(i) and (ii). Therefore, Panel may issue its decision based on the documents submitted and in accordance with the Policy, the UDRP Rules and the CIIDRC Supplemental Rules and any rules and principles of law that the Panel deems applicable.

## 2. FACTS ALLEGED BY THE PARTIES

Complainant is a software company based in Toronto, Ontario (Canada) that develops a partially open-source software-defined mesh virtual private network (VPN) and a web-based management service. Founded in 2019, Complainant now holds considerable success and has a worldwide basis of over 2.5 million devices connected to Tailscale's platform and over 10,000 companies running its software.

Complainant is owner of numerous trademarks registrations throughout the world for TAILSCALE and also operates domain names containing the mark, such as <tailscale.com>. Some examples of Complainant's trademarks registrations for TAILSCALE can be found below:

Registration	Trademark	Jurisdictions	International Class	Registration Date
TMA1273560	TAILSCALE	Canada	9 and 42	December 6, 2024
6830059	TAILSCALE	United States	9 and 42	August 30, 2022

The disputed domain name resolves to a website that currently displays no content. Using email addresses associated with the Disputed Domain Name, Respondent has sent emails impersonating Tailscale recruiters, inviting recipients to apply for jobs and sending fraudulent employment contracts.

Respondent failed to submit failed to submit a response.

## 3. CONTENTIONS OF THE PARTIES

- **Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Complainant argues that the disputed domain name is confusingly similar to the trademark TAILSCALE and will be perceived as an official website tied to Complainant. Furthermore, states that TAILSCALE is perceived as the predominant part of the disputed domain name and defends that the sole addition of a hyphen and the descriptive term “careers” do not make it distinctive and still communicates the idea of a website linked to Complainant.

Other than this, Complainant contends that it has no relationship with Respondent and that it has not granted a license or provided authorization for the use of the trademark TAILSCALE. Moreover, Complainant defends that Respondent did not use the disputed domain name in connection with a *bona fide* offering of goods or services or for a legitimate non-commercial or fair use but as a vehicle to commit fraud and intentionally mislead internet users. For this reason, Complainant attests that the disputed domain name has been registered and is being used in bad faith.

- **Respondent**

Respondent failed to submit a response within the established deadline.

- **Remedy Sought**

Complainant requests the disputed domain name <tailscale-careers.com> be transferred to it.

#### **4. DISCUSSION AND FINDINGS**

##### **4.1 Requirements**

In accordance with Paragraph 4 of the Policy, the onus is on the Complainant to prove that:

1. the Domain Name is Identical or Confusingly Similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the Domain Name; and
3. the Domain Name has been registered and is being used in bad faith.

The Panel will consider each of these requirements in turn.

##### **4.2 Analysis**

###### **4.2.1 The Domain Name is Identical or Confusingly Similar to a Mark in which the Complainant has Rights**

Based on the available record, Panel finds that Complainant has proven rights over the TAILSCALE trademark, owning several registrations throughout the globe for said term, and also demonstrated the ownership of domain names containing said trademark, such as <tailscale.com>. Furthermore, Complainant also succeeded in showing that said rights over the TAILSCALE trademark are prior to the registration of the disputed domain name.

Comparing the TAILSCALE trademark and the disputed domain name it is also clear that said trademark is entirely reproduced within the disputed domain name. The addition of a hyphen and descriptive term “careers” do not distinguish the domain from the trademark but only contributes the impersonation (see WIPO Overview 3.0, section 1.8). In this sense, this Panel recognizes that the disputed domain name <tailscale-careers.com> is confusingly similar to the mark for the purposes of the Policy.

Therefore, based on the available record, the Panel finds the first element of the Policy has been established.

#### **4.2.2 Rights or Legitimate Interests in respect of the Domain Name**

As commonly known, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, therefore when making a *prima facie* case that Respondent lacks rights or legitimate interests, the burden to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name shifts to Respondent.

In the present case, Complainant showed that there is no relationship, it has not granted a license or provided authorization for use the trademark and Respondent does not use the Disputed Domain Name in connection with a *bona fide* offering of goods or services or for a legitimate non-commercial or fair use.

In this sense, Panel finds Complainant has established a *prima facie* case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted Complainant’s *prima facie* showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name.

The use of the domain name, namely through impersonation e-mails, represents an illegitimate activity which can never confer rights or legitimate interests towards the disputed domain name that creates a likelihood of confusion as to possible career offers in Complainant’s company. Similarly, see *Lassonde Industries Inc. vs. Stephen Wells Wells*, Case no. 23059-UDRP:

*“This use of a domain name to mislead internet users does not represent a bona fide offering of goods or services or any legitimate noncommercial or fair use of the disputed domain name”*

Accordingly, the Panel finds the second element of the Policy has been established.

#### **4.2.3 Registration and Use of the Domain Name in Bad Faith**

In the present case, Panel notes that Respondent has registered a domain name that is confusingly similar to Complainant's trademark TAILSCALE, as explained above (4.2.1). Also, based on the available record and the analysis in 4.2.2, it is established that Respondent has no affiliation with Complainant and the trademark TAILSCALE, nor has it sought authorization or a license for the use of the referred trademark. Respondent also does not own any trademarks containing the term TAILSCALE or showed any rights over the term.

Furthermore, considering Complainant's significant reputation in the open-source software-defined mesh virtual private network (VPN) market and the impersonation of Complainant's job recruiters, Respondent must have had knowledge of Complainant's pre-existing rights to the TAILSCALE trademark prior domain names such as <tailscale.com>.

Respondent had fraudulent intent and bad faith in registering a domain name and using related emails for the purpose of committing fraud, such as to send fraudulent job applications and obtain personal information from users. This action resulted in confusion among users about possible ties between Complainant and Respondent, as Complainant demonstrated through several e-mails sent out by victims of Respondent's actions. Similarly, see Rheem Manufacturing Company vs. ravi schr / RailGateway, Case No. 22763-CDRP:

*"Consumers accessing or viewing the disputed Domain Name are likely to believe incorrectly that the domain is associated with the Complainant because it incorporates the Registered RUUD Trademark in full and presents alleged Canadian job opportunities that consumers are likely to believe would be available from a multinational corporation, such as the Complainant. Both "careers" and "Canada" are generic modifiers to the RUUD portion of the Domain Name and do not create any distinctiveness from the RUUD Mark".*

Therefore, the Panel finds that the circumstances of the present case allow for a finding of bad faith in the registration and use of the disputed domain name, considering that (i) Respondent would likely obtain commercial gain by impersonating Complainant's recruiters through e-mails linked to the disputed domain name; and, (ii) Respondent was most likely aware of Complainant's rights on the trademark TAILSCALE, considering Respondent's use of the disputed domain name, which aimed to create a likelihood of confusion within Internet users to suggest an affiliation with Complainant.

Lastly, the Panel finds it is relevant that Respondent has not provided any evidence of good faith in the registration or use of the disputed domain name or otherwise participated in this dispute.

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

#### **4 DECISION and ORDER**

For the above reasons, in accordance with Paragraph 4 of the Policy, Paragraph 15 of the Rules, and Rule 10 of the Supplemental Rules, the Panel orders that the disputed domain name <tailscale-careers.com> be transferred to Complainant.

Made as of May 26, 2025

SIGNATURE OF PANEL



GABRIEL F. LEONARDOS

