



**CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE**  
**DOMAIN NAME DISPUTE**  
**ADMINISTRATIVE PANEL**  
**DECISION**

CIIDRC case number:	<b>25980-CDRP</b>	Decision date: <b>January 15, 2026</b>
Domain Name:	<b>&lt;nuans.ca&gt;</b>	
Panel:	<b>R. John Rogers (Chair), Richard Levy, Adam Samuel</b>	
Complainant:	<b>Department of Innovation, Science and Economic Development Canada – Corporations Canada</b>	
Registrant:	<b>Mohsen Ebrahimipour/ NEXTLEDGER</b>	

## 1. OVERVIEW

This matter concerns a registered domain, **<nuans.ca>** (the “Domain Name”).

This matter is a proceeding under the Canadian Dispute Resolution Policy (“CDRP”) and the Canadian Dispute Resolution Rules (“Rules”) of the Canadian Internet Registry Authority (“CIRA”). The Canadian International Internet Dispute Resolution Centre (“CIIDRC”) is a recognized service provider to the CIRA Domain Name Dispute Resolution Policy (the “Policy”) of the Canadian Internet Registration Authority (“CIRA”).

## 2. PROCEDURAL HISTORY

On October 24, 2025, the Complainant filed a complaint (the “Complaint”) by email with CIIDRC. In the Complaint, the Complainant sought an order in accordance with the Policy and the Rules directing that the registration of the Domain Name be transferred to the Complainant.

CIIDRC determined the Complaint to be in administrative compliance with the requirements of the Policy and the Rules and, pursuant to Rule 4.4, notified the Registrant of the Complaint by way of a posted and emailed letter dated October 29, 2025. This letter advised the Registrant that in accordance with Rule 5.1 he had until November 19, 2025 to file his response to the Complaint.

On November 19, 2025 the Registrant filed his response (the “Response”) dated November 18, 2025, and, upon review of the Response, CIIDRC determined that it was not in administrative compliance with the Policy and the Rules and issued a deficiency letter to the Registrant identifying the specific areas of deficiency. The Registrant has failed to remedy these identified deficiencies.

On December 2, 2025, as permitted by section 11.1 of the Rules, the Complainant filed additional submissions.

By way of an email dated December 16, 2025, CIIDRC named Richard S. Levy and Adam Samuel, as panelists in this matter, with John Rogers being named as Chair (the “Panel”). Pursuant to Rule 12.2 CIIDRC determined the deadline for the Panel to deliver its decision to be January 6, 2026.

The members of the Panel confirmed to CIIDRC that they could act impartially and independently as the Panel.

Following a review of the Complaint and the Response, the Panel noted:

- that the Domain Name was registered on November 14, 2000, and
- that in the Response, the Registrant had submitted that he had never misused the disputed domain name and that the Complainant had used the same argument as contained in the Complaint twenty years ago and that it had been unsuccessful.

As a result of these observations, the Panel issued a procedural order (the “Procedural Order”) asking of the parties:

- If prior proceedings between the parties with respect to Domain Name had occurred and, if so, that the details of these proceedings be provided to the Panel,
- The reason for the Registrant registering the Domain Name and, since its registration, what use the Registrant had made of the Domain Name, and
- Given the date of registration of the Domain Name, why the Complainant had taken so long to have submitted the Complaint.

In the Procedural Order, the Panel required that the responses to these questions be submitted by the parties by no later than January 7, 2025 and advised the parties that pursuant to the provision of Rule 12.2 the Panel would be extending the deadline for the delivery of its decision beyond January 6, 2026.

On January 5, 2026, the Complainant responded to the Procedural Order, but the Registrant did not do so.

In the Complainant’s response to the Procedural Order, it submitted:

1. That there were limited communications between the parties in 2008, but that no proceedings were initiated by the Complainant at that time,
2. Evidence demonstrating that the Registrant has used the Domain Name to redirect users seeking the Complainant’s website to his private accounting firm, and
3. That the reason that the Complainant had issued the Complaint after not having taken action for 17 years was the marked increase in recent years in confusion-related complaints and that, therefore, the timing of

the Complaint reflected not delay, but a “measured response” to an escalation that only in the past few years reached a threshold warranting formal proceedings.

### 3. FACTS

The Complainant is a department of the Canadian Government. It owns a Canadian trademark registration for NUANS registration number TMA683715, registered on March 15, 2007. The Canadian Government owned a trademark registration for NUANS, registration number TMA268796 from May 7, 1982, until it was expunged on December 20, 2012 for failure to renew.

The Registrant offers business accounting services.

### 4. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant submits that the Domain Name is confusingly similar or identical to the Complainant’s trademark NUANS which is used to distinguish the Complainant’s services related to corporate name searches and trademark screening. The Complainant had rights in the NUANS mark prior to the registration of the Domain Name and continues to hold those rights. The Domain Name incorporates the entirety of the Complainant’s mark.

The Registrant has no legitimate interest in the Domain Name. The Domain Name has never been used in good faith and is not descriptive or generic. It misleadingly suggests affiliation with the official NUANS system operated by the Canadian government and has diverted users seeking legitimate NUANS services in the past. The Domain Name currently leads to an unsecure web page.

The Registrant has intentionally attempted to attract, for commercial gain, Internet users to their website by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the website. This behavior aligns with the examples of bad faith outlined in the Policy, including creating confusion for commercial gain and disrupting the Complainant’s business.

The Complainant cited and discussed the following precedents in support of its contentions:

- *Equifax Inc. and Equifax Canada Co. v. Mike Leigh* (CIIDRC Case No. 24337-CDRP, pertaining to the domain name, “equifax.ca”);
- *Alamo Franchise Services, LLC v. Vikas Verma* (no case number provided), pertaining to “ExpressEmploymentServices.ca”,
- *Rhenus SE & Co. KG and Rhenus Logistics Canada Ltd. v. Sharafat Ali* (CIIDRC Case No. 22760-CDRP), pertaining to the domain name, “rhenuslogisticsltd.ca”.

- **Registrant**

The Registrant submits that he has lawfully held the Domain Name for the previous 25 years during which time he has never misused “the domain regarding to the trademark NUANS”. He goes on to submit that “There are business names and domains containing NUAS.CA providing the same service as NUANS.COM” and that the Complainant’s predecessor, Industry Canada, “tried to use the same argument 20 years ago to get the domain but they were not successful”.

He concluded his submission by stating that if the Complainant was “interested to get into negotiation they can contact me directly”.

### **Remedy Sought**

The Complainant requests the Domain Name be transferred to it.

## **5. DISCUSSION AND FINDINGS**

### **5.1 Eligibility**

Section 1.4 of the Policy requires that to initiate the Complaint, the Complainant, at the time of the initiation of the Complaint, must satisfy the Canadian Presence Requirements for Registrants, version 1.3 (“CPR.”). The Complainant states that it is, “...Corporations Canada, part of Innovation Science and Economic development, (and) is the federal government and meets the Canadian presence requirements as such.”

Section 2.16 of the CPR Rules includes the following as satisfying the CPR: “**Government.** Her Majesty the Queen in right of Canada, a province or a territory; an agent of Her Majesty the Queen in right of Canada, of a province or of a territory; a federal, provincial or territorial Crown corporation, government agency or government entity; or a regional, municipal or local area government;

As Corporations Canada is a “government entity”, the Complainant is an eligible complainant under paragraph 1.4 of the CDRP.

### **5.2 Requirements**

In accordance with Paragraph 4.1 of the CDRP, the onus is on the Complainant to prove that:

- (a) the Domain Name is Confusingly Similar to a trademark or service mark in which the Complainant had rights prior to the date of registration of the Domain Name and continues to have such Rights:  
and
- (b) the Registrant registered the Domain Name in bad faith.

and the Complainant must provide some evidence that:

(c) the Registrant has no legitimate interest in the Domain Name.

The Panel will consider each of these requirements in turn.

### **5.3 Analysis**

#### **5.3.1 Whether the Domain Name is Confusingly Similar to a Mark in which the Complainant has Rights**

The disputed domain name is the Complainant's trademark and the country code Top Level Domain ("ccTLD") ".ca". The ccTLD is a standing requirement. The ".ca" is irrelevant for the purposes of determining confusing similarity. The Panel concludes that the disputed domain name is either identical or confusingly similar to the Complainant's trademark to which it had rights prior to the registration of the disputed domain name.

#### **5.3.2 Whether the Registrant registered the Domain Name in Bad Faith**

Currently, someone seeking the website associated with the Domain Name is diverted to a website at <doctracc.com> which warns the user "Your connection is not private". In response to the Panel's Procedural Order, the Complainant submitted wayback machine evidence which shows that, in 2018 Internet users who selected the Domain Name were diverted to a website at <doctracc.com> which offered private accounting services similar to the Registrant's from a similar address in Ottawa, Canada. The Complainant also submitted an email from Ontario Business Services Inc. of November 22, 2014 which suggested that a number of domain names that included the Complainant's trademark were diverting Internet users seeking the Complainant's website and causing confusion.

The absence of any response from the Registrant to the Panel's Procedural Order leaves the Panel in the position of having to decide this case in the absence of any explanation by the Registrant for its registration of the Domain Name.

The Registrant appears to have registered the Domain Name in order to attract to its website people looking for the Complainant's website. That determination follows from the registration of the Domain Name, which, apart from the ccTLD, is identical to the Complainant's trademark and the trademark that its predecessor-in-title had rights in at the time of the domain name registration in 2000. It follows that the Registrant must have done this to disrupt the Complainants' activities in some way or to divert individuals looking for the Complainant's website to its own website. This constitutes registration in bad faith.

For these reasons, the Panel concludes that the Registrant registered the Domain Names in bad faith.

#### **5.3.3 Whether there is Some Evidence that the Registrant has No Legitimate Interest in the Domain Name**

None of the enumerated examples of legitimate interest in the Policy apply. The Complainant did not authorise or license the Registrant to use to its trademark. The word NUANS is not the Registrant's legal name or commonly

known identifier. It did not use the disputed Domain Name in good faith in association with goods, services or a business or a non-commercial activity.

#### 5.3.4 Two matters of concern

The Registrant in the Response submitted that he had used the Domain Name for the previous 25 years and that during that time that the Complainant's predecessor, Industry Canada, had attempted without success to secure the Domain Name. In response, the Complainant submitted that the reason that it was now taking such action after not having done so for 17 years was due to the marked increase in recent years in confusion-related complaints which now warranted formal proceedings.

These submissions create for the Panel two areas of concern. The first area of concern is the delay by the Complainant in the bringing of this Complaint. The second area of concern to the Panel is whether there has been a previous unsuccessful CDRP complaint with respect to the Domain Name between the Registrant and the Complainant or the Complainant's predecessor that might have precluded the Panel from reaching its own conclusion on the merits before it.

With respect to the issue of delay, there is no doctrine of *laches* or time-limit estoppel for the bringing of complaints which have been incorporated into the Policy and the Rules and the Panel is not aware of any CDRP cases which have considered this issue. However, the issue has been discussed in many cases under the WIPO Uniform Domain Name Dispute ("UDRP") Rules, which cases offer a useful reference for the Panel.

In the UDRP case *Truckers Choice Services, Inc. v. Brad Klepper Drivers Legal Plan, Ltd.* WIPO Case No. D2023-1117 the panel observed that there appeared to be a consensus view that delay in bringing a complaint does not in and of itself prevent a complainant from succeeding on the complaint on its merits. What would be of greater significance if the common law doctrine of *laches* were to apply would be the detrimental reliance by the registrant on the complainant's delay.

In the matter at hand, the Registrant has not shown any detrimental reliance on the Complainant's delay, and the Panel therefore finds that the common law doctrine of *laches* does not apply.

With respect to the second concern to the Panel as to whether there had been a previous unsuccessful CDRP complaint with respect to the Domain Name between the Registrant and the Complainant or the Complainant's predecessor, the Complainant indicated in response to the Procedural Order that although correspondence had occurred between the Canadian Government and the Registrant, no prior proceedings have been brought. The Registrant, who did not file a response to this Order, has not contradicted that.

As it appears to the Panel that there has not been filed a previous complaint regarding the Domain Name and as nothing in the Policy or the Rules precludes the filing of a Complaint many years after correspondence from the Complainant to the Respondent seeking the transfer of the disputed domain name, the Panel determines that its concerns have been satisfied.

**5.3.5 The case precedents submitted and discussed by the Complainant**

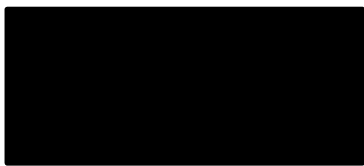
The Panel finds the precedents submitted by the Complainant to be helpful in determining its analysis of the three main questions underlying its decision

**6 DECISION and ORDER**

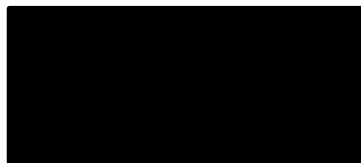
For the above reasons, in accordance with Paragraph 4 of the CDRP, Paragraph 12 of the Resolution Rules, the Panel orders that the domain name nuans.ca be transferred to the Complainant.

Made as of this 15<sup>th</sup> day of January 2026.

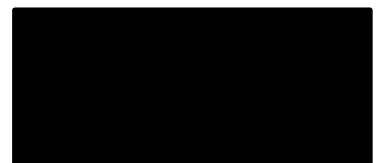
SIGNATURE OF PANEL



R. John Rogers, Chair



Richard S. Levy



Adam W. Samuel

