



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	26821-UDRP	Decision date: April 24, 2026
Domain Name:	<shopifymail.com>	
Registrar:	GoDaddy.com, LLC	
Panel:	Ganna Prokhorova	
Complainant:	Shopify Inc.	
Respondent:	Peter Kostandenou	

1. PROCEDURAL HISTORY

The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre to the Panel:

On March 6, 2026, the Complainant filed a Complaint pursuant to the UDRP and the UDRP Rules via online platform. The required fee was paid on March 13, 2026.

On March 13, 2026, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name, and on March 16, 2026, the Registrar responded advising of the identity of the Respondent and providing the above contact details. In addition, the Registrar confirmed that the disputed domain name was placed in a Registrar LOCK.

On March 17, 2026, CIIDRC confirmed compliance of the Complaint and commencement of the dispute resolution process.

On March 17, 2026, pursuant to UDRP Rule 4 and Supplemental Rule 5, CIIDRC notified the Respondent of this administrative proceeding and forwarded a Notice of Complaint to the Respondent.

The deadline for submitting a Response was set for April 6, 2026.

The Respondent has failed to file its response.

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The Complainant in this administrative proceeding has elected for a Panel consisting of a single-member.

In accordance with Rule 5 (d), CIIDRC hereby appoints you, Ganna Prokhorova, as a single-member Panel in the above-referenced matter. Please complete and return to CIIDRC the attached statement of acceptance and declaration of impartiality and independence.

The disputed domain name was registered on March 8, 2018.

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).

2. FACTS ALLEGED BY THE PARTIES

The Complainant, founded in 2004, is a Canadian 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 offers its services worldwide in the areas of product and inventory management, order and payment processing, customer relationship management, and the use of analytics and reporting.

The Complainant is the owner of multiple trademark registrations incorporating the mark SHOPIFY, including, inter alia:

- Canadian Registration SHOPIFY (word), No. TMA787767, registered on January 18, 2011 in class 42; and
- United States trademark registration SHOPIFY (word), No. 5225833, registered on June 20, 2017 in classes 9, 35, 36, 39, and 42; and
- European Union trademark registration SHOPIFY (word), No. 008727083, registered on July 29, 2010, in classes 9, 35, 38, and 42.

The Complainant operates the official domain names <shopify.com> since March 11, 2005 and <shopify.ca> since February 20, 2006.

The disputed domain name was registered on March 8, 2018. The disputed domain name redirects to a webpage located at <searchhounds.com>, which states that “shopifymail.com is parked free, courtesy of Godaddy.com”. The disputed domain name is therefore not in active use.

3. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant submits:

- (1) the disputed domain name is confusingly similar to the Complainant's trademark, since it incorporates the SHOPIFY mark, in which it holds longstanding and well-established rights. The addition of the term "mail" is generic and does not add any distinctiveness to the disputed domain name. The ".com" extension is a standard technical element which does not prevent confusion.
- (2) the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant, has no license or authorization to use the SHOPIFY mark, and is not commonly known by the disputed domain name. The disputed domain name incorporates the Complainant's trademark in combination with the generic term "mail" with the intention of creating an impression of association with the Complainant, which is not a bona fide offering of goods or services.
- (3) the disputed domain name was registered and is being used in bad faith. The Respondent registered the disputed domain name with knowledge of the Complainant's well-known SHOPIFY trademark and is intentionally attempting to attract Internet users for commercial gain by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement, where such conduct falls within paragraph 4(b)(iv) of the Policy and justifies transfer of the disputed domain name. Passive holding of the disputed domain name does not prevent a finding of bad faith.

- **Respondent**

The Respondent did not submit any Response and has not replied to the Complainant's contentions.

- **Remedy Sought**

The Complainant requests the Domain Name 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

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 mark and the disputed domain name. WIPO Overview 3.1, section 1.7.

Based on the evidence submitted by the Complainant, the Panel finds that the Complainant has shown rights in respect of its SHOPIFY mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds that the Complainant's mark is recognizable within the disputed domain name. The disputed domain name incorporates the Complainant's SHOPIFY mark in its entirety, with the only differences being the addition of the generic term "mail". Consistent with section 1.8 of the WIPO Overview 3.1, the addition of descriptive or generic terms to a complainant's trademark does not avoid confusing similarity where the trademark remains the dominant and recognizable element.

The Panel further notes that the generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and is disregarded for the purpose of assessing confusing similarity under the first element of the Policy. WIPO Overview 3.1, section 1.11.1.

In light of the above, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights. Accordingly, the requirement of paragraph 4(a)(i) of the Policy is satisfied.

4.2.2 Rights or Legitimate Interests in respect of the Domain Name

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 proving 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.

The evidence shows that the disputed domain name resolves to a parked webpage and is therefore not used for any active website or genuine business purpose. Such passive holding or parking of the disputed domain name does not constitute a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy. There is no evidence that, before notice of the dispute, the Respondent made any demonstrable preparations to use the disputed domain name in connection with a legitimate offering of goods or services. Nor does the Respondent's conduct qualify as a legitimate non-commercial or fair use of the disputed domain name under paragraph 4(c)(iii) of the Policy. In the absence of any legitimate use, the Respondent has failed to demonstrate rights or legitimate interests in the disputed domain name.

The Complainant has established rights in the SHOPIFY trademark and confirms that it has no business or other relationship with the Respondent. The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use its mark. Furthermore, there is nothing in the record to suggest that the Respondent is commonly known by the disputed domain name or any corresponding name under paragraph 4(c)(ii) of the Policy.

In light of the Respondent's failure to participate in the proceedings, the absence of any credible evidence of rights or legitimate interests, and the clear intent to capitalize on the goodwill of the Complainant's trademark, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name.

Accordingly, the Complainant has satisfied the requirement of paragraph 4(a)(ii) of the Policy.

4.2.3 Registration and Use of the Domain Name 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.

In the present case, the Panel finds that the Respondent both registered and is using the disputed domain name in bad faith under paragraph 4(b) of the Policy.

The Complainant operates globally under the distinctive and well-known SHOPIFY trademark and has provided cloud-based e-commerce services since 2004. The Complainant offers merchants with a single view of business and customers and enables them to manage products and inventory, process orders and payments, build customer relationships and leverage analytics and reporting. The Complainant has also operated the domain names <shopify.com> and <shopify.ca>.

Given the international reputation of the Complainant and the coined nature of the SHOPIFY mark, the Panel finds it implausible that the Respondent was unaware of the Complainant's rights at the time of registration. The

disputed domain name incorporates the SHOPIFY trademark in its entirety, adding only the non-distinctive term “mail”, a composition which strongly supports a finding of deliberate targeting in accordance with section 3.2.1(i) of the WIPO Overview 3.1.

The disputed domain name was registered on March 8, 2018, many years after the Complainant’s rights in the trademark SHOPIFY were established. The disputed domain name resolves to a standard registrar parking page indicating that the domain is parked. The Panel considers that such use does not represent any bona fide offering of goods or services and amounts to passive holding of the disputed domain name, which does not preclude a finding of bad faith. Considering the reputation of the Complainant’s mark, the composition of the disputed domain name, and the Respondent’s failure to submit any Response, the Panel finds that the passive holding of the disputed domain name in this case supports, rather than negates, a finding of bad faith. WIPO Overview 3.1, section 3.3. See *BioNTech SE v. Joseph, [dRIME] [OMNX Inc.]* WIPO Case No. D2025-3388.

The Panel further finds that the Respondent’s conduct falls within paragraph 4(b)(iv) of the Policy. By registering a domain name that wholly incorporates the Complainant’s well-known SHOPIFY trademark together with the term “mail”, the Respondent has created a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the disputed domain name. Such composition inherently suggests an association with the Complainant and constitutes an intentional attempt to exploit the goodwill of the Complainant’s trademark.

The Respondent has provided no explanation for its choice of the disputed domain name, is not commonly known by it, and has not been authorized by the Complainant to use its trademark. The absence of any Response further reinforces the Panel’s inference of bad faith. WIPO Overview 3.1, section 4.3.

Having regard to the totality of the circumstances, the Panel concludes that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy. Accordingly, the third element of the Policy has been established.

5. 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 is transferred to the Complainant.

Made as of April 24, 2026

SIGNATURE OF PANEL

