



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	27362-UDRP	Decision date: July 31, 2026
Disputed Domain Name:	<shazadbakhshscam.com>	
Registrar:	Tucows	
Panel:	Claire Kowarsky	
Complainant:	Bakhsh Group	
Respondent:	Host Master Njalla Okta LLP	

1. PROCEDURAL HISTORY

This matter is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the “**UDRP**” or the “**Policy**”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “**Rules**”) of the Internet Corporation for Assigned Names and Numbers (“**ICANN**”) and the CIIDRC Supplemental Rules (the “**Supplemental Rules**”).

This administrative proceeding concerns the domain name <shazadbakhshscam.com> (the “**Domain Name**”).

The Domain Name was registered on February 6, 2026.

The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre (“**CIIDRC**”) to the Panel which noted:

- a) On June 15, 2026, the Complainant filed a Complaint pursuant to the UDRP and the UDRP Rules via the online platform. The required fee was paid on June 18, 2026.
- b) On June 22, 2026, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name, and on June 26, 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.

- c) Following a review of the Complaint, it was determined that the filing did not comply with Rule 3.2 of the UDRP Rules. Consequently, CIIDRC issued a Notification of Respondent Information and Complaint Deficiency on June 29, 2026.
- d) On July 3, 2026, CIIDRC confirmed compliance of the Complaint and commencement of the dispute resolution process.
- e) On July 3, 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.
- f) The deadline for submitting a Response was set for July 23, 2026.
- g) The Registrant failed to file a Response by the prescribed deadline and, as of the date of this decision, has not submitted a Response.
- h) The Complainant in this administrative proceeding has elected for a Panel consisting of a single member. The required Panel fee deposit was received on July 24, 2026.

CIIDRC appointed me as the single member Panel, and I have submitted my duly completed declaration of impartiality and independence.

2. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant asserts that the three elements of the Policy are satisfied, and the Domain Name should be cancelled.

The Complainant's contentions are not contested by the Respondent and may be summarized as follows:

The Complainant states that it is the owner of the United Kingdom trademark SHAZAD BAKHSH (Registration No. UK00004256934) in Classes 35 and 41. The Complainant further states that it has continuously used the name "Shazad Bakhsh" in connection with its business activities and has owned the domain name <shazadbakhsh.com> since at least 2019. The Complainant relies on its trademark registration, domain name registration and screenshots of its website and business activities in support of its claimed rights.

The Complainant submits that the disputed domain name <shazadbakhshscam.com> incorporates its registered trademark in its entirety, with the addition of the word "scam". The Complainant contends that the Respondent has not been authorised to use its trademark, is not commonly known by nor has any rights or legitimate interests in the Domain Name, and is using it to publish false, misleading and defamatory content concerning the Complainant. The Complainant further alleges that the Domain Name was registered and is being used in bad faith to tarnish its reputation, mislead Internet users and interfere with its business and professional activities.

- **Respondent**

The Respondent did not file any response.

- **Remedy Sought**

The Complainant requests the Domain Name be cancelled.

3. DISCUSSION AND FINDINGS

3.1 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.

3.2 Analysis

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

The first element of the Policy establishes a threshold standing requirement. To satisfy this element, a complainant must demonstrate rights in a trademark or service mark and show that a disputed domain name is identical or confusingly similar to that mark.

The Panel finds that the Complainant has established rights in the SHAZAD BAKHSH trademark through the following registered mark:

Trade Mark No: UK00004256934

Mark: Shazad Bakhsh

Owner: Shazad Bakhsh

Class(es): 35,41.

Although the Complaint is filed in the name of Bakhsh Group rather than Mr. Shazad Bakhsh personally, the evidence before the Panel demonstrates that Mr. Bakhsh is the proprietor of the relied-upon trademark and the principal of Bakhsh Group. The Panel is satisfied that Bakhsh Group is the commercial vehicle through which Mr. Bakhsh conducts business under the mark and that there is a sufficiently close nexus between the named Complainant and the trademark owner for the purposes of standing under paragraph 4(a)(i) of the Policy. Accordingly, the Panel accepts that the Complainant may rely upon the trademark rights held by Mr. Bakhsh for the purposes of the first element.

The Domain Name incorporates the Complainant's trademark in its entirety. The only additional element is the descriptive word "scam", which follows the trademark. It is well established that the addition of a dictionary or pejorative term to a complainant's mark does not prevent the finding of confusing similarity under the first element of the Policy. See Section 1.8 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") (Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element."). The applicable

comparison is a straightforward side-by-side assessment of the trademark and the domain name. See Section 1.7, WIPO Overview 3.1 (“This test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name.”).

Accordingly, the Panel finds that the Domain Name is confusingly similar to the Complainant’s trademark.

3.2.2 Rights or Legitimate Interests in respect of the Domain Name

The second element of the Policy requires the Complainant to establish that the Respondent has no rights or legitimate interests in respect of the Domain Name. It is well-established that a complainant is required to make out a prima facie case, following which the burden of production shifts to the respondent to demonstrate rights or legitimate interests in the Domain Name. The ultimate burden of proof, however, remains with the Complainant, see for example Section 2.1, WIPO Overview 3.1 (“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.”).

Paragraph 4(c) of the Policy sets out a non-exhaustive list of circumstances by which a respondent may demonstrate rights or legitimate interests in a domain name.

The Complainant asserts that the Respondent has no rights or legitimate interests because it has not authorized the Respondent to use its trademark, the Respondent is not commonly known as the Domain Name, and because the Domain Name is being used to publish false, misleading and defamatory material concerning the Complainant.

The Panel accepts that the Complainant has made a prima facie case. The burden of production therefore shifts to the Respondent.

Although the Respondent has not submitted a Response, the Panel must nevertheless determine whether the evidence before it establishes that the Respondent lacks rights or legitimate interests.

Paragraph 4(c)(iii) of the Policy expressly recognises that a respondent may have a legitimate interest where it is making a legitimate non-commercial or fair use of a domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the complainant’s trademark. As noted in section 2.6 of the WIPO Overview 3.1, panels have recognised that genuine non-commercial criticism sites may, in appropriate circumstances, support a respondent’s claim to rights or legitimate interests.

The Panel notes one evidentiary matter. The screenshots of the website associated with the Domain Name submitted with the Complaint include the following disclaimer: *“Disclaimer: All information presented here is part of a fictional narrative created for educational purposes. Any resemblance to actual persons, living or dead, or actual events is purely coincidental.”* In accordance with its limited powers under paragraph 10 of the Rules, and consistent with section 4.8 of the WIPO Overview 3.1, the Panel visited the website associated with the Domain Name to verify its current contents. The Panel observed that the disclaimer no longer appears on the website. Rather, the website presents itself as referring to a real person and includes links to media articles concerning Mr. Bakhsh. The homepage prominently states: *“Shazad Bakhsh: Smoke & Mirrors – Don’t Fall for the Illusion. This is a public awareness initiative dedicated to exposing the deceptive tactics of scammer Shazad Bakhsh and preventing others from falling victim to his schemes.”* Accordingly, the evidence before the Panel indicates that the Domain Name resolves to a website critical of the Complainant. The Complaint contains no evidence that the Respondent is seeking commercial gain by displaying advertising, offering goods or services, soliciting payment, or otherwise exploiting the website for commercial purposes. Nor is there any evidence that the Respondent is impersonating the Complainant or attempting to pass itself off as the Complainant. To the contrary, the website expressly adopts an adverse stance towards the Complainant, stating: *“This page serves as a platform for sharing information and raising awareness*

about Shazad Bakhsh's deceptive practices. Let's work together to protect ourselves and our communities from financial predators."

While the Complainant repeatedly characterises the content published on the website as "false", "misleading" and "defamatory", it does not identify any specific statements that are alleged to be false or provide evidence from which the Panel could conclude that the Respondent's use falls outside the scope of paragraph 4(c)(iii) of the Policy.

The Complainant strongly disputes the truthfulness of the allegations published on the website. However, the Policy is not designed to determine whether statements made on a criticism website are true or false, nor is it a substitute for defamation or other civil proceedings. Rather, the Panel's task is confined to determining whether the requirements of the Policy have been established, namely, that the Respondent has a legitimate interest in the disputed domain name for use as a genuine non-commercial criticism site. See, for example: *DAVID LAWVER v. Abdul Rehman Asad*, FORUM Case No. FA2410002122602, ("Complainant has not presented any evidence to show that users were misled or confused. Indeed, there is no risk of actual confusion, because the content of the resolving website (copies of which were annexed to the Complaint) unmistakably consists of criticism of Complainant. No user would be confused into thinking that the resolving website is affiliated with Complainant. Nor has Complainant presented convincing evidence that Respondent acted with an intent to mislead or to confuse... the Panel finds that Respondent has rights and legitimate interests in the disputed domain name under the Policy."); *Republican Party of Florida v. Manuel Asensio*, WIPO Case No. D2024-3099 ("the Panel concludes that insofar as Respondent is using the disputed domain name which is used with a website that is of a noncommercial nature to criticize... Complainant's Complaint fails on the second element.")

Having carefully considered the evidence before it, the Panel finds that the Respondent is using the Domain Name as a genuine non-commercial criticism site. Accordingly, and consistently with the approach adopted in previous UDRP decisions in similar circumstances, the Panel finds that the Respondent has rights or legitimate interests in the disputed domain name under paragraph 4(a)(ii) of the Policy.

This finding is made solely for the purposes of the Policy and is without prejudice to any determination that may be made by a court of competent jurisdiction under applicable national law.

Accordingly, the Panel finds that the Complainant has failed to establish the second element of the Policy.

3.2.3 Registration and Use of the Domain Name in Bad Faith

In light of the Panel's finding that the Complainant has failed to establish the second element of the Policy, it is unnecessary for the Panel to consider whether the Domain Name was registered and is being used in bad faith.

4. ABUSE OF THE UDRP ADMINISTRATIVE PROCEEDINGS

Having carefully considered the record, the Panel does not find that this is an appropriate case in which to make a finding of Reverse Domain Name Hijacking ("RDNH").

The Complainant has established trademark rights and asserted that the disputed domain name resolved to a website containing misleading and defamatory content which, in Complainant's view, was being used to unfairly target its business. Although the Panel has ultimately concluded that the Respondent's use of the Domain Name constitutes fair criticism and therefore gives rise to rights or legitimate interests under the Policy, the Complaint was not so lacking in merit that it can be said to have been brought in bad faith.

The Panel further notes that the dismissal of a complaint does not, of itself, justify a finding of RDNH. Rather, such a finding is reserved for cases in which a complainant knew, or clearly should have known, that it could not succeed under any reasonable interpretation of the available facts. That is not the case here. The Panel is satisfied that the Complainant had at least a colorable basis for invoking the Policy, even though it has not

prevailed. The Panel also notes that the Complaint appears to have been filed without the assistance of legal counsel, which is a relevant factor that may be taken into account when considering whether a finding of RDNH is warranted.

Accordingly, the Panel declines to find that the Complaint was brought in bad faith or that it constitutes an abuse of the administrative proceeding.

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 Complaint is DENIED.

Made as of July 31, 2026

SIGNATURE OF PANEL

