

Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2025-0017

Also in PDF C2025-0017

1. The Complainant

The Complainant is Canva Pty Ltd, having its office at 110 Kippax St, Surry Hills, NSW 2010, Australia. The Complainant has initiated the Complaint vide their authorized representative, Mr. Siraj Meer, Safenames Ltd, with their address at Safenames House, Sunrise Parkway, Linford Wood, Milton Keynes, MK14 6LS, United Kingdom.

2. The Domain Name and Respondent

The domain name upon which the Complaint is based is <canvapro.pk>, hereinafter referred to as the Disputed Domain Name [“the DDN”].

PKNIC has informed DNDRC that the DDN is registered by muhammad Ali tech hub with the contact name canvapro, with their address at Islamabad and that the email address provided at the time of registration of the DDN is info@canvapro.pk.

3. Procedural History

DNDRC was informed of the Complaint against the Respondent in accordance with the PKNIC - Internet Domain Registration Policy upon receiving notification from the Complainant, along with a payment receipt, on 27 May 2025. DNDRC completed an administrative review of the Complaint on 03 June 2025.

DNDRC formally requested the Respondent’s registration details from PKNIC on 04 June 2025. PKNIC provided the requested details on 06 June 2025.

DNDRC issued a formal notification of the dispute to the Respondent on 10 June 2025, enclosing a copy of the Complaint and a Response Form, informing the Respondent that failure to submit a

Response within 10 days would result in the dispute proceeding ex parte. DNDRC issued two reminders to the Respondent to file the Response Form on 17 June 2025 and 19 June 2025.

The Complaint along with all relevant material was referred to the appointed arbitrator for review and decision on 21 June 2025. The arbitrator completed the review and issued a decision on 15 July 2025. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 16 July 2025.

Applying Paragraph 4(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the *Rules*), DNDRC appointed Mr. Willayat Ali Shah as the sole Arbitrator who has verified that the Complaint satisfies the formal requirements of the Policy and the Rules.

Factual Background

4. Parties Contentions

(a) Complainant

The Complainant's brief contentions are reproduced below:

- 8.1. *The Complainant, Canva Pty Ltd., is an online graphic design platform founded in 2012 by Melanie Perkins, Cliff Obrecht and Cameron Adams. Users of the Complainant's services have thousands of images and templates to choose from when creating graphic designs (**Annex 3**). The Complainant's CANVA offerings relate to many uses and contexts (e.g., for presentations, social media posts, and a range of print products). The online platform is easy-to-use, intuitive and utilises a 'drag-and-drop' methodology. As a result, the Complainant's services have achieved significant reputation and acclaim.*
- 8.2. *The Complainant was valued at \$40 billion in September 2021 (**Annex 4**) and currently has more than 130 million active users per month (MAUs) with customers across 190 countries (see page 7, Annex 3). The Complainant offers services from its main website, www.canva.com (see Annex 3). Third-party Internet traffic statistics indicate that the Complainant's main website received an average of more than 760 million visits per month between February and April 2024 (**Annex 5**).*
- 8.3. *The Complainant offers its services, as a basic package, for free. The Complainant offers a paid version named 'Canva Pro', which has more features and design capabilities. Global*

organisations such as Upworthy and Yelp, among hundreds of others, use the Complainant's services (**Annex 6**).

- 8.4. The CANVA brand is well known around the world, including Pakistan. The Complainant's services are offered exclusively online, making the brand inherently global. The Complainant's online platform is available in approximately 100 languages, including Urdu. The Complainant markets its offerings to users based in various jurisdictions through the use of region-specific sites (**Annex 7**).
- 8.5. The Complainant launched its app for the iPad in 2014, which grew access to CANVA services (**Annex 8**). The Complainant's app is available on popular marketplaces; it has been downloaded more than 100 million times on Google Play (see page 10, Annex 9). Additionally, the Complainant's business has grown through the acquisitions of Zeetings, Pexels and Pixabay (**Annex 9**).
- 8.6. The CANVA mark has achieved considerable acclaim within the field of graphic design. It is frequently featured in third-party lists collating the best online graphic design tools available (**Annex 10**).
- 8.7. The Complainant further utilises the CANVA term as part of its brand logo:



- 8.8. The Complainant has also established a strong social media presence, with millions of followers, and uses the CANVA mark to promote its services under this name, in particular on (**Annex 11**):
- Facebook: www.facebook.com/canva/
 - Instagram: www.instagram.com/canva
 - X (f.k.a. Twitter): www.twitter.com/canva
 - Pinterest: <https://www.pinterest.co.uk/canva/>
- 8.9. The Respondent is using the Disputed Domain Name to impersonate the Complainant, reproducing the official CANVA logo and purporting to offer access to its 'Canva Pro'

services (Annex 12). Despite advertising access to “Canva Pro”, it is actually offering shared access to Canva’s ‘Education’ subscription. The Complainant’s ‘Education’ service offers ‘Canva Pro’ features strictly to those in the education sector, and is free of charge (Annex 13). The Complainant has clear stipulations on who can use accounts of the ‘Education’ version, which include proof of identity (see page 5 of Annex 13). The Respondent is, therefore, offering illegitimate access to the Complainant’s services and generating commercial gain, likely using fraudulently obtained account credentials. The earliest available screenshot from archived records, dated 18th May 2024, demonstrates that this is the only substantive use of the Disputed Domain Name (Annex 12)

Therefore, the Complainant seeks the following remedy:

8.39. The Complainant requests the Panel appointed in this proceeding that the domain name be transferred to the Complainant.

(b) Respondent

The Respondent did not make a submission.

5. Jurisdiction

The Panel’s jurisdiction over this dispute between the Complainant and the Respondent is established by virtue of the Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules.

The Respondent applied for and was granted registration of the DDN on the basis of these regulations, and has submitted to, the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules and correspondingly to the arbitral jurisdiction of the DNDRC and its arbitration decisions.

6. Discussion and Findings

In the landmark case of *Standard Chartered PLC v. Hosting Campus Domain* (case no. C2007-0001) available on the DNDRC website (http://www.dndrc.com/cases_resolved/pdf/c2007-0001.pdf), the Panel laid down the following four heads under which to analyze cases, under the Internet Domain Registration Policy version 4.4 (2019-08-19) and the UDRP:

1. *Illegality, unlawfulness or otherwise invalidity of the Application & Registration (a criteria in terms of the PKNIC - Internet Domain Registration Policy June 20, 2006 version 4.1 in addition to the criteria of the UDRP)*
2. *Identical or confusing similarity to a trademark or service mark in which the Complainant has rights (a UDRP criteria)*
3. *Legitimate interest in Domain Name (a UDRP criteria)*
4. *Registration and use in bad faith (a UDRP criteria)*

The decision of the dispute shall be addressed with respect to the following aspects:

- i. *Illegality, unlawfulness or otherwise invalidity with respect to the Application & Registration (a PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) criteria).*
- ii. *Identical or confusing similarity with a trademark or service in which the Complainant has rights (a UDRP criteria).*
- iii. *Legitimate interest in the domain name (a UDRP criteria).*
- iv. *Registration and use of the domain name in bad faith (a UDRP criteria).*

I. Illegality, unlawfulness or otherwise invalidity of the Application & Registration

The PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) states that it creates an exception for, and thus excludes the registration of a domain name that:

- a. *infringes upon a registered tradename,*
- b. *is not bona fide as recognized by international best practice,*
- c. *in the opinion of PKNIC, a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law,*
- d. *has been declared by a Criminal Court of appropriate jurisdiction to have contravened the latest version of Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/Anti-Terrorism Act, 1997/any applicable criminal law), or*
- e. *in the opinion of PKNIC is not appropriate for registration.*

As per the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19),

If a party claims that a domain name already registered with PKNIC violates their registered tradename, an obvious derivation of their registered company name is not bona fide as recognized by international best practice, and is a contravention in the opinion of

PKNIC to be a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law, PKNIC reserves the right to cancel, or transfer the domain to the claiming party as per the ICANN's Uniform Domain Name Dispute Resolution Policy [UDRP] (with PKNIC amendments) or as per the orders of a court judgment in Pakistan.

Therefore, for the purpose of assessing illegality, unlawfulness or otherwise invalidity of the Application & Registration of the DDN, the application and registration of the DDN shall be assessed in consideration of the following criteria:

- i. Whether the DDN infringes upon a registered trade name / trade mark?
- ii. Whether the application and/or registration of the DDN is bona fide?
- iii. Whether the application and/or registration of the DDN contravenes the Pakistan Penal Code, 1860 (the “Penal Code”) or any applicable criminal law?

The Complainant has made the following submissions:

8.11. Previous cases have outlined that, for the purpose of assessing illegality, unlawfulness or otherwise invalidity of the Application & Registration of the Disputed Domain Name, the application and registration of the Disputed Domain Name shall be assessed in consideration of the following criteria:

- i. Whether the Disputed Domain Name infringes upon a registered trade name / trademark?*
- ii. Whether the application and/or registration of the Disputed Domain Name is bona fide?*
- iii. Whether the application and/or registration of the Disputed Domain Name contravenes the Pakistan Penal Code, 1860 (the “Penal Code”) or any applicable criminal law?*

8.12. The Complainant submits trademark certificates issued by the Government of Pakistan indicating that it has registered the word mark CANVA, across multiple Nice classes (see Annex 2). The Complainant’s CANVA trademark rights in Pakistan significantly predate the Respondent’s registration of the Disputed Domain Name, which incorporates the entirety of the CANVA mark. Previous decisions have found that such factors contribute to a finding that a respondent’s domain name registration infringes a complainant’s trademark rights (see, for example, L’Oréal v. Irfan Shaukat, Case No. C2022-0009: “The DDN does prima

facie incorporate in its entirety the registered trademark of the Complainant. In the view of the Panel, the DDN therefore infringes upon the trademark of the Complainant.”)

- 8.13. *Furthermore, there is no evidence of a bona fide purpose for the registration of the Disputed Domain Name, as the Respondent has not received permission or license to use CANVA trademarks. Instead, the Respondent has used the Disputed Domain Name to impersonate the Complainant’s brand and illegitimately offer access to its services (Annex 12). The use of a platform to impersonate a rightsholder and illegitimately offer access to its services cannot be considered a bona fide use*
- 8.14. *The panel in Standard Chartered PLC v. Hosting Campus Domain, Case No.C2007-0001 found that where it is established that a respondent's domain name infringes upon a complainant's registered trademark, this renders the respondent's domain name to be illegal, unlawful and invalid and constitutes an adequate ground for the transfer of the domain name to the complainant.*
- 8.15. *Nevertheless, the Complainant submits full arguments pertaining to UDRP criteria, below, which also provides grounds for transfer of the Disputed Domain Name to the Complainant.*

The Respondent has not submitted a response.

The Complainant asserts that the DDN infringes upon its registered trademark “CANVA” and is therefore illegal and should be transferred. In support, the Complainant has submitted Annex-2, evidencing its trademark rights, and cited *L’Oréal v. Irfan Shaukat, Case No. C2022-0009* and *Standard Chartered PLC v. Hosting Campus Domain, Case No. C2007-0001*, where domain names identical to registered trademarks were found to infringe.

The Panel acknowledges the Complainant’s rights in the mark “CANVA” as evidenced by Annex-2 and recognizes the precedents cited. However, in both cited cases, the domain names comprised solely of the trademark (e.g., “cerave.pk”, “standardchartered.pk”). In contrast, the DDN incorporates the trademark “CANVA” along with the additional term “pro”.

While the Complainant refers to the unauthorized use of its mark and questions the bona fides of the registration, these arguments are more pertinent to the assessment of other UDRP criteria. Allegations of bad faith or lack of permission may support a finding of infringement but do not, on their own, render a domain name illegal under PKNIC’s Policy.

Notably, the Complainant has also not addressed the effect of the added term “pro”, leaving ambiguity as to whether the domain constitutes a direct infringement.

In light of the above and the absence of sufficient arguments to establish a clear violation of PKNIC - Internet Domain Registration Policy version 4.4, the Panel concludes that the registration of the DDN does not contravene the Policy. Accordingly, it is necessary to assess the claim under each of the three UDRP criteria individually.

II. Identical or confusing similarity to a trademark or service mark in which the Complainant has rights

The Complainant has made the following submissions:

- 8.16. *The Complainant is the owner of numerous registered trademarks for CANVA (see paragraphs 7.1 - 7.2 and Annex 2). The Complainant also highlights the goodwill and recognition that has been attained under the name CANVA internationally, including within Pakistan, as evidenced in the Factual Grounds. Accordingly, the CANVA mark is a distinctive identifier associated with the Complainant's goods. The Complainant has therefore satisfied the requirement of 'having rights' to a trademark.*
- 8.17. *The Complainant submits that the Disputed Domain Name is confusingly similar to its CANVA mark. The Disputed Domain Name reproduces the Complainant's CANVA mark in its entirety, in addition to the term “pro”. The addition of the term ‘pro’ is insufficient to distinguish the Disputed Domain Name from the CANVA mark, and, instead, further induces consumer confusion, given that ‘Canva Pro’ is a core service offered by the Complainant (see paragraph 8.3, Annex 7)*
- 8.18. *The ‘.pk’ top-level domain is a standard registration requirement and therefore disregarded when assessing confusing similarity for the purposes of the first element (L’Oréal v Wajid Ali, Case No. C2024-0018).*
- 8.19. *Therefore, the Complainant requests that the Panel classifies the Disputed Domain Name as confusingly similar to the Complainant's CANVA mark.*

The Respondent has not submitted a response.

The Complainant contends that the DDN is confusingly similar to a trademark in which it holds rights and has submitted supporting evidence demonstrating ownership of the mark “CANVA”.

To assess confusing similarity, the Panel refers to Paragraph 1.7 of the WIPO Overview 3.0, which states that where a domain name incorporates the entirety of a trademark, it is generally considered confusingly similar. In this case, the DDN fully incorporates the Complainant's trademark "CANVA", which supports a finding of confusing similarity.

The Panel further agrees with the Complainant that the addition of the descriptive term "pro" does not prevent a finding of confusing similarity, in line with *Contact Privacy Inc. / Gulsher Khan, WIPO Case No. D2023-5230*.

Additionally, the Panel notes that the ccTLDs such as ".pk" are a technical requirement for domain registration and does not affect the assessment of similarity, as clarified in Section 1.11.1 of the WIPO Overview 3.0.

Accordingly, the Panel finds that the DDN is confusingly similar to a trademark in which the Complainant holds rights.

III. Legitimate interests in a domain name

As per paragraph 4(c), the UDRP requires the Respondent's claim to be of legitimate interest and shall be:

"proved based on all evidence presented" that "shall demonstrate" the Respondent's "rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii)."

Paragraph 4(a)(ii) states that:

"(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."

The Complainant has made the following submissions:

- 8.20. *Following the submissions made in this section of the dispute, the burden will shift to the Respondent to produce evidence that they have rights or legitimate interests in the Disputed Domain Name.*
- 8.21. *To the best of the Complainant's knowledge, the Respondent does not have any trademark rights to the term CANVA. There is also no evidence that the Respondent retains unregistered trademark rights to the term CANVA. The Respondent has not received any license from the Complainant to use domain names featuring the CANVA trademark. Paragraph 4(c) of the UDRP stipulates some circumstances where the Respondent can demonstrate a right or legitimate interest in a domain name. The Complainant submits that none of the circumstances apply in this case. “*
- (i) Whether, before any notice to the Respondent of the dispute, Respondent's use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name is in connection with a bona fide offering of goods or services”*
- 8.22. *As a preliminary point, the Disputed Domain Name itself implies an affiliation with the Complainant. The Disputed Domain Name replicates, identically, 'Canva Pro', the name of a widely-used version of "CANVA" services (see Annex 6). In fact, the Complainant uses <canvapro.com> to direct online users to its own services. Therefore, it is plausible that Internet users seeking the Complainant's services in Pakistan, would believe that the Complainant owns <canvapro.pk>. Accordingly, the Disputed Domain Name “effectively impersonates or suggests sponsorship or endorsement by the trademark owner”, deterring a finding of a fair or bona fide use (WIPO Overview 3.0, Guideline 2.5.1).*
- 8.23. *Furthermore, the Respondent is using the Disputed Domain Name to impersonate the Complainant, reproducing the official CANVA logo and purporting to offer 'Canva Pro' services at a highly discounted price of “999rs” per year (Annex 12, compare with the legitimate retail price of GBP 99.99 per year shown in Annex 6).*
- 8.24. *Whilst the Complainant acknowledges the presence of a disclaimer in a dialogue box that appears when landing at the Disputed Domain Name (page 7 of Annex 12), this lacks visual clarity and can easily be missed by an online user. It is featured below the CANVA logo towards the bottom of the dialogue box, under the header “Support Days”, amalgamated with information relating to days of operation. This does not sufficiently negate the implied affiliation caused by the composition of the Disputed Domain Name or the repeated*

misappropriation of the Complainant's logo, including within the header of the disclaimer itself.

- 8.25. *Furthermore, even if this disclaimer was sufficiently clear and prominent, the Complainant submits that the 'Oki Data test' (Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903), applied under the UDRP in regards to resellers or associated entities, does not apply in this case. In particular, this test applies to websites used for reselling, or providing services relating to, goods that have been sold by the trademark holder. Those types of websites sell legitimate goods, or provide legitimate services in relation to those goods. This may be applied where the reseller channel is authorised or unauthorised.*
- 8.26. *However, in the current case, the Respondent's commercial activity is not merely unauthorised, but is illegitimate. The Respondent's terms and conditions explicitly state, "CanvaPro.pk is an independent third party service provider **offering Canva Education subscriptions for sale**". Therefore, despite advertising access to "Canva Pro", it is actually offering shared access to Canva's 'Education' subscription. As explained in paragraph 8.10 of this Complaint, the Respondent is manipulating the Complainant's 'Education' offering, which is free of charge for those in the education sector, for their own commercial gain. Given the need to submit proof of identity and status as an educator, the Respondent may have obtained these services fraudulently. Regardless of whether this is the case, offering access to the 'Education' service to the general public is a clear violation of the Complainant's Terms of Use (see page 6 of Annex 13, particularly clauses 5, 6, and 7).*
- 8.27. *The Respondent cannot claim a bona fide commercial undertaking or fair use where its service offering is not genuine, or attained fraudulently. Numerous past cases have applied this principle, such as Investors Business Daily Inc., Data Analysis Inc. v Billy Campbell/Registration Private, Domains by Proxy LLC, WIPO Case No. D2014-2049: "the products advertised for sale on the Respondent's website are illegal or counterfeit, it is apparent that the Respondent has no rights to register or use the domain name in dispute." Additionally, previous UDRP panels have dealt with near-identical circumstances and have found no legitimate interests in offering illegitimately obtained services relating to the Complainant: Canva Pty Ltd v. Dang Nguyen WIPO Case No. D2021-1169. "*
- (ii) Whether the Respondent (as an individual, business or other organisation) has been commonly known by the domain name, even if the Respondent has acquired no trademark or service mark rights"*
- 8.28. *The CANVA mark has a widespread reputation, as evidenced in the Factual Grounds. To the best of the Complainant's knowledge, the Respondent is not commonly known by*

CANVA, and has only used the CANVA mark to impersonate the Complainant. Therefore, there is no plausible reason for the registration and use of the Disputed Domain Name, other than to target the Complainant. “

(iii) Whether the Respondent is making a legitimate non-commercial or fair use of the domain name, without intent for commercial gain misleadingly to divert consumers or to tarnish the trademark or service mark at issue.”

8.29. *The Complainant submits that the Respondent is not making a legitimate non-commercial or fair use of the Disputed Domain Name. As discussed in paragraph 8.23, the Disputed Domain Name’s composition generates an implied affiliation with the Complainant’s mark, which is further reinforced by the corresponding website at the domain name. Moreover, the Respondent is generating commercial gain by illegitimately offering access to the Complainant’s services. Therefore, this use is fundamentally incompatible with a “non-commercial or fair use”.*

8.30. *The Respondent has not received authorisation to use the CANVA mark or pass-off as an official CANVA reseller in Pakistan; such factors should lead to a finding that the Respondent has no rights or legitimate interests in the Disputed Domain Name (in accordance with previous cases: The Nature’s Bounty Co v. Irfan Shaukat, Case No. C2024-0005).*

The Respondent has not submitted a response.

The Complainant contends that the Respondent lacks any rights or legitimate interests in the DDN and refers to the three circumstances outlined in Paragraph 4(c) of the Policy to support this position. The Complainant further submits that once a prima facie case is established under Paragraph 4(c), the burden shifts to the Respondent to demonstrate otherwise.

The Panel notes that, pursuant to Section 2.1 of the WIPO Overview 3.0, once a complainant establishes a prima facie case that the Respondent lacks rights or legitimate interests, the burden of production shifts to the respondent. Failure to rebut this case or to submit a response may result in the Complainant satisfying this element by default.

In this case, the Complainant has specifically addressed all three scenarios under Paragraph 4(c) that the Respondent might rely upon to assert legitimate interest, thereby successfully establishing a prima facie case. The Respondent has failed to rebut this case or to provide any response. Accordingly, the Panel finds that the Respondent has not demonstrated any rights or legitimate

interests in the DDN (see *MUITAS LTD v. AMF AMF*, Case No. D2024-1110). The Panel also notes that silence alone can support a finding of no legitimate interest (see *Ronson Plc v. Unimetal Sanayi ve Tic.A.S.*, WIPO Case No. D2000-0011).

The Panel therefore finds that the Respondent does not have any legitimate interest in the DDN.

IV. Registration and use in bad faith

The Complainant has made the following submissions:

- 8.31. *The Complainant submits that the Respondent both registered and has used the Disputed Domain Name in bad faith in accordance with Paragraph 4(a)(iii) of the UDRP. The Complainant's earliest CANVA trademark registration predates the creation date of the Disputed Domain Name by 12 years (see Annex 1 and Annex 2). In addition, substantial goodwill has accrued in the Complainant's CANVA brand, as evidenced in the Factual Grounds.*
- 8.32. *Based on the available archival records, since its registration, the only substantive use of the Disputed Domain Name has been to impersonate the Complainant and offer unauthorized access to its services, plainly demonstrating the Respondent's knowledge of the CANVA brand and trademark (Annex 12). The composition of the Disputed Domain Name, and the Respondent's subsequent use, demonstrates bad faith intent at the point of registration, specifically intending to cause confusion in the minds of Internet users in Pakistan.*
- 8.33. *Furthermore, the Complainant sent a cease and desist letter to the Respondent on 27th March 2025 (Annex 14). This letter was intended to formally notify the Respondent of the Complainant's trademark rights, with a view to resolving the matter amicably. The Respondent did not reply to this letter.*
- 8.34. *In light of the foregoing discussion, the Complainant submits that the Disputed Domain Name was registered in bad faith. Furthermore, the Complaint submits that the Respondent also used the Disputed Domain Name in bad faith prior to notice of the dispute. Paragraph 4(b) of the UDRP outlines some instances of behavior that pertain to bad faith for the purposes of Paragraph 4(a)(iii). The instances applicable to this matter are described below.*

“(iv) The Respondent has intentionally attempted to attract, for commercial gain, Internet users to their website or other on-line location, by creating a likelihood of confusion with

the complainant's mark as to the source, sponsorship, affiliation, or endorsement of their website or location or of a product or service on their website or location.”

- 8.35. *The Respondent is using the Disputed Domain Name to impersonate the Complainant to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's CANVA mark and offerings. The Disputed Domain Name is composed in a way that generates an implied affiliation with the Complainant, which is exacerbated by the website content at the Disputed Domain Name.*
- 8.36. *In particular, the website at the Disputed Domain Name misappropriates the Complainant's official logo and, without authorisation, embeds an official Canva Youtube Video at the top of the website (see Page 1 of Annex 12). Furthermore, the Respondent reproduces the Complainant's website content (see Page 2 of Annex 12 and c.f. Page 3 of Annex 6). Finally, the Respondent has reused testimonials that were previously featured on the Complainant's main website (see page 5 of Annex 12 and c.f. page 7 of Annex 6). Consequently, the website content heavily reinforces an affiliation with the Complainant, and this overtakes the minimal indications to the contrary.*
- 8.37. *Moreover, the website is being used to distribute access to 'Canva Education' services. As previously explained, this means that the Respondent is offering illegitimate access to the Complainant's services and generating commercial gain. The Respondent exploits the Complainant's offering of free 'Canva Pro' features to those in the education sector. This activity contravenes the Complainant's Terms of Use, and, typically, is carried out using fraudulently obtained details of an individual in the education sector (i.e., someone who would be eligible to open such an account).*
- 8.38. *The illegitimate resale of access to the Complainant's services constitutes bad faith, a conclusion endorsed by previous decisions in near-identical circumstances (see, for example, Canva Pty Ltd. v. Dung Nguyen WIPO Case No. D2022-0357, where panel concluded that “The Respondent used the disputed domain name to resolve to a website offering for sale online subscriptions for the Complainant's platform. Such use was apt to create the false impression that the Respondent's website was operated or endorsed by the Complainant. Consequently, by using the disputed domain name in such manner, the Respondent intentionally attempted to attract, for the purposes of commercial gain [...]”).*

The Respondent has not submitted a response.

The Complainant asserts that the Respondent has registered and is using the DDN in bad faith, citing the unauthorized use of its trademark and services. In support, the Complainant relies on Paragraph 4(b)(iv) of the Policy.

The Panel agrees that the Complainant's trademark "CANVA" predates the registration of the DDN by more than a decade. Given the global recognition of the mark, the Panel finds it reasonable to conclude that the Respondent was or should have been aware of the Complainant's rights at the time of registration. This conclusion is reinforced by evidence of unauthorized distribution of the Complainant's services via the DDN. Moreover, even in the absence of actual knowledge, a basic online search would have revealed the Complainant's trademark, and the Respondent's failure to conduct such due diligence supports a finding of bad faith registration (see *Carolina Herrera, Ltd. v. Alberto Rincon Garcia*, WIPO Case No. D2002-0806).

The Panel also notes that the DDN incorporates the Complainant's well-known trademark in its entirety, combined with the descriptive term "pro", and is registered by an unaffiliated party. According to Section 3.1.4 of the WIPO Overview 3.0, such incorporation may give rise to a presumption of bad faith. That section also clarifies that attempting to cause confusion for commercial gain, whether or not successful, can support a finding of bad faith. The Complainant's claim in Paragraph 8.22 that it operates the domain "canvapro.com" further strengthens the likelihood of confusion, particularly since the DDN differs only by its ccTLD.

In connection with the Complainant's reliance on Paragraph 4(b)(iv), the Panel has reviewed Annex 12 and notes that the DDN prominently displays the Complainant's registered trademark and offers unauthorized access to "Canva Pro" services. Such use is clearly intended to mislead consumers and derive commercial benefit from the resulting confusion (see also *WIPO Overview 3.0, Section 3.1.1*).

Finally, the Panel reviews *Canva Pty Ltd. v. Dung Nguyen* WIPO Case No. D2022-0357, as cited by the Complainant and agrees that the illegitimate resale of access to the Complainant's services would constitute bad faith and also satisfy the criteria under Paragraph 4(b)(iv) of the Policy (See also *The Nature's Bounty Co. v. Irfan Shaukat*, Case No. C2024-0005).

Accordingly, the Panel concludes that the Respondent has both registered and is using the DDN in bad faith.

7. Decision

Upon reviewing the contentions and information provided by the Complainant above, the Panel acknowledges that the “CANVA” mark is registered and owned by the Complainant and the Respondent has no trademark rights over it. Therefore, the continuous use of the DDN <canvapro.pk> would adversely impact the exercise of the Complainant’s trademark rights, despite being in a separate jurisdiction and could also jeopardize the reputation of the Complainant by amounting to confusion regarding the ownership of the DDN.

Taking all the discussion above into consideration, the Panel concludes and decides that:

1. The Respondent’s registration of the DDN does not violate the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19);
2. The DDN is confusingly similar to the registered trademark of the Complainant;
3. The Respondent has no legitimate interest in the DDN;
4. The DDN was registered and is being used in bad faith.

Pursuant to Section 4 of the Policy, the Panel, therefore, recommends that PKNIC transfer the registration of the DDN <canvapro.pk> to the Complainant, as prayed, within 48 hours of receipt of this decision either by email or through the website where it will be uploaded, www.dndrc.com/cases_resolved/, whichever is earlier. The Complainant shall also be at liberty to contact PKNIC for implementation of this decision.

Arbitrator: Willayat Ali Shah

Sole Panelist

Date: 16 July 2025