

## **ADMINISTRATIVE PANEL DECISION**

Snowflake Inc. v. Apostle King  
Case No. D2025-1967

### **1. The Parties**

Complainant is Snowflake Inc., United States of America ("United States"), represented by Schwegman Lundberg & Woessner, P.A., United States.

Respondent is Apostle King, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <snowflakeai.tech> is registered with Hostinger Operations, UAB (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 16, 2025. On May 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 19, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on May 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 15, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 27, 2025.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on July 2, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

Complainant is a corporation registered in the State of Delaware, United States, with headquarters in Bozeman, Montana, United States. Complainant is a cloud computing-based data cloud company operating globally. Complainant's services are used by over 11,000 customers worldwide. Complainant applies artificial intelligence (AI) to data to enable users to run analytic workflows on unstructured data, and to develop apps and train models using structured and unstructured data, among other services. Complainant operates a commercial website at "www.snowflake.com".

Complainant is the owner of a substantial number of registrations for the word trademark SNOWFLAKE, including on the Principal Register of the United States Patent and Trademark Office (USPTO), such as registration number 6,209,087, registration dated December 1, 2020, in international classes (ICs) 35 and 42, covering business consultation and information services, and computer technology consultancy, as further specified, and; registration number 5,610,829, registration dated November 20, 2018, in IC 42, covering, inter alia, computer services and software as a service, as further specified. Complainant also is registrant of the word trademark SNOWFLAKE on the register of the European Union Intellectual Property Office (EUIPO), registration number 1434694, registration dated September 20, 2018, in IC 42, covering computer services and software as a service, as further specified. Complainant has provided a listing of a substantial number of trademark registrations for the word trademark SNOWFLAKE, and various SNOWFLAKE-formative trademarks, including word and design (or device) trademarks, in a substantial number of jurisdictions other than those identified above.

According to the Registrar's verification, Respondent is the registrant of the disputed domain name. According to the Whois record, the disputed domain name was registered on December 9, 2024.

Complainant has provided evidence that Respondent used the disputed domain name in connection with a webpage that displayed the following text heading "Welcome to SnowflakeAI", followed by text reading "Enter any Solana token address above to visualize its holders". As of the date of this proceeding, the disputed domain name does not link to an operative webpage.

There is no evidence on the record of this proceeding of any association, commercial or otherwise, between Complainant and Respondent.

#### **5. Parties' Contentions**

##### **A. Complainant**

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

Notably, Complainant contends that it owns rights in the trademark SNOWFLAKE and various SNOWFLAKE-formative marks (which it refers to as the SNOWFLAKE Marks), and that the disputed domain name is confusingly similar to its trademarks.

Complainant alleges that Respondent lacks rights or legitimate interests in the disputed domain name because: (1) Complainant has not authorized Respondent to use its trademarks, and there is no connection between the parties; (2) there is no evidence that Respondent has been commonly known by the disputed domain name or has any trademark rights in it; (3) Respondent had no reason to register the disputed domain name other than to take advantage of the goodwill and reputation in Complainant's trademarks, and; (4) the evidence suggests that Respondent registered and used the disputed domain name to impersonate Complainant and to take unfair advantage of or to defraud Internet users, and such activity does not constitute a bona fide offering of services, or create rights or legitimate interests.

Complainant argues that Respondent registered and is using the disputed domain name in bad faith because: (1) Respondent knew or should have known Complainant's well-known trademarks when it registered the disputed domain name; (2) the disputed domain name is confusingly similar to Complainant's trademarks; (3) Respondent's use of a privacy shield is evidence of bad faith, and; (4) Respondent's use of the disputed domain name to solicit Solana token information suggests that Respondent was attempting to use the disputed domain name to obtain crypto currency-related information from Internet users under false pretenses by impersonating Complainant.

Complainant requests the Panel to direct the Registrar to transfer the disputed domain name to Complainant.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

The Center formally notified the Complaint to Respondent at the email and physical addresses provided in its record of registration. Courier delivery to the physical address provided by Respondent in its record of registration could not be completed because of inaccurate and inadequate address information provided in the record of registration. It appears that email transmission to Respondent's listed addresses may have been partially successful. The Center took those steps prescribed by the Policy and the Rules to provide notice to Respondent, and those steps are presumed to satisfy notice requirements.

Paragraph 4(a) of the Policy sets forth three elements that must be established by a complainant to merit a finding that a respondent has engaged in abusive domain name registration and use and to obtain relief. These elements are that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights;

(ii) respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

### **A. Identical or Confusingly Similar**

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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in the trademark SNOWFLAKE for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.<sup>1</sup>

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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<sup>1</sup>In its assessment of confusing similarity, the Panel considers only Complainant's SNOWFLAKE word trademark, without prejudice to Complainant's rights in its other trademarks. The Panel uses the term "trademark" in its inclusive sense, encompassing also service marks.

Although the addition of other terms, here “ai” and the top-level domain (TLD) “.tech”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy.<sup>2</sup> [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

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 Complainant, panels have recognized that proving 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 Respondent. As such, where Complainant, as here, makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent, as here, fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the 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 such as those enumerated in the Policy or otherwise.

Respondent’s only apparent use of the disputed domain name, that is confusingly similar to Complainant’s trademark, has been to solicit information regarding Solana token addresses from Internet users. The reason(s) for such solicitation is not apparent on its face (beyond the reason self-described by Respondent’s webpage, i.e., “to visualize its holders”). Complainant speculates that such information might be used by Respondent in carrying out a scheme to defraud, although Complainant has not provided details of how such a scheme would be carried out. Whatever might be the details of a hypothetical scheme, Respondent’s inquiry to Internet users under the guise of Complainant might well serve as an introduction to further requests by Respondent for information from Internet users that is subject to potential misuse by Respondent. Such information gathering, using Complainant’s trademark identity, would not constitute a bona fide offering of goods or services by Respondent.

Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Respondent’s registration and use of the disputed domain name does not otherwise manifest rights or legitimate interests, such as through legitimate noncommercial or fair use.

The Panel finds the second element of the Policy has been established.

## **C. Registered and Used 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.

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<sup>2</sup>As a general rule, UDRP panels do not take account of TLD’s in assessments of confusing similarity, although there may be circumstances in which they are considered material from a confusing similarity standpoint. This is not one of those circumstances.

In the present case, the Panel notes that Respondent registered the disputed domain name substantially following Complainant's securing of rights in its trademark. Respondent's addition of the term "ai" to Complainant's SNOWFLAKE trademark provides evidence of Respondent's familiarity with Complainant's line of business, indicating that Respondent deliberately targeted Complainant and its trademark when it registered and used the disputed domain name.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Respondent used the disputed domain name to direct Internet users to a webpage soliciting information regarding the address of crypto currency tokens. Because Complainant is a well-known actor in the cloud computing service and AI sectors, Internet users might well confuse Respondent's solicitation of information as coming from Complainant. Internet users might be further inclined to provide sensitive financial information to Respondent in the belief that Complainant was behind a request. Respondent can reasonably be presumed by the Panel to have pursued its activities for commercial gain. Respondent has not responded to the Complaint and has not suggested any good faith reason for registering and using the disputed domain name.

Respondent has registered and used the disputed domain name confusingly similar to Complainant's trademark for commercial gain by creating a likelihood of confusion between Respondent's webpage and Complainant acting as source, sponsor, affiliate or endorser of Respondent's webpage. Such registration and use by Respondent constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Moreover, Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that Complainant has established the third element of the Policy.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <snowflakeai.tech> be transferred to Complainant.

*/Frederick M. Abbott/*

**Frederick M. Abbott**

Sole Panelist

Date: July 16, 2025