

## **ADMINISTRATIVE PANEL DECISION**

Microsoft Corporation v. Harold John  
Case No. D2025-4870

### **1. The Parties**

The Complainant is Microsoft Corporation, United States of America (“United States”), represented by Fish & Richardson P.C., United States.

The Respondent is Harold John, United States, self-represented.

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

The disputed domain name <dataverse.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 22, 2025. On November 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 24, 2025, the Registrar transmitted by email to the Center its verification response confirming that the 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 the Respondent of the Complaint, and the proceedings commenced on November 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 5, 2026. The Response was filed with the Center on January 5, 2026.

The Center appointed Evan D. Brown, Sally M. Abel, and Robert A. Badgley as the Administrative Panel in this matter on January 30, 2026. 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.

On February 3, 2026, the Complainant submitted an unsolicited supplemental filing to the Center. On the same day, the Respondent sent an email communication to the Center in objection to the Complainant's submission. On February 5, 2026, the Respondent sent an unsolicited communication to the Center in response to the Complainant's request for leave to submit a supplemental filing. On February 9, 2026, the Respondent submitted a further unsolicited communication to the Center.

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

The Complainant is a multinational technology company. It asserts that since 2020, it has used the mark DATAVERSE in connection with its Power Platform suite of products. The Complainant has provided evidence showing that the DATAVERSE mark appears in its official documentation, marketing materials, and product interfaces, and that it has used the mark continuously since 2020.

The Complainant asserts common law trademark rights in the DATAVERSE mark through continuous use over the past several years. Additionally, the Complainant owns trademark registrations for the DATAVERSE mark in multiple jurisdictions. These include, by way of example, Australian Trademark Registration No. 2177436, registered on May 11, 2021. The Complainant also owns trademark registrations for the mark in other jurisdictions, including the European Union, the United Kingdom, Mexico, Australia, Brazil, Switzerland, Norway, India, and Taiwan Province of China. The Respondent emphasizes – and the available record supports – that the Complainant does not currently hold a United States federal trademark registration for the DATAVERSE mark.

The record indicates, and the Complainant does not seem to meaningfully contradict, that the Respondent obtained the disputed domain name by acquiring it from a previous registrant over the period of time between May 18 and May 22, 2021. The parties do not dispute that immediately prior to this acquisition, the disputed domain name resolved to a page indicating that it was available for sale.

The Respondent is an individual who asserts that he is a data and artificial intelligence professional with approximately 35 years of experience. The Respondent states that Dataverse Research Corporation (formerly Dataverse Corporation, and for purposes herein, "Dataverse") is his company, which he founded and owns, and that Dataverse is his primary business vehicle and livelihood. According to the Respondent, Dataverse provides data and artificial intelligence consulting and development services and maintains a business presence in Cambridge, Massachusetts. The evidence shows that Dataverse was incorporated in Delaware in June 2023.

The Complainant asserts that by 2024, the website associated with the disputed domain name contained sections titled "Home" "AI," "About", and "Contact," and that it referenced artificial intelligence in connection with data-related services, use which remains as of the date of this Decision. The Complainant characterizes the website as containing minimal information. while the Respondent characterizes the website as consistent with the online presence of an early-stage consultancy.

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

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

The Complainant contends that the disputed domain name is identical to the Complainant's trademark, that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the disputed domain name was registered and is being used in bad faith.

##### **B. Respondent**

The Respondent contends that he registered the disputed domain name in good faith and without intent to target the Complainant. The Respondent asserts that he acquired the disputed domain name as the natural

online home for an independent data and artificial intelligence consulting business, and that he had been considering “Dataverse” as a potential name for said business for several years.

The Respondent points to what he characterizes as a broader ecosystem of third-party, academic, and technical uses of the term “dataverse,” predating and existing independently of the Complainant’s use of the term as a mark. The Respondent contends that “dataverse” is a descriptive term meaning a “data universe” that has long been used by multiple independent actors in academic and technical contexts. In support, the Respondent cites, among other things, Harvard University’s Dataverse Project and Harvard’s United States federal trademark registration for the mark DATAVERSE (Reg. No. 3568077, registered on January 27, 2009) in connection with research data archival software, which the Respondent argues demonstrates that the term is not exclusive to the Complainant and supports the plausibility of his independent adoption of the term.

The Respondent contends that he has rights or legitimate interests in the disputed domain name because he has operated a real business under the Dataverse name, has used the disputed domain name in connection with that business since 2021, and has provided data and artificial intelligence consulting services to clients under written agreements. The Respondent asserts that his website reflects iterative development of an early-stage consultancy.

Finally, the Respondent denies that the disputed domain name was registered or used in bad faith and contends that the Complainant’s claims are speculative and unsupported by the record.

## **6. Discussion and Findings**

### **A. Preliminary Issue - Unsolicited Supplemental Filings**

The Panel notes that the parties submitted unsolicited filings following the initial submissions. Pursuant to paragraphs 10 and 12 of the Rules, the Panel has discretion to determine the admissibility, relevance, materiality, and weight of such submissions, and unsolicited supplemental filings are generally discouraged unless specifically requested by the Panel. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.6.

The Panel has reviewed the parties’ unsolicited submissions. The Panel finds that the Complainant’s supplemental filing largely reiterates arguments already advanced in the Complaint and includes information that could reasonably have been presented in the original filing. The Respondent’s subsequent unsolicited communications likewise do not introduce material facts that would alter the Panel’s assessment. Accordingly, while the Panel has considered the parties’ unsolicited submissions, it accords them no dispositive weight in its Decision.

### **B. Identical or Confusingly Similar**

Paragraph 4(a)(i) of the Policy requires the Complainant to demonstrate that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant has demonstrated that it has rights in the DATAVERSE mark. In particular, the Complainant owns multiple trademark registrations for DATAVERSE, including Australian Trademark Registration No. 2177436, registered on May 11, 2021. A registered trademark provides a clear indication that the Complainant holds rights in the mark for the purposes of the Policy, [WIPO Overview 3.0](#), section 1.2.1. The existence of at least one valid trademark registration is sufficient to establish rights in a mark for purposes of the Policy.

The disputed domain name incorporates the DATAVERSE mark in its entirety with no extraneous words or symbols, thereby making it identical to the Complainant's mark. The applicable Top-Level Domain (".com") is viewed as a standard registration requirement and is disregarded under the confusing similarity test. See [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the Panel finds that the disputed domain name is identical to a trademark in which the Complainant has rights, and that the Complainant has satisfied the first element of paragraph 4(a) of the Policy

### **C. Rights or Legitimate Interests**

Having found that the Complainant has failed to establish the third element of paragraph 4(a) of the Policy, the Panel finds it unnecessary to address the second element concerning the Respondent's rights or legitimate interests in the disputed domain name, and accordingly declines to make findings on that issue.

### **D. Registered and Used in Bad Faith**

Paragraph 4(a)(iii) of the Policy requires the Complainant to establish that the disputed domain name was both registered/acquired and is being used in bad faith.

The record indicates that the Respondent acquired the disputed domain name in May 2021. Accordingly, the Panel's inquiry focuses on whether, at that time, the Respondent acquired the disputed domain name with the Complainant's DATAVERSE mark in mind and with the intent to target the Complainant or its goodwill.

The Complainant contends, among other things, that bad faith should be inferred from the timing of the Respondent's registration, the Respondent's subsequent website content, and the Complainant's asserted reputation connected to the DATAVERSE mark. The Panel is not persuaded that the record supports such inferences.

At the time of the Respondent's registration of the disputed domain name in May 2021, the Complainant had indeed begun using the DATAVERSE mark, and the Panel accepts that products launched by the Complainant often become known quickly within the technology sector. However, the record does not clearly establish the extent to which the Complainant's DATAVERSE product had achieved market recognition at that point, nor does it contain direct evidence that the Respondent registered the disputed domain name with knowledge of or intent to target, the Complainant's DATAVERSE mark. The Panel notes that the Respondent does not expressly deny awareness of the Complainant's product at the time of registration, but at the same time, based on the Respondent's assertions of his understanding of how the term "dataverse" is generally used, the Panel does not infer that the Respondent did know of the Complainant and its DATAVERSE mark, let alone target it.

By contrast, the Respondent has provided a plausible explanation for his registration and use of the disputed domain name. The Respondent states that he understood "dataverse" as a descriptive term, derived from "data" and "universe," and that he registered the disputed domain name to serve as the online home for an independent data and artificial intelligence consulting business he had been contemplating for several years.

The Panel finds this explanation plausible on its face and not inherently inconsistent with the surrounding facts. The Respondent points to academic and technical uses of the term predating and existing independently of the Complainant's use, including Harvard University's Dataverse Project and related software. While the existence of such third-party uses does not preclude the Complainant from establishing trademark rights, it does bear on the plausibility of the Respondent's explanation and complicates an inference that the Respondent necessarily registered the disputed domain name to target the Complainant specifically. The Panel considers this context relevant to assessing whether the Complainant has met its burden of proof on bad faith registration.

The Complainant also relies on the evolution and quality of the Respondent's website to support a finding of bad faith. The Panel accepts that the Respondent's website is rudimentary and has changed over time, and that certain representations on the site may have been inconsistent. However, such factors, without more, do not establish that the disputed domain name was registered or used in bad faith. Poor execution, delayed development are not, in themselves, evidence of cybersquatting. The Panel does not find any indication that the Respondent used the website to impersonate the Complainant, to pass itself off as the Complainant, or to otherwise exploit confusion with the Complainant's mark in a way that rises to bad faith under the Policy.

In sum, the Panel finds that the Complainant's case on bad faith rests largely on inference and speculation rather than on evidence of targeting at the time of registration. On this record, the Panel is not satisfied that the Complainant has established, on the balance of probabilities, that the Respondent registered the disputed domain name with the intent to take unfair advantage of the Complainant's DATAVERSE mark.

Accordingly, the Panel finds that the Complainant has not established the third element of paragraph 4(a) of the Policy.

### **E. Reverse Domain Name Hijacking**

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.0](#), section 4.16.

In the present case, the Panel does not consider that a finding of Reverse Domain Name Hijacking is appropriate. While the Complaint has not succeeded, the record does not support a conclusion that it was brought in bad faith, as an attempt to harass the Respondent, or in circumstances where the Complainant clearly knew it could not prove the elements required under the Policy. The dispute concerns a term that is used in multiple contexts and has been adopted by different actors, and the parties have advanced competing accounts of the Respondent's intent and the significance of the Respondent's use. In these circumstances, the Panel considers that the filing of the Complaint falls within the bounds of a legitimate effort to protect asserted trademark rights and does not constitute an abuse of the administrative proceeding within the meaning of paragraph 15(e) of the Rules.

### **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/Evan D. Brown/*  
**Evan D. Brown**  
Presiding Panelist

*/Sally M. Abel/*  
**Sally M. Abel**  
Panelist

*/Robert A. Badgley/*  
**Robert A. Badgley**  
Panelist  
Date: February 13, 2026