



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE ADMINISTRATIVE PANEL DECISION

CIIDRC case number:	226878-CDRP	Decision date: 30 April 2026
Domain Name:	sharevision.ca	
Panel:	Dr Gustavo Moser	
Complainant:	Breakwater Designs Limited	
Registrant:	Prima Group	

1. OVERVIEW

- 1.1. This Alternative Dispute Resolution (“ADR”) Proceeding is conducted pursuant to the Canadian Dispute Resolution Policy (the “CDRP” or the “Policy”) and the Canadian Dispute Resolution Rules (the “Rules”) of the Canadian Internet Registration Authority (“CIRA”). The Canadian International Internet Dispute Resolution Centre (the “CIIDRC” or the “Centre”) is a recognised service provider under the CDRP.
- 1.2. This ADR Proceeding concerns the domain name <sharevision.ca> (the “Domain Name”).
- 1.3. The Complainant is Breakwater Designs Limited, a company incorporated in British Columbia, Canada (the “Complainant”), represented by Daniel Anthony of Smart & Biggar LLP.
- 1.4. The Registrant is Prima Group of Medan, Sumatera Utara, Indonesia (the “Registrant”).
- 1.5. The Domain Name <sharevision.ca> was registered on 6 July 2004.
- 1.6. At the time of writing, the Domain Name resolves to a website which appears to reproduce or redirect to a version of the Complainant’s ShareVision website.

2. PROCEDURAL HISTORY

- 2.1 The procedural history of this case was set out in a letter from CIIDRC to the Panel (defined below):
- On 17 March 2026, the Complainant filed a Complaint with CIIDRC pursuant to the CDRP and the Rules;
 - On 20 March 2026, the required commencement fee was paid and, on the same date, CIRA was notified of this ADR Proceeding;
 - On 23 March 2026, CIRA transmitted its verification response confirming that the Registrant of the Domain Name is Prima Group, that the Domain Name had been placed on Registrar lock status, and that the Domain Name has a registration date of 6 July 2004;
 - Pursuant to Rule 4.4 of the Rules, CIIDRC notified the Registrant of this ADR Proceeding and forwarded the Notice of Complaint along with the Complaint to the Registrant on 23 March 2026;
 - The date of commencement of this ADR Proceeding was 24 March 2026;
 - The deadline for submitting a Response was 13 April 2026;
 - The Registrant did not file a Response; and
 - The Complainant elected for a Panel consisting of a single member.
- 2.2 On 16 April 2026, CIIDRC appointed Dr Gustavo Moser as a single-member Panel (the "Panel"). 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 Rule 7 of the Rules.
- 2.3 Pursuant to Rule 12.2, absent exceptional circumstances, the decision is due by 7 May 2026.

3. FACTUAL ALLEGATIONS

A. Complainant's Allegations

A.1 Background history

- 3.1 The Complainant asserts the following facts:
- The Complainant, Breakwater Designs Limited, is a Canadian provider of software services. It operates a division under the name "ShareVision", through which it provides cloud-based operational and customer relationship management software to non-profit organisations.
 - The Complainant was incorporated in British Columbia on 20 June 1990. It established the ShareVision division in 2004.
 - On 6 July 2004, the Complainant registered the Domain Name <sharevision.ca>. The Domain Name was used by the Complainant for its ShareVision business until it lost control of the Domain Name in or around December 2025.
 - The ShareVision platform has been used by non-profit organisations in sectors including community living, developmental disabilities, child and youth services, employment services, and shelters.

- The Complainant states that more than 400 organisations have signed up for ShareVision services, generating substantial revenue in Canada.
- Following the loss of control of the Domain Name, the Complainant moved its services to <sharevision.app>.

A.2 Trade mark standing

- 3.2 For the purpose of this ADR Proceeding, the Complainant relies on common law rights in the trade mark SHAREVISION, used in Canada in association with software services since at least 2006.
- 3.3 The Complainant submits that SHAREVISION has been used continuously on its website, login pages, platform, customer-facing materials, and social media accounts.
- 3.4 The Complainant contends that, through longstanding use, customer recognition, revenue, and promotion, SHAREVISION has acquired goodwill and reputation in Canada and identifies the Complainant as the source of the associated software services.
- 3.5 The Complainant further submits that the material date for assessing its prior rights is not the original creation date of the Domain Name in 2004, when the Complainant itself controlled the Domain Name, but the later date on which the Registrant acquired it, said to be in or around December 2025.

B. Registrant's Allegations

- 3.6 The Registrant did not file a Response. The Complainant's factual allegations are therefore uncontested.

4. CONTENTIONS OF THE PARTIES

A. Complainant

- 4.1 The Complainant's contentions may be summarised as follows.

A.1 The Domain Name is confusingly similar to a Canadian Trade Mark in which the Complainant has Rights

- 4.2 The Complainant submits that it owns common law rights in SHAREVISION in Canada arising from longstanding use in association with software services.
- 4.3 The Complainant contends that the Domain Name is identical to its trade mark SHAREVISION, disregarding the country code Top-Level Domain (the "ccTLD") <.ca>, and would be understood by Internet users as referring to the Complainant.

A.2 The Registrant has no legitimate interest in the Domain Name

- 4.4 The Complainant submits that the Registrant has no legitimate interest in the Domain Name.
- 4.5 The Complainant states that the Registrant has no trade mark rights in SHAREVISION, is not commonly known by that name, and has not been authorised to use the mark.

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- 4.6 The Complainant further submits that SHAREVISION is not descriptive, generic, a legal name of the Registrant, or a geographical term.
- 4.7 The Complainant submits that the Domain Name resolves to a version of the Complainant's own website, which is misleading and unauthorised.

A.3 The Registrant registered or acquired the Domain Name in bad faith

- 4.8 The Complainant submits that the Registrant acquired the Domain Name in bad faith.
- 4.9 The Complainant contends that the Domain Name was transferred without authority and that the Registrant must have known of the Complainant and its trade mark SHAREVISION.
- 4.10 The Complainant further submits that the Registrant's conduct disrupted its business and required migration to a new domain name at <sharevision.app>.
- 4.11 The Complainant submits that the Registrant has intentionally created a likelihood of confusion as to source, sponsorship, affiliation, or endorsement.

A.4 Remedy Sought

- 4.12 The Complainant seeks transfer of the Domain Name.

B. Registrant

- 4.13 The Registrant did not file a Response. The Complainant's contentions remain uncontested.

5. DISCUSSION AND FINDINGS

A. The CDRP Threshold

- 5.1 Paragraph 4.1 of the Policy requires the Complainant to establish, on the balance of probabilities, that:
- i. the Domain Name is confusingly similar to a trade mark in which the Complainant had rights prior to the relevant date and continues to have such rights;
 - ii. the Registrant has registered or acquired the Domain Name in bad faith; and
 - iii. the Registrant has no legitimate interest in the Domain Name.
- 5.2 In relation to the third element, paragraph 4.1 (c) requires the Complainant to provide some evidence that the Registrant has no legitimate interest in the Domain Name.
- 5.3 The Panel addresses each of these requirements in turn.

B. Eligibility

5.4 The Complainant is an eligible complainant under paragraph 1.4 of the Policy. The Panel notes that, pursuant to paragraph 2(d) of the Canadian Presence Requirements, a corporation incorporated under the laws of Canada or a province thereof is eligible to hold a <.ca> domain name. The Complainant has provided evidence of its incorporation in British Columbia. The Panel is satisfied that the Complainant meets the eligibility requirement.

C. Confusing Similarity

5.5 The Panel is satisfied that the Complainant has established common law rights in the trade mark SHAREVISION.

5.6 The evidence shows longstanding use of the trade mark SHAREVISION in Canada in association with software services, including on the Complainant's website, customer login pages, online platform, promotional materials, and customer-facing services. The Complainant's evidence of customer uptake and revenue further supports the existence of goodwill in the trade mark. The Panel also notes the evidence of sustained use of the trade mark across multiple channels, including the Complainant's website, platform access points, and social media presence, which reinforces that the trade mark functions as an identifier of source in Canada.

5.7 The Panel accepts that the relevant date is the date on which the Registrant acquired the Domain Name, rather than the original creation date. The Domain Name was originally registered in 2004, when it was controlled by the Complainant. On the evidence, the Registrant acquired it in or around December 2025. The Complainant's common law rights pre-date that acquisition by a considerable margin. The Panel therefore treats the Registrant's acquisition as the operative date for the purposes of this analysis.

5.8 The Domain Name consists solely of the trade mark SHAREVISION. The ccTLD <.ca> is disregarded for the purpose of this assessment.

5.9 The Panel finds that the Domain Name is identical, and therefore confusingly similar, to a trade mark in which the Complainant had rights and continues to have rights.

D. Bad Faith

5.10 The Panel is satisfied that the Registrant acquired the Domain Name in bad faith.

5.11 The Domain Name had long been used by the Complainant in connection with its ShareVision business. The transfer to the Registrant occurred without authorisation. The subsequent use of the Domain Name to resolve to a version of the Complainant's website has no plausible legitimate explanation on the evidence before the Panel.

5.12 The Panel finds that the Registrant was aware of the Complainant and its trade mark SHAREVISION at the time of acquisition. In the absence of any Response, and given the Registrant's use of the Domain Name, the only reasonable inference is that the Registrant acquired the Domain Name with knowledge of the Complainant's rights and for a purpose inconsistent with those rights under the Policy. This conclusion is reinforced by the Registrant's use of the Domain Name to reproduce the Complainant's website.

- 5.13 The Panel further notes that the Domain Name resolves to a website that reproduces the Complainant's branding and content. The case record shows that the website prominently displays the "ShareVision" name and offers services identical to those of the Complainant. This reinforces the conclusion that the Registrant's use is deliberately directed at the Complainant as reflected in the screenshots of the record.
- 5.14 The Panel finds that the acquisition and use of the Domain Name disrupted the Complainant's business. The Complainant lost control of the Domain Name through which it had provided services and was required to migrate to <sharevision.app>. The continued presence of an unauthorised website at the Domain Name creates an ongoing and material risk of confusion among Internet users.
- 5.15 The Panel also finds that the Registrant has intentionally attempted to attract Internet users by creating confusion with the Complainant's as to source, affiliation or endorsement. The Domain Name is identical to the Complainant's trade mark and directs users to a website associated with the Complainant's business. This conduct falls within paragraph 3.5(d) of the Policy.
- 5.16 The Panel therefore finds that the Registrant registered, or acquired, the Domain Name in bad faith.

E. Legitimate Interest


- 5.17 The Complainant has provided sufficient evidence that the Registrant has no legitimate interest in the Domain Name.
- 5.18 There is no evidence that the Registrant has rights in the trade mark SHAREVISION, has used it in good faith, or is commonly known by that name. The Panel further notes that there is no evidence of any corresponding trade mark rights held by the Registrant. Nor is there any evidence that the Registrant is using the Domain Name in any descriptive or generic sense. On the contrary, the evidence shows that the Domain Name is used in a manner that refers directly to the Complainant and its services.
- 5.19 The Domain Name resolves to a version of the Complainant's website. Such use is not *bona fide*. It is apt to mislead users and to interfere with the Complainant's business.
- 5.20 The Panel further notes that use of a domain name to reproduce or redirect to a version of a complainant's own website, without authorisation, cannot give rise to a legitimate interest under paragraph 3.4 of the Policy.
- 5.21 The Registrant has not filed a Response and has not sought to rely on any of the circumstances set out in paragraph 3.4 of the Policy. On the evidence before it, the Panel sees no basis on which any such circumstance could apply.
- 5.22 The Panel finds that the Registrant has no legitimate interest in the Domain Name.

6. DECISION and ORDER

For the above reasons, in accordance with Paragraph 4 of the CDRP and paragraph 12 of the Rules, the Panel finds that the Complainant has satisfied the requirements of the Policy and orders that the Domain Name <sharevision.ca> be transferred to the Complainant, Breakwater Designs Limited.

Made as of 30 April 2026

SIGNATURE OF PANEL

Signed by:

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