

ADMINISTRATIVE PANEL DECISION

Limoneira Company v. Faith Clark, Telado Tech LLC
Case No. D2025-3302

1. The Parties

Complainant is Limoneira Company, United States of America (“United States”), represented by Ferguson Case Orr Paterson LLP United States.

Respondent is Faith Clark, Telado Tech LLC, United States.

2. The Domain Name and Registrar

The disputed domain name <limoneirainc.com> is registered with Namecheap, Inc. (“Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (“Center”) on August 15, 2025. On August 18, 2025, the Center transmitted by email to Registrar a request for registrar verification in connection with the disputed domain name. On August 19, 2025, Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from that in the Complaint (e.g., the Complaint named “John Doe” as Respondent). The Center sent an email communication to Complainant on August 19, 2025, providing the registrant and contact information disclosed by Registrar and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on August 19, 2025, naming Faith Clark, Telado Tech LLC as Respondent.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (“Policy”), the Rules for Uniform Domain Name Dispute Resolution Policy (“Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (“Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on August 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 10, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 11, 2025.

The Center appointed Debra J. Stanek as the sole panelist in this matter on September 15, 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 an American agricultural business, originally established in 1893. It owns United States registration (number 3831270) for the mark LIMONEIRA (stylized), issued on August 10, 2010, for fresh avocados and citrus fruits. Complainant also owns the <limoneira.com> domain name.

The disputed domain name was registered on August 3, 2025. Both at the time the Complaint was filed and at the time of this Decision, it resolved to a page that was parked and contained pay-per-click ("PPC") links to third party sites. Complainant's evidence includes a copy of a text message sent to a third party requesting that a credit application be sent to a generic email address that uses the disputed domain name.

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.

In particular:

- The disputed domain name is identical to Complainant's mark, but for the top-level domain and the addition of the generic "inc", which indicates a juristic entity.
- Complainant does not believe that Respondent has ever used a "limoneira" mark, with or without the added letters "inc".
- Respondent is using the disputed domain name to engage in illegal activities. Complainant provides a copy of a text message sent to a third party fruit distributor purportedly seeking to become a customer and requesting that a credit application be sent to a generic email address using the disputed domain name. The message identified the sender by the same first name as that of Complainant's Executive Vice President and Chief Financial Officer.
- Use of the disputed domain name in connection with a parked page with pay-per-click links is not a bona fide offering.
- Respondent provided false contact information to the Registrar. Complainant found no record of a limited liability company named "Telado Tech LLC" registered with the Office of the Minnesota Secretary of State. The address provided by Respondent is the address of the headquarters of a large global corporation, not Telado Tech LLC. The email address provided by Respondent uses a domain name that corresponds to an apparently unrelated company that does business in Nicaragua.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

To prevail under the Policy a complainant must prove, as to the domain name at issue, that: (a) it is identical or confusingly similar to a mark in which the complainant has rights, (b) respondent has no rights or legitimate interests in respect to it, and (c) it has been registered and is being used in bad faith. Policy, paragraph 4(a). A respondent's failure to respond does not automatically result in a finding for the complainant; the complainant continues to have the burden of establishing each element. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 4.3. The Panel may, however, draw appropriate inferences from the default. See Rules, paragraph 14(b).

The Panel determines that "Faith Clark, Telado Tech LLC" is the appropriate Respondent. See [WIPO Overview 3.0](#), section 4.4.5 (in cases involving a privacy service, Panel has discretion to determine the appropriate respondent).

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 3.0](#), section 1.7.

Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Complainant's LIMONEIRA mark is not identical to the disputed domain name. That said, despite the addition of the letters "inc" to the end of the disputed domain name, the LIMONEIRA mark is readily recognizable. Although this addition may bear on the assessment of the second and third elements, the Panel finds it does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [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 a respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in proceedings under the Policy is on the complainant, panels have recognized that proving a 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 the respondent. As such, where a complainant makes out a *prima facie* case that the respondent lacks rights or legitimate interests, 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 (although the burden of proof remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

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. Further, Complainant has provided credible evidence that Respondent used the disputed domain name to impersonate Complainant through a phishing scheme. Consistent with determinations by other panels, the Panel finds that such a use of the disputed domain name cannot confer rights or legitimate interests on Respondent.

[WIPO Overview 3.0](#), section 2.13.1.

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. The list in paragraph 4(b) is not exhaustive; 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.

Here, Complainant's rights in the LIMONEIRA mark long predate the registration of the disputed domain name and the disputed domain name simply adds "inc" -- a well-known abbreviation for "incorporated" -- to the mark, making good faith use implausible. Complainant's evidence shows that Respondent used the disputed domain name in communicating with a third party in a manner intended to cause that third party to believe that Respondent's communication was from Complainant – most likely as part of a deceptive phishing scheme. In addition, Respondent did not respond to the Complaint, concealed its identity in the publicly-available WhoIs, and appears to have used false contact information when registering the disputed domain name. Under these circumstances, the Panel finds Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

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

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 <limoneirainc.com> be transferred to Complainant.

/Debra J. Stanek/
Debra J. Stanek
Sole Panelist
Date: September 25, 2025