ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Telyrx Properties, LLC v. Alan Karjoe
Case No. D2025-5125

1. The Parties

The Complainant is Telyrx Properties, LLC, United States of America ("United States") represented by Gerber Law PLLC, United States.

The Respondent is Alan Karjoe, United States.

2. The Domain Name and Registrar

The disputed domain name <rxtely.com> is registered with Nicenic International Group Co., Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 9, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 11, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Private Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 15, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on December 15, 2025.

The Center verified that the Complaint together with the amended 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 December 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 12, 2026.

The Center appointed William F. Hamilton as the sole panelist in this matter on January 16, 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 Panel issued Procedural Order No. 1 requesting the Complainant to submit further evidence supporting its claim of unregistered or common law rights in the TELYRX Mark. On February 8, 2026, the Complainant submitted the Affidavit of Andrew Gerber.

4. Factual Background

The Complainant asserts that it operates under the name "TELYRX" and provides software-as-a-service solutions for medication management.

The Complainant has filed an application for registration of the word mark TELYRX (the "Mark"), dated July 1, 2023, Serial Number 98068218, filed in International Class 42 for "Software as a service (SAAS) services featuring software for medication management solutions." The application was filed on an intent-to-use basis and, as of the filing of the Complaint, remains pending.

The Complainant has continuously and prominently used the Mark as the primary brand identifier across all advertising, marketing, and customer-facing channels. Advertising and promotion under the TELYRX mark have been substantial, sustained, and nationwide, and include ongoing paid digital advertising across major search and performance marketing platforms (Google, Bing, Meta, TikTok). Sales revenue from October 2023 through January 2026 totaled USD 58,447,736. Direct paid-search advertising spending totaled USD 17,320,689. The Complainant's indirect marketing expenditures under the Mark totaled USD 2,456,337. The Mark has been featured in numerous paid sponsorships, including sponsoring the Dallas Wings WNBA team, sponsoring Olympic boxer Richard Torrez Jr., NASCAR driver Toni Breidinger, and commercials with Howie Mandell. The "www.telyrx.com" website has had over 8,800,000 unique visits since inception, including 11,694,088 total site visits based on the evidence provided in the Affidavit of Andrew Gerber.

The disputed domain name was registered on April 1, 2025, and resolves to an active website that purports to offer pharmaceutical products for sale.

5. Parties' Contentions

A. Complainant

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

Notably, the Complainant asserts that it owns rights in the trademark TELYRX, that the disputed domain name is confusingly similar to TELYRX mark due to the reversal of its letters (name moving the element "RX" in front of "TELY"), that the Respondent lacks rights or legitimate interests in the disputed domain name, which was registered after the filing of the Complainant's intent-to-use trademark application, and that the disputed domain name was registered and is being used in bad faith to trade on the Complainant's mark in connection with unlawful pharmaceutical sales.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements that a complainant must satisfy to succeed. The Complainant must demonstrate that:

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

(ii) the 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 the 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.

Based on the evidence submitted in response to Procedural Order No. 1, including substantial nationwide advertising expenditures, significant sales revenue, sustained use of the Mark in commerce since 2023, and evidence of consumer recognition, the Panel finds that the Mark has acquired distinctiveness and functions as a source identifier in the relevant marketplace. Accordingly, the Panel finds that the Complainant has established unregistered trademark rights for purposes of the Policy. WIPO Overview 3.0, section 1.3.

The Panel finds the Mark is recognizable within the disputed domain name. The disputed domain name merely reverses the two components of the Mark (i.e., placing "RX" before "TELY"). Accordingly, the disputed domain name is confusingly similar to the Mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

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 the disputed domain name.

Although the overall burden of proof in UDRP proceedings 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 always 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.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the 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. The use of the confusingly similar disputed domain name to compete with or capitalize on the Complainant's goodwill does not confer rights or legitimate interests under the Policy.

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.

In the present case, the Panel finds that the Respondent registered the confusingly similar disputed domain name to compete with the Complainant. Given the distinctive nature of the Mark, the scale of the Complainant's online presence, and the Respondent's deliberate reversal of the Mark's components, the Panel finds that the Respondent targeted the Complainant's Mark when registering the disputed domain name. The Panel therefore concludes that the Respondent registered and used the disputed domain name to intentionally attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's Mark.

Panels have held that using a confusingly similar domain name to attract Internet users by creating a likelihood of confusion constitutes bad faith. Such conduct constitutes evidence of bad faith under paragraph 4(b)(iv) of the Policy. WIPO Overview 3.0, section 3.1.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the 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 <rxtely.com> be transferred to the Complainant.

/William F. Hamilton/
William F. Hamilton
Sole Panelist
Date: February 17, 2026