

ADMINISTRATIVE PANEL DECISION

El Centro Foods, Inc. v. Support, Syncpoint, Inc.
Case No. D2026-0038

1. The Parties

The Complainant is El Centro Foods, Inc., United States of America (“United States” or “U.S.”), represented by Beitchman & Zekian, P.C., United States

The Respondent is Support, Syncpoint, Inc., United States, self-represented.

2. The Domain Name and Registrar

The disputed domain name <pizzaman.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 7, 2026. On January 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 9, 2026, 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 Complainant filed an amendment to the Complaint on January 12, 2026.

The Center verified that the Complaint together with the amendment to 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 January 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 5, 2026. The Response was filed with the Center on February 4, 2026.

The Center appointed David H. Bernstein as the sole panelist in this matter on February 9, 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.

4. Factual Background

The Complainant is the owner of four pizzerias in California operated under the name "Pizza Man" and the domain name <pizzamanpizzeria.com>. The Complainant states that it has used the trademark PIZZA MAN in connection with restaurant services and the sale of pizza crust mix since 1973. The Complainant owns three United States trademark registrations for marks that incorporate the phrase "Pizza Man," namely U.S. Trademark Registration No. 1,156,564 for PIZZA MAN for pizza crust mix, registered on June 2, 1981; U.S. Trademark Registration No. 1,164,160 for PIZZA MAN for restaurant services, registered on August 4, 1981; and U.S. Trademark Registration No. 1,173,708 for a design incorporating the phrase PIZZA MAN "HE DELIVERS" for restaurant services, registered on October 13, 1981. All three marks claim first use and first use in commerce as of 1973 and disclaim any exclusive right to the term "pizza" apart from the mark as shown.

The Respondent is a domain name investor that purchases and sells domain names comprised of common phrases or desirable combinations of letters. The Respondent registered the disputed domain name on April 18, 1998. The Respondent did not provide evidence that it uses the disputed domain in connection with the sale of pizza or pizza-related goods or services. At the time the Complaint was filed, the disputed domain name resolved to a webpage on which the Respondent advertised that the disputed domain name was available for sale. Specifically, the page to which the disputed domain name resolved noted that the domain was "Reserved For Strategic Use" and that the owner was "open to qualified inquiries that align with our valuation and usage standards." The website to which the disputed domain name resolved also featured a portal through which interested individuals could inquire about purchasing the domain.

On February 21, 2023, the Complainant contacted the Respondent regarding the disputed domain name via WhatsApp. The Complainant informed the Respondent that it believed it was "the Right Organization for the PizzaMan.com site name because [it owns] the USPTO Trademark and restaurants in California with the name Pizza Man and [its] current website is pizzamanpizzeria.com." The Complainant further communicated that, because it had not been able to register the disputed domain name, it sought to buy the disputed domain name from the Respondent. According to the Complainant, the Complainant and the Respondent then held a phone call during which the Respondent offered to sell the Complainant the disputed domain name for USD 70,000. The Complainant rejected the Respondent's offer.

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.

First, the Complainant asserts ownership of three U.S. trademark registrations for marks that consist of or incorporate the phrase PIZZA MAN, each of which is incontestable under U.S. trademark law. The Complainant also asserts that it offers goods and services under the PIZZA MAN trademark, and that its "Pizza Man" brand is well-known and identifiable to consumers.

Second, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant argues that the disputed domain name has been "parked" for more than 25 years, that no goods or services are offered by the Respondent in connection with the disputed domain name, and that there is no evidence that the Respondent has prepared to use the disputed domain name in connection with an offering of goods or services. The Complainant also argues that the Respondent is not known by the disputed domain name and is not making a fair use of the disputed domain name, but rather, that the Respondent owns the disputed domain name only for the purposes of re-selling it.

Third, the Complainant argues that, because the Respondent registered the disputed domain name after the Complainant accrued trademark rights in the phrase PIZZA MAN, the Respondent must have done so in bad faith. According to the Complainant, it is “not unreasonable to believe Respondent registered the [disputed domain name] to ensure that he could then sell it to Complainant” because the Complainant had used the PIZZA MAN mark in commerce since 1973 and its PIZZA MAN brand is well-known. The Complainant further argues that the price at which the Respondent offered to sell the disputed domain name was unreasonable because the Respondent cannot have incurred out-of-pocket costs equal to USD 70,000 in registering and maintaining the disputed domain name. The Complainant also emphasizes that the Respondent established the price of the disputed domain name only after the Complainant disclosed its ownership of its PIZZA MAN restaurant and trademarks. Finally, the Complainant argues the Respondent’s conduct stands to harm its business and reputation because, if it does not purchase the disputed domain name, a competitor will do so and thereby confuse or capture the Complainant’s clientele.

B. Respondent

The Respondent contends that the Complainant has not satisfied any of the elements required for a transfer of the disputed domain name under the Policy.

First, the Respondent argues the term “pizza man” is a common English expression associated with pizza preparation, sale, and delivery. Although the Respondent does not expressly challenge the Complainant’s ownership of its PIZZA MAN trademark registrations, it argues that the Complainant’s claim to exclusive use of the mark is undermined by extensive third-party use of the term “pizza man” in connection with unrelated businesses and branding.

Second, the Respondent argues it has rights and legitimate interests in the disputed domain name because the term “pizza man” is descriptive and widely used, and ownership of such descriptive domain names is a legitimate activity under the Policy. The Respondent further argues that it is not required to operate a pizza business to have rights or legitimate interests in the disputed domain name.

Third, the Respondent argues that the Complainant fails to show that the Respondent registered the disputed domain name in bad faith because the Respondent registered the disputed domain name decades ago and because the Complainant has not offered any evidence that the Respondent was aware of or targeting the Complainant when it did so. The Respondent further argues that the negotiations to purchase the disputed domain name initiated by the Complainant in February 2023 cannot retroactively create bad faith. It also argues that the Complainant’s decades-long delay in bringing this case undermines its claim of abusive registration.

Finally, the Respondent asserts that the Complainant’s conduct qualifies as Reverse Domain Name Hijacking. In support of that claim, the Respondent argues that (1) the Complainant should have known that the Respondent’s ownership of the disputed domain name “predates any modern trademark leverage,” (2) the term is descriptive and commonly used, and (3) the Complainant initiated discussions to purchase the disputed domain name decades after it was registered.

6. Discussion and Findings

In order to obtain transfer of the disputed domain name, the Policy requires that the Complainant prove by a preponderance of the evidence that: (1) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; (2) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (3) the disputed domain name was registered and is being used in bad faith. Policy, paragraph 4(a). Although conclusory statements alone are insufficient to prove a party’s case, the Panel may draw inferences in light of the particular facts and circumstances of the case.

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 Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. The Complainant owns two U.S. trademark registrations for standard character trademarks for PIZZA MAN, as well as a U.S. trademark registration for a design that prominently features the term "pizza man". [WIPO Overview 3.1](#), section 1.2.1 ("Where the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case."). The Complainant's standard character PIZZA MAN trademarks are identical to the disputed domain name because PIZZA MAN is reproduced entirely in the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

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

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 respect of a disputed domain name. The Panel finds that, before notice to the Respondent of the dispute, the Respondent used the disputed domain name in connection with a bona fide offering of goods or services and therefore has rights or legitimate interests in the disputed domain name. See Policy, paragraph 4(c)(i); [WIPO Overview 3.1](#), section 2.2.

The Complainant argues that the Respondent does not use the disputed domain name in connection with a bona fide offering of goods or services because the disputed domain name is "parked" solely for the purpose of resale. However, as many UDRP panels have held, investing in domain names comprised of descriptive or commonly used phrases can be a bona fide use. See [WIPO Overview 3.1](#), section 2.1 ("[G]enerally speaking, panels have accepted that aggregating and holding domain names (usually for resale) consisting e.g., of acronyms, dictionary words, common phrases, or unique/catchy or memorable terms (alone or in combination) can be bona fide and is not per se illegitimate under the UDRP where the respondent can show that the purpose of the registration was not to target a trademark."). Contrary to the Complainant's arguments, a domain name investor does not have to offer goods (here, pizza-related goods or services) that are related to the dictionary meaning of the domain names in the investor's portfolio.

The phrase "pizza man" is a common term that is widely used in connection with the preparation, delivery, or sale of pizza. In support of that position, the Respondent states it conducted a survey of registered domain names that contain the strings "pizzaman" or "pizza-man" and found several hundred active domain names that are unaffiliated with the Complainant. Although the Respondent does not present the comprehensive results of that survey, it identified nine such domain names in its Response, including <pizzaman.biz>, <pizzaman.us>, <pizzamanhub.com>, <classicpizzaman.com>, and <danthepizzaman.com>. The Respondent specifically identified a number of these domain names, along with others consisting of or containing the term "pizzaman," when it corresponded with the Complainant about the possible sale of the disputed domain name. The Panel has confirmed that there are many uses of "pizza man" and "pizzaman" on the Internet (including for pizzerias that appear to be located in such disparate places as Alaska, Kentucky, Maryland, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Utah, Vermont, and Wisconsin) as well as a U.S. trademark registration for WHO'S YOUR PIZZA MAN for "restaurant services featuring pizza," U.S. Reg. No. 3,897,152, that coexists with the Complainant's registrations. See [WIPO Overview 3.1](#), section 4.8 ("panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention").

A complainant may, of course, have trademark rights in a descriptive or otherwise common term, but if a respondent is using that term for its dictionary meaning rather than for its trademark meaning, that can be a legitimate use. The fact that a complainant owns a trademark in that descriptive term does not automatically transform a respondent's use into one that is illegitimate. Here, the Respondent registered the disputed domain name more than a quarter century ago for its value as a common and descriptive term as part of the Respondent's business of registering and selling domain names. As discussed further below, there is no evidence that the Respondent registered the disputed domain name with any knowledge of the Complainant or its trademarks, or with the intent to exploit or take advantage of the Complainant's trademark rights.

The Panel therefore finds that the Complainant fails to establish the second element of the Policy.

C. Registered and Used in Bad Faith

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 3.1](#), section 3.2.1.

The Complainant mainly argues that the Respondent registered the disputed domain name in bad faith on the grounds that it knew (or should have known) of the Complainant's rights in the PIZZA MAN trademarks and sought to take advantage of those rights by registering and then selling the disputed domain name. See Policy, paragraph 4(b)(i) (bad faith may be evidenced by registration "primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of [its] documented out-of-pocket costs directly related to the domain name."). The Complainant has not, however, proven any facts that would support that argument. The Complainant does not, for example, offer evidence that the Respondent was a customer of the Complainant, or interacted with the Complainant, or otherwise knew of the Complainant or its trademarks at the time that it registered the disputed domain name back in 1998. Nor does the Complainant offer evidence that its mark was so well known—such as evidence of sales, advertising, geographic reach, social media activity, or consumer recognition—that the Respondent likely would have been aware of the Complainant and its trademarks. Given that the Complainant appears to operate only four pizza restaurants in the Los Angeles area, and uses as its trademark a common phrase that is used by numerous other pizza restaurants around the country, its argument that the Respondent knew or should have known of the Complainant and its trademarks is simply not credible. [WIPO Overview 3.1](#), section 3.2.2 (noting that panels hesitate to infer that a respondent knew or should have known of a complainant's mark that is not inherently distinctive and either corresponds to a dictionary term or is otherwise inherently attractive as a domain name).

Nor are the other circumstances that Paragraph 4(b) of the Policy identifies as evidence of bad faith present in this case. First, the Complainant offered no evidence that the Respondent registered the disputed domain name to prevent the Complainant from reflecting its PIZZA MAN mark in a corresponding domain name and that the Respondent has engaged in a pattern of such conduct. Indeed, the Complainant owns a domain name that reflects its PIZZA MAN marks. Second, the Complainant failed to offer any evidence that the Respondent registered the disputed domain name to disrupt the Complainant's business, asserting only that it stands to lose business if the Respondent sells the disputed domain name to a competitor. That argument is entirely speculative, but even if true, it would not show that the Respondent registered the domain name more than two decades ago to disrupt the Complainant's business. Third, the Complainant did not show that the Respondent has sought to attract Internet users to its website for personal gain by creating a likelihood of confusion as to the source, sponsorship, or affiliation of the Respondent's website. As discussed above, the Respondent has not used the disputed domain name in a manner that would cause consumer confusion, as the website to which the disputed domain name resolved did not offer any goods or services that consumers could mistakenly believe are offered by or affiliated with the Complainant.

The fact that the Respondent offered the disputed domain name for sale for USD 70,000 does not by itself establish bad faith use. As a domain name investor who registered this domain name without bad faith, the Respondent is entitled to set whatever price it believes is appropriate. [WIPO Overview 3.1](#), section 3.1.1

("where a registrant has an independent right to or legitimate interest in a domain name, an offer to sell that domain name would not by itself be evidence of bad faith for purposes of the UDRP, irrespective of which party solicits the prospective sale. This also includes 'generalized' offers to sell, including those on a third-party platform [...]. Mere offers to sell for a profit, where this does not target a trademark owner would not be considered to violate paragraph 4(b)(i).").

Thus, the Panel finds the Complainant fails to establish the third element of the Policy.

D. 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 Panel finds that the Complaint has been brought in bad faith and thus constitutes an attempt at Reverse Domain Name Hijacking. As the Complainant acknowledged, it filed the Complaint only after it attempted to buy the disputed domain name but did not want to meet the Respondent's asking price. The Complainant had to be aware that its use of the PIZZA MAN mark is not exclusive, as the Respondent identified several other restaurants with PIZZA MAN in their business name or domain name when it corresponded with the Complainant about the possible sale of the disputed domain name. Additionally, the Complainant offered only conclusory statements to show that its trademarks and business are recognized by consumers, and no evidence to show that the Respondent knew of its trademarks when it registered the disputed domain name more than twenty-five years ago. Given the lack of evidence that the Complainant presented to support its argument for bad-faith registration, the Complainant should have known that it could not succeed on all three required elements. [WIPO Overview 3.1](#), section 4.16 (Reverse Domain Name Hijacking may be found where the Complainant "clearly ought to have known it could not succeed under any fair interpretation of facts reasonably available prior to the filing of the complaint"). That is particularly true here because the Complainant is represented by counsel. See [WIPO Overview 3.1](#), section 4.16 (noting that panels have held represented complainants to a higher standard for purposes of Reverse Domain Name Hijacking).

Although the Complainant believed the price quoted by the Respondent for the disputed domain name was unreasonable, the Respondent was well within its rights to demand whatever price that it could command in the market. The Complainant should have known the Respondent had the right to do so, but, rather than meet the Respondent's price, the Complainant sought to use the Policy to wrest the disputed domain name from its owner. That is an abuse of the Policy and constitutes bad faith.

The Panel therefore concludes that the filing of the Complaint constitutes Reverse Domain Name Hijacking.

7. Decision

For the foregoing reasons, the Complaint is denied.

/David H. Bernstein/

David H. Bernstein

Sole Panelist

Date: February 23, 2026