

## **ADMINISTRATIVE PANEL DECISION**

Guillermo Vázquez Álvarez v. Domain Admin, FindYourDomain  
Case No. D2026-1481

### **1. The Parties**

The Complainant is Guillermo Vázquez Álvarez, Mexico, represented by Regalado & Galindo Abogados, Mexico.

The Respondent is Domain Admin, FindYourDomain, United States of America (“United States”), represented by Grant Carpenter, United States.

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

The disputed domain name <gressus.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 April 7, 2026. On April 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 2026, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 20, 2026, 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 April 23, 2026.

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 April 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 13, 2026. The Response was filed with the Center on May 12, 2026.

The Center received an unsolicited supplemental filing from the Complainant on May 21, 2026. The Center received an unsolicited supplemental filing from the Respondent on May 22, 2026.

The Center appointed Jeremy Speres as the sole panelist in this matter on May 28, 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 an individual resident in Mexico. Little information is provided in the Complaint concerning the nature of the Complainant's business, other than to state that he began using the GRESSUS trademarks which are the subject of his portfolio of Mexican trademark registrations in 2015. That portfolio includes:

- Mexican Trademark Registration No. 1793922 GRESSUS LOS PASOS DE LA HISTORIA (and device) in class 9, having a registration date of August 31, 2017, and a usage start date of October 2, 2015; and
- Mexican Trademark Registration No. 2150143 GRESSUS (word) in class 9, having a registration date of September 28, 2020.

The Respondent is a domain name investor, specializing in dictionary-word, classical language, and short-string domain names, which it acquires for resale.

The disputed domain name was registered on February 14, 2004, and currently resolves to a Registrar parked page advertising the disputed domain name for sale. The Complainant's evidence establishes that the disputed domain name previously resolved to a website offering the disputed domain name for sale for USD 13,799.

#### **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 contends that the disputed domain name was registered and is being used in bad faith because it is listed for sale, has no active website, and is being passively held for speculative purposes. The Complainant further contends that the Respondent's continued renewal and retention of the disputed domain name after the Complainant acquired its trademark rights shows knowledge of those rights and an intent to block the Complainant's use of the disputed domain name.

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

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

Notably, the Respondent contends that there was no bad faith registration or use because the disputed domain name was, on the Complainant's version, registered in 2004, more than a decade before the Complainant claims any trademark rights. It further contends that "gressus" is a common Latin word used by many unrelated third parties, making any inference of targeting of the Complainant implausible. The Respondent further contends that listing the disputed domain name for sale as part of a domain name investment business, without any evidence of targeting, impersonation, or misuse, does not amount to bad faith.

The Respondent requests a finding of Reverse Domain Name Hijacking (“RDNH”) because the Complainant knew the disputed domain name was registered in 2004, long before any claimed trademark rights arose. It argues that the Complainant therefore knew or should have known it could not prove bad faith registration under settled precedent. The Respondent also contends that the Complaint mischaracterizes GRESSUS as distinctive despite evidence of widespread third-party use and a dictionary meaning, further supporting a finding of abuse of the UDRP process.

## **6. Discussion and Findings**

### **A. Procedural Issue – Supplemental Filings**

Both the Complainant and the Respondent filed unsolicited Supplemental Filings.

Paragraphs 10 and 12 of the Rules in effect grant the Panel sole discretion to determine the admissibility of unsolicited supplemental filings. Admissibility of supplemental filings is to be assessed based on relevance, foreseeability, the need to conduct the proceedings with due expedition, and the equal treatment of the parties so that each has a fair opportunity to present its case. Paragraph 10(b) of the Rules; *Société aux Loteries en Europe, SLE v. Take That Ltd.*, WIPO Case No. [D2007-0214](#); WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.6.

The Response contained a request for a finding of RDNH, and the Panel agrees with the statement made by the panel in *Cosmos European Travels AG v. Eurotech Data Systems Hellos, Ltd.*, WIPO Case No. [D2001-0941](#) to the effect that a complainant facing an allegation of RDNH is “entitled to defend itself”. The Panel therefore admits the Complainant’s Supplemental Filing to the extent that it is relevant to the question of RDNH.

The Respondent’s Supplemental Filing is directed at responding to the new arguments made in the Complainant’s Supplemental Filing. To that extent, it is admitted.

### **B. 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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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

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

Given the Panel’s findings in relation to the third element below, there is no need to consider the second element.

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

For the following reasons, the Complainant has not met its burden of proving, on balance of probabilities, that it is more likely than not that the Respondent has targeted the Complainant.

The disputed domain name’s registration date in 2004 is, prima facie, dispositive of the question of bad faith registration. Here, the Complainant’s earliest claimed registration and use of its GRESSUS mark long

postdate 2004. Where a respondent registers a domain name before the complainant's trademark rights accrue, panels will not normally find bad faith on the part of the respondent. [WIPO Overview 3.1](#), section 3.8.1.

In its Supplemental Filing, the Complainant points out that the Respondent has not stated when it acquired the disputed domain name. Indeed, the Respondent has been somewhat coy about this. Instead of stating categorically when it acquired the disputed domain name, it has rather relied on the Complainant's own version to the effect that the disputed domain name was registered in 2004. The following sentence from the Response is representative of the Respondent's stance in this regard: "According to the Complaints (sic) own characterization of the facts, the disputed domain name <gressus.com> was registered on February 14, 2004 [...]".

Even after the Complainant, in its Supplemental Filing, specifically raised the fact that the Respondent has not stated when it acquired the disputed domain name, the Respondent, in its Supplemental Filing, answered that criticism mainly through a burden of proof point, arguing that the Complaint itself pleaded the 2004 registration date and did not allege a later transfer or acquisition by Respondent.

The fact that the Respondent chose not to categorically state when it acquired the disputed domain name could be a rhetorical device or could be suggestive of an acquisition date postdating the Complainant's trademark rights.

Section 3.9 of the [WIPO Overview 3.1](#) is potentially instructive in scenarios like this:

"In cases where the domain name registration is masked by a privacy or proxy service and the complainant credibly alleges that a relevant change in registration has occurred, it would be incumbent on the respondent to provide satisfactory evidence of an unbroken chain of registration; respondent failure to do so has led panels to infer an attempt to conceal the true underlying registrant following a change in the relevant registration."

Although the scenario in the present proceedings is not exactly the same as that contemplated in that quotation, the Panel can see no reason why a similar principle should not apply to the type of scenario at issue here. The problem for the Complainant, however, is that it has not provided any evidence suggesting a change in registration. It has therefore not "credibly alleged" the point.

In any event, even if the Panel were to assume that the Respondent acquired the disputed domain name after the Complainant's trademark rights accrued, there is insufficient evidence indicating targeting.

The only evidence in the record suggesting usage by the Complainant of its mark is its registration (in 2015) of the domain name <gressus.com.mx>. The only evidence concerning that domain name shows that it has resolved to an "Under Construction" page. There is no other evidence in the record showing any use by the Complainant of its mark at all. The Panel's independent<sup>1</sup> Internet searches for "gressus" do not return any results relating to the Complainant across the first three pages of results. In fact, the Respondent's evidence establishes that there are many other businesses, and indeed registered trademarks in the names of third parties, adopting this term.

There is therefore no indication that the Complainant is known under the GRESSUS mark or that it is unique to it, and, accordingly, no indication that the Respondent was or should have been aware of the Complainant. This is especially so given that the Respondent is based in the United States and the Complainant has not presented any evidence of use in that jurisdiction.

The Respondent's explanation for registering the disputed domain name is plausible. The Respondent owns at least four other Latin dictionary word domain names – <scribae.com>, <videtis.com>, <electi.com> and <duce.xyz> – and "gressus", being a Latin word meaning "walk" or "step", is consistent with that pattern.

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<sup>1</sup> In accordance with its powers articulated inter alia in paragraphs 10 and 12 of the Rules, the Panel is entitled to conduct limited independent research into matters of public record. [WIPO Overview 3.1](#), section 4.8.

The Panel finds the third element of the Policy has not been established.

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

The Respondent requested a finding of RDNH.

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 3.1](#), section 4.16.

The main thrust of the Respondent's arguments for RDNH is predicated on the disputed domain name having been registered prior to the Complainant obtaining trademark rights. However, as discussed above, the Respondent has been coy on the date when it acquired the disputed domain name, and there is real uncertainty on this point. The Panel is therefore not in a position to decide the point.

However, there are other aspects of the Complaint that give rise to concern. The Complainant has not provided any evidence on the nature of its business and has supplied no real evidence of use of its mark despite claiming to have used it since 2015 in its Complaint. Subsequently, in its Supplemental Filing, after the Respondent pointed this out in its Response, the Complainant appeared to admit that it has not actually launched its contemplated project, despite creating the impression that it had by claiming, in the Complaint, to have used its mark since 2015. This suggests a lack of candour on the Complainant's part.

The Complainant also states in the Complaint: "The sign GRESSUS is not a generic or common term, but rather a highly distinctive and fanciful designation [...]" This is plainly not the case, as the discussion above shows. A simple Internet search would have revealed this to the Complainant, and it is likely that the Complainant either knew this or should have known this.

The Panel notes that the Complainant is represented by counsel and that panels do hold represented complainants to a higher standard. [WIPO Overview 3.1](#), section 4.16.

The Complainant cited numerous prior cases decided under the Policy in the Complaint, and it cited the [WIPO Overview 3.1](#) in its Supplemental Filing. Even assuming, in the Complainant's favour, an acquisition date for the disputed domain name postdating the Complainant's trademark rights, a proper consideration of these resources should have made it clear to the Complainant that it could not succeed, as discussed above.

The Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at RDNH.

### **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/Jeremy Speres/*

**Jeremy Speres**

Sole Panelist

Date: June 4, 2026