

ADMINISTRATIVE PANEL DECISION

Arakur SA v. Dynadot Privacy Service, Dynadot, LLC, Thiago Alexandre Hoffmann

Case No. D2026-1805

1. The Parties

The Complainant is Arakur SA, Argentina, represented by Allende & Brea Law Firm, Argentina.

The Respondents are Dynadot Privacy Service, Dynadot, LLC, United States of America ("United States") and Thiago Alexandre Hoffmann, Brazil.

2. The Domain Names and Registrars

The disputed domain names <arakur-ushuaia.com> (the "First disputed domain name") and <arakurushuaia.com> (the "Second disputed domain name") are registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the "Registrar").

The disputed domain name <arakurushuaia.pro> (the "Additional disputed domain name") is registered with Dynadot Inc. (the "Second Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 28, 2026. On April 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the First disputed domain name. On April 29, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the First disputed domain name which differed from the named Respondent (HOSTING CONCEPTS B.V. d/b/a Registrar.eu) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 29, 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 a first amendment to the Complaint on April 29, 2026.

On May 1, 2026, the Complainant requested the addition of the Second disputed domain name to this proceeding. On May 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Second disputed domain name. On May 5, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Second disputed domain name which differed from the named Respondent (Redacted for Privacy /

Hosting Concepts B.V. d/b/a Registrar.eu) and contact information. The Center sent an email communication to the Complainant on May 6, 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 a second amendment to the Complaint on May 6, 2026.

The Center verified that the Complaint together with the amendments 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 May 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 29, 2026.

On May 14, 2026, the Complainant sent an email to the Center requesting to add the Additional disputed domain name to the proceeding.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on June 1, 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 June 12, 2026, pursuant to the Panel’s instructions, the Center transmitted by email to the Second Registrar a request for registrar verification in connection with the Additional disputed domain name. On June 15, 2026, the Second Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Additional disputed domain name.

The Panel issued the Administrative Procedural Order No. 1 on June 15, 2026, inviting the Complainant to amend the Complaint adding the Additional disputed domain name and providing any further arguments until June 20, 2026, as well as inviting the Respondents to respond to the Complainant’s submission until June 25, 2026.

The Complainant filed a Second Amended Complaint (the “Second Amended Complaint”) on June 16, 2026, requesting the consolidation of the three disputed domain names in this proceeding. The Respondents did not reply.

4. Factual Background

The Complainant operates a luxury hotel in the city of Ushuaia, in the southernmost tip of Argentina which was inaugurated in 2014.

The Complainant’s official website is available at <arakur.com> and the Complainant is the owner of registrations for the ARAKUR word mark in Argentina in classes 3, 8, 16, 21, 24, 25, 29, 30, 31, 32, 33, 35, 36, 39, 41, 43 and 44, below listed, the earliest of which is registration No. 3041976, relating to the ARAKUR word mark in class 36, filed on July 4, 2018:

INPI INSTITUTO NACIONAL DE PROPRIEDADES INTELECTUAIS		MARCAS - PATENTES - MODELOS - INF. TECNOLÓGICA - TR. DE TECNOLOGIA - INSTRUCTIVOS							
Nº DO ACTA	TITULARES ASSINADOS	FECHA INGRESO	CLASE	DENOMINACION	TIPO DE MARCA	Nº DE RESOLUCION	ESTADO	VENCIMIENTO	
3721976	30710077101 ARAKUR S.A. 100.00%	04/07/2018	36	ARAKUR	Denominativa	3041976	C	20/07/2028	
3074261	30710077101 ARAKUR S.A. 100.00%	17/02/2020	3	ARAKUR	Denominativa	3096666	C	17/02/2030	
3074262	30710077101 ARAKUR S.A. 100.00%	17/02/2020	8	ARAKUR	Denominativa	3096626	C	17/02/2030	
3074263	30710077101 ARAKUR S.A. 100.00%	17/02/2020	16	ARAKUR	Denominativa	3093648	C	17/02/2030	
3074264	30710077101 ARAKUR S.A. 100.00%	17/02/2020	21	ARAKUR	Denominativa	3093621	C	17/02/2030	
3074265	30710077101 ARAKUR S.A. 100.00%	17/02/2020	24	ARAKUR	Denominativa	3100011	C	17/02/2030	
3074266	30710077101 ARAKUR S.A. 100.00%	17/02/2020	25	ARAKUR	Denominativa	3093083	C	17/02/2030	
3074267	30710077101 ARAKUR S.A. 100.00%	17/02/2020	31	ARAKUR	Denominativa	3090177	C	17/02/2030	
3074268	30710077101 ARAKUR S.A. 100.00%	17/02/2020	35	ARAKUR	Denominativa	3092385	C	17/02/2030	
3074269	30710077101 ARAKUR S.A. 100.00%	17/02/2020	39	ARAKUR	Denominativa	3092958	C	17/02/2030	
3074270	30710077101 ARAKUR S.A. 100.00%	17/02/2020	41	ARAKUR	Denominativa	3091231	C	17/02/2030	
3074271	30710077101 ARAKUR S.A. 100.00%	17/02/2020	44	ARAKUR	Denominativa	3092495	C	17/02/2030	
4020354	30710077101 ARAKUR S.A. 100.00%	08/06/2021	29	ARAKUR	Denominativa	3230614	C	08/06/2031	
4108966	30710077101 ARAKUR S.A. 100.00%	14/11/2022	30	ARAKUR	Denominativa	3308992	C	14/11/2032	
4108966	30710077101 ARAKUR S.A. 100.00%	14/11/2022	32	ARAKUR	Denominativa	3304601	C	14/11/2032	
4108967	30710077101 ARAKUR S.A. 100.00%	14/11/2022	33	ARAKUR	Denominativa	3304602	C	14/11/2032	
4270531	30710077101 ARAKUR S.A. 100.00%	07/06/2024	43	ARAKUR	Denominativa	3403024	C	20/10/2034	

The First disputed domain name, <arakur-ushuaia.com>, was registered on April 14, 2026, and presently does not resolve to an active webpage. At the time of the filing of this proceeding it was being used in connection with a fraudulent scheme impersonating the Complainant (Annex 3 to the Complaint) and was taken down through a Digital Millennium Copyright Act (“DMCA”) notice.

The Second disputed domain name, <arakurushuaia.com>, was registered on April 27, 2026, and presently resolves to a parked webpage displaying pay-per-click (“PPC”) advertisements related to the Complainant’s business.

The Additional disputed domain name, <arakurushuaia.pro>, was registered on May 7, 2026, and presently does not resolve to an active webpage. The Additional disputed domain name has also been used in connection with a webpage impersonating the Complainant (Annex V to the Second Amended Complaint).

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 its resort is part of a hospitality concept aimed at high-end tourism, combining comfort, contemporary design, and a strong integration with the natural environment of Patagonia.

The Complainant contends that both disputed domain names reproduce entirely the Complainant’s ARAKUR trademark with the addition of the geographic term “ushuaia” which refers to the location of the Complainant’s resort and which does not avoid a finding of confusing similarity thereof.

As to the Respondent’s lack of rights or legitimate interests in the disputed domain names, the Complainant points out that it has no relationship with the Respondent, also not having given the Respondent a license, permission, or other right by which the Respondent could own or use any domain name incorporating the ARAKUR trademark. Moreover, the Respondent has not done a licit business under the ARAKUR name, rather having attracted Internet users with the clear purpose of stealing personal data or as part of a phishing scheme, what clearly indicates a lack of any legitimate noncommercial or fair use purpose on the Respondent.

Lastly, the Complainant contends that the fraudulent scheme perpetrated by the Respondent in mimicking the Complainant’s official website at the webpage that was available at the First disputed domain name in conjunction with WhatsApp communications undertaken with prospective customers of the Complainant (Annex 3 to the Complaint) are clear indications that the Respondent was evidently aware of the Complainant’s activities and trademark, having registered and used the disputed domain names in bad faith.

In the Second Amended Complaint, the Complainant requests the consolidation of the three disputed domain names in this proceeding given that all of the three disputed domain names: (i) share the similar naming pattern, incorporating the distinctive ARAKUR trademark with the geographic name Ushuaia, where the Complainant is located, and, in two cases, the addition of a hyphen; (ii) have been used in connection with an impersonation attempt, having redirected unsuspecting Internet users seeking accommodation at the Complainant’s luxury hotel to webpages contained a clone and functional copy of the Complainant website; (iii) were registered within a short time frame; (iv) prior to being deactivated used Google Ads (AdWords) to capture prospective customers and redirect them to the fraudulent webpages that used to be available at the disputed domain names; and (v) two of them share the same registrar and/or privacy provider, i.e. Dynadot.

B. Respondents

The Respondents did not reply to the Complainant’s contentions.

6. Discussion and Findings

6.1. Procedural Matter - Consolidation of Multiple Respondents

The Second Amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request. Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that the three disputed domain names (1) share a similar naming pattern; (2) have been registered within a short period of time; and (3) were used in connection with similar fraudulent schemes.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

This Panel is satisfied, in view of the evidence submitted and on the balance of probabilities that the disputed domain names are indeed subject to a common control and that consolidation would be fair and equitable to all Parties.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2. Substantive Matter

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 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 names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other term ("ushuaia") and a hyphen may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 UDRP proceedings is on the complainant, panels have recognized that proving that 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 3.1](#), 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.

Panels have held that the use of a domain name for illegal activity such as phishing/identity theft, copycat sites, passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), 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.

In the present case, the Panel notes that the Respondent’s use of the First disputed domain name in connection with a fraudulent scheme impersonating the Complainant to defraud its customers, followed by the immediate registration of the Second disputed domain name after the First disputed domain name was taken down after a DMCA notice, coupled with the use of privacy protection services are clear indication of the Respondent’s bad faith registration and use of the disputed domain names. The Additional disputed domain name has also been used in connection with a webpage impersonating the Complainant.

Panels have held that the use of a domain name for illegal activity constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain names 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 names <arakur-ushuaia.com>, <arakurushuaia.com> and <arakurushuaia.pro> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: June 26, 2026