

ADMINISTRATIVE PANEL DECISION

Gitpart Inc. v. Manny Hernandez, General Insight
Case No. D2026-2147

1. The Parties

The Complainant is Gitpart Inc., United States of America ("United States"), represented by von Briesen & Roper, s.c., United States.

The Respondent is Manny Hernandez, General Insight, United States, self-represented.

2. The Domain Name and Registrar

The disputed domain name <gitparts.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 May 18, 2026. On May 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 19, 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 (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 21, 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 amended Complaint on May 29, 2026. The Center sent a Request for further amendment to the Complainant. The Complainant filed a second amended Complaint on June 1, 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 June 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 23, 2026. The Response was filed with the Center on June 23, 2026.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on July 2, 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.

The Complainant submitted a supplemental filing on July 9, 2026.

4. Factual Background

The Complainant is a corporation organized under the laws of the State of Wisconsin, United States, with a principal place of business in Fond du Lac, Wisconsin. The Complainant operates an e-commerce website at “www.gitpart.com” where it sells new and used automotive parts. The Complainant’s website is headed “GITPART” with the tagline “Find Parts for Your Vehicle”. It allows users to search for new and used parts by make and model of vehicle, with interactive 3D models, and to compare vehicles and find deals.

The Complainant holds United States Trademark Registration Number 7454239 for the word mark GITPART, registered on July 23, 2024, in international class 42, claiming first use in commerce “at least as early as May 29, 2023”. The trademark registration application included as a specimen a website screenshot from June 2023. The Panel notes that the Complainant obtained the trademark registration by assignment from an apparently unrelated third party in March 2025.¹

The disputed domain name was created on November 14, 2025, and is registered to the Respondent Manny Hernandez of General Insight, listing a postal address in Carlsbad, California, United States and a contact email address at [xxx]@generalinsight.com.

The Response was filed on behalf of both Manny Hernandez and General Insight, LLC (“General Insight”). The Panel notes that the online database of the California Secretary of State lists General Insight as a California limited liability company initially registered on October 21, 2021, at the same address given in the registration of the disputed domain name, characterized as a “consulting agency”. Manuel Hernandez signed the 2025 Statement of Information filed with the Secretary of State and is listed as “Manager or Member”. The Response attaches a Domain Holding and Beneficial Ownership Agreement dated November 15, 2025, providing that Manny Hernandez is the beneficial owner of the disputed domain name, which General Insight may administer and use in its business. Given their evident shared interests in the disputed domain name for purposes of this proceeding, Mr. Hernandez and General Insight are collectively referred to hereafter as the “Respondent”.

The disputed domain name resolves to the Respondent’s website with a “Coming Soon” banner over a figurative logo featuring the initials “GP” inside a gear with a wrench before the words “GITPARTS.com”. This is followed by the tagline, “Connect your parts catalog to buyers who need them” and buttons linking to pages describing how to “Become a Partner” or “See How It Works”. A header provides more information about the purpose of the site: “The next generation distribution platform that puts your industrial parts in front of maintenance professionals actively searching for what you sell”. A demonstration shows how parts would be matched for heavy industrial machinery such as an excavator.

The Respondent’s website appears to be a website under development to serve as a platform for industrial parts manufacturers and distributors to “Get discovered when buyers are ready to purchase”. The site includes a contact form for companies expressing interest in the platform. The Respondent attaches emails from January 2026 onward with suppliers discussing their parts catalogs and potential onboarding on the platform, as well as two executed MOUs (memorandum of understanding preliminary to contracts) with suppliers interested in participating on the platform, and a “content-rich” vendor recruitment section of the Respondent’s website. The Respondent acknowledges that much of the website remains under

¹Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in these proceedings. WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition ([“WIPO Overview 3.1”](#)), section 4.8.

development but notes that one supplier with an MOU, SRH Supply LLC, is currently building the backend of the industrial parts marketplace in a non-public environment (the MOU is attached to the Response).

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 is essentially identical to its registered GITPART mark and contends that the Respondent has no rights or legitimate interests in the disputed domain name, as it is not known by a corresponding name and is not actually doing business through the associated "coming soon" site.

The Complainant observes that the Respondent's address is a shared work space and address service and questions whether that represents legitimate preparations to do business. The Complainant asserts that the Respondent must have been aware of the Complainant's existing mark, in use since 2023, and evinces bad faith by registering a nearly identical domain name with concealed registrant details (using a domain privacy service, an underlying physical address at a shared workspace facility, and a contact email address with an "unidentifiable" company domain). The Complainant deems this a form of "passive holding" of the disputed domain name and cites the UDRP precedents finding bad faith in the passive holding of domain names by respondents who concealed their identity.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name. The Respondent does not contest that the Complainant holds a registered trademark for GITPART but argues that this trademark protection is limited by its terms to an online search engine for motor vehicle parts. The Respondent argues that there is no "plausible consumer confusion" with the disputed domain name used for the Respondent's platform serving the industrial-equipment marketplace, as discussed in relation to the second and third elements.

The Respondent asserts that it had no notice of the dispute or a possible claim by the Complainant until receiving notice of the Complaint in this proceeding in June 2026. At that point, the Respondent added a disclaimer of affiliation with the Complainant to the Respondent's website. The Respondent insists that it chose the disputed domain name for its descriptive sense and not to imitate or target the Complainant, of which it was unaware. The Response attaches a SEMRUSH (Adobe) traffic data analysis showing that the Complainant's website had under 500 organic visitors per month through May 2026 and a limited professional presence online (LinkedIn attributes approximately three employees and 220 followers to the Complainant, for example, while its competitors AutoZone and O'Reilly Auto Parts each have approximately 250,000 followers on that professional social media platform).

The Respondent argues that there was no reason for it to be interested in the Complainant, in any event, as they focus on different markets. The Response compares the Complainant's consumer-facing automotive parts website and the Respondent's B2B marketplace for industrial equipment parts. The Respondent states that it never attempted to sell, rent, or transfer the disputed domain name. Moreover, the Respondent argues that this cannot be considered a "passive holding" case: good-faith use was underway, and the Respondent was not suspiciously "concealing" its identity behind a privacy registration (the Registrar's default) and using a legitimate business email address and shared workspace. The Respondent observes that it was already using emails with the disputed domain name to contact suppliers and publishing a website with recruiting content and a demonstration shortly after registering the disputed domain name, all signs of good faith and not "passive use".

The Respondent requests a finding of Reverse Domain Name Hijacking, especially as the Respondent promptly identified itself and contacted the Complainant's counsel after receiving notice of the Complaint, and because the Complainant mischaracterized the Respondent as making no use of the disputed domain name when it was clearly more active than an empty "coming soon" page.

6. Discussion and Findings

6a. Preliminary Matter: Supplemental Filing

Pursuant to paragraphs 10 and 12 of the Rules, the Panel has discretion to determine the admissibility, relevance, materiality, and weight of supplemental submissions, which are generally discouraged unless specifically requested by the Panel. See [WIPO Overview 3.1](#), section 4.6. The Panel has reviewed the Complainant's unsolicited submission and finds that it largely reiterates arguments already advanced in the Complaint but accepts it for factual rebuttal concerning points made in the Response about the volume of business conducted through the Complainant's website.

6b. Substantive Issues

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 (the registered GITPART word 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, which differs by adding the plural "s". Accordingly, the disputed domain name is confusingly similar 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.

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 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.

The Panel finds that, before notice to the Respondent of the dispute, the Respondent used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services – a marketplace platform for industrial heavy equipment parts suppliers, as described and demonstrated on the Respondent's website. [WIPO Overview 3.1](#), section 2.2. The Respondent's website already includes recruitment content, and the Response attaches MOUs and emails representing "demonstrable preparations" for the described offering.

This could not be considered a “bona fide” offering, however, if the Panel determined that the Respondent chose the name of the platform and of the disputed domain name in bad faith, in an effort to exploit the Complainant’s trademark, as alleged by the Complainant. That possibility is examined in the following section.

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. These are all predicated on a finding that the Respondent was more probably than not aware of the Complainant’s mark and intended to exploit or attack it with an identical or confusingly similar domain name. The Respondent denies prior knowledge of the Complainant’s mark and denies such intent. If these denials are not found plausible, the Policy example of bad faith in paragraph 4(b)(iv) would be apposite: intentionally attempting to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant’s mark (the Complainant’s citation of the “passive holding” doctrine does not fit the facts, as the Respondent has already been using the disputed domain name for an active website and emails promoting a business. [WIPO Overview 3.1](#), section 3.3).

The Panel notes that the Respondent has adduced evidence showing that the Complainant’s online presence is recent and low-volume. The Respondent acknowledged that there was higher interest in the Complainant’s website in June 2026 after an advertising campaign, and the Complainant’s supplemental filing shows substantially higher numbers of site visitors and a total of nearly 6,000 total registered user accounts since launch. These figures still do not establish a high-volume website in 2025 when the disputed domain was registered, and the details in the Respondent’s MOUs, examples, demonstration, and vendor correspondence show the Complainant is in a broadly similar but seemingly different market from the one for which the Respondent is building its marketplace platform. Thus, it is plausible that the Respondent was unaware of the Complainant, despite the similarity of their names and what would seem to be a strong possibility of discovering the Complainant when conducting an Internet search or registering the disputed domain name. In any event, the Respondent makes a cogent argument that the Complainant’s mark is not a useful target to exploit for the Respondent’s business. The record does not show that the mark is well known, and it is associated with a different market, a site for consumers to find auto parts. The Respondent credibly asserts that it chose the similar, disputed domain name for its colloquial not trademark sense, a place to “git” (get) parts for heavy machinery.

The burden of proof lies with the Complainant, and the Panel cannot find on this record sufficient evidence of bad faith to call into doubt the Respondent’s reasons for selecting the disputed domain name and the Respondent’s actual activity in preparing the platform site, which does not on its face imitate or target the Complainant. The Respondent’s default use of a domain privacy service (which is normal these days and did not prevent identification of the Respondent) and use of a shared workspace are not indicators of bad faith in view of the Respondent’s documented business startup activities.

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

Based on this assessment of the facts concerning bad faith, the Panel also confirms its finding that the second Policy element has not been established.

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 (“RDNH”) 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 Panel does not find that the Complaint was brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking. Although the Respondent's website was clearly more than a "coming soon" placeholder, the Complainant did not know the extent of the Respondent's "demonstrable preparations" for a bona fide commercial offering until the Response was submitted in this proceeding, and the Complainant was arguably entitled to question the choice of a very similar domain name.

The Panel therefore declines the request for a finding of RDNH.

7. Decision

For the foregoing reasons, the Complaint is denied.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: July 16, 2026