

ADMINISTRATIVE PANEL DECISION

Ford Motor Company v. Ivan Gonzalez
Case No. D2025-0695

1. The Parties

The Complainant is Ford Motor Company, United States of America ("United States"), represented by Kucala Burgett Law LLC, United States.

The Respondent is Ivan Gonzalez, United States.

2. The Domain Name and Registrar

The disputed domain name <fastmavericks.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 February 20, 2025. On February 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 21, 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 REDACTED FOR PRIVACY (DT) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 24, 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 February 28, 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 March 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 25, 2025.

The Center appointed Evan D. Brown as the sole panelist in this matter on March 31, 2025. 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 in the business of manufacturing and selling motor vehicles. It owns the trademark MAVERICK, which it uses to sell its vehicles and to provide related services. It enjoys the benefit of registration of such mark in many countries around the world, including the United States (Reg. No. 6455868, registered on August 17, 2021).

According to the Whois records, the disputed domain name was registered on September 28, 2022. The Respondent has used the disputed domain name to set up a website for the sale of aftermarket auto parts for the Complainant's MAVERICK trucks by a company named Fast Mavericks LLC. The website also displays a stylized logo for the term "Fast MAVERICKS" that appears in the style of the Complainant's well-known stylized logo (script language within a blue ellipse having a white border), above a large photo of the Complainant's cars.

On or around August 26, 2024, the Complainant's outside counsel sent the Respondent a cease-and-desist letter demanding, among other things, that the Respondent immediately stop using the Complainant's trademarks and transfer the disputed domain name to the Complainant. Despite multiple follow-up attempts, including voicemail messages, the Respondent did not reply to these communications.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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. The Panel finds that all three of these elements have been met in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)", section 1.7). 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.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. See *Advance Magazine Publishers Inc., Les Publications Conde*

Nast S.A. v. Voguechen, WIPO Case No. [D2014-0657](#). The Complainant has demonstrated its rights in the MAVERICK mark by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the MAVERICK mark in its entirety with the letter “s” and the term “fast”, which do not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s MAVERICK mark. See [WIPO Overview 3.0](#), section 1.8. The MAVERICK mark remains recognizable for a showing of confusing similarity under the Policy.

It is standard practice when comparing a disputed domain name to a complainant’s trademarks, to not take the extension into account. See [WIPO Overview 3.0](#) at 1.11.1.

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

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondent (with the burden of proof always remaining with the Complainant). See [WIPO Overview 3.0](#), section 2.1; *AXA SA v. Huade Wang*, WIPO Case No. [D2022-1289](#).

On this point, the Complainant asserts, among other things, that: (1) the Respondent is not affiliated or connected with the Complainant in any way; (2) the Complainant has not authorized or licensed the Respondent to use the MAVERICK mark in its domain name; (3) the Respondent cannot show any facts that establish any rights to, or legitimate interests in, the disputed domain name; (4) the Respondent is not using the disputed domain name in connection with a bona fide offering of goods; (5) the Respondent is not commonly known by the disputed domain name; and (6) the Respondent is not making a legitimate or fair use of the disputed domain name.

Based on the case record, the Respondent appears to own the company Fast Mavericks LLC, which seems to run a business of modifying other Ford vehicles’ parts to fit the Complainant’s Maverick trucks. UDRP panels have recognized that website operators using a domain name containing a complainant’s trademark to undertake sales related to the complainant’s goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. As outlined in the “*Ok! Data* test” (*Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)), the following cumulative requirements are applied:

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and
- (iv) the respondent must not try to “corner the market” in domain names that reflect the trademark.

The Panel has applied the *Ok! Data* test to the facts of this case and finds that the circumstances do not warrant the finding of a bona fide offering of goods and services. The record shows that the goods sold on the website at the disputed domain name appears to be under the logo “Fast MAVERICKS” using the style of the Complainant’s well-known stylized logo (script language within a blue ellipse having a white border). In particular, the record also shows the website associated with the disputed domain name does not accurately and prominently disclose the registrant’s relationship with the trademark holder.

In addition, the Panel notes from the record that the company Fast Mavericks LLC is a registered company in California. However, the registration of a company corresponding to the domain name does not automatically confer any rights or legitimate interests onto the Respondent. In this case, the company name includes the Complainant’s MAVERICK trademark and the Respondent offers the modified Ford vehicles’

parts for the Complainant Maverick trucks under the logo “Fast MAVERICKS” using the style of the Complainant’s well-known stylized logo (script language within a blue ellipse having a white border), which all shows the Respondent’s intention to piggyback off the reputation of the Complainant and its Ford and Maverick branded products. Such conduct does not confer any rights or legitimate interests onto the Respondent.

Moreover, the additional term “fast” in the disputed domain name may describe the Complainant’s Maverick truck’s ability to function at a high speed. Therefore, the use of this term together with the MAVERICK mark (despite the additional “s”) in the disputed domain name may mislead Internet users into thinking that the disputed domain name is related to the Complainant, to the contrary.

The Panel finds that the Complainant has made the required prima facie showing. The Respondent has not presented evidence to overcome this prima facie showing. And nothing in the record otherwise tilts the balance in the Respondent’s favor.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the domain name was registered and is being used in bad faith.

The Panel finds that the Respondent has used the disputed domain name in an attempt to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the website. The website offers auto parts for the Complainant’s Maverick trucks and uses a stylized logo resembling the Complainant’s well-known mark.

This conduct suggests the Respondent was clearly targeting the Complainant and its trademark. As stated in *Parfums Christian Dior v. Javier Garcia Quintas*, WIPO Case No. [D2000-0226](#), where a domain name is “so obviously connected with such a well-known name and products...its very use by someone with no connection with the products suggests opportunistic bad faith.”

Additional evidence of bad faith includes the Respondent’s failure to respond to multiple cease-and-desist communications sent by the Complainant’s counsel.

Accordingly, the Panel finds that the Complainant has established this third element under 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 <fastmavericks.com> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: April 14, 2025