

ADMINISTRATIVE PANEL DECISION

Gordon Food Service, Inc. v. Bonds Linda
Case No. D2025-0858

1. The Parties

Complainant is Gordon Food Service, Inc., United States of America ("United States or U.S."), represented by Markmonitor, United States.

Respondent is Bonds Linda, United States.

2. The Domain Names and Registrar

The disputed domain names <gfsvendor.com>, <gfsvendorsanalysis.com>, <gfs-vendors.com>, <gfsvendors-sharefile.com>, <gfsvendors-sharefiles.com>, and <gordonfoodsservices.com> are registered with Aceville Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 28, 2025. On March 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 4, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Not Disclosed) and contact information in the Complaint. The Center sent an email communication to Complainant on March 5, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on March 7, 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 Respondent of the Complaint, and the proceedings commenced on March 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 30, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on April 4, 2025.

The Center appointed Scott R. Austin as the sole panelist in this matter on April 11, 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

Without contest by Respondent, Complainant asserts in its Complaint, as amended, and in its attached annexes, provides sufficient evidence to support that:

Established in 1897, Complainant is one of North America's largest privately held distributors of products and services to the foodservice industry and direct to consumers throughout the United States and Canada under trademarks incorporating the terms "Gordon Food Service" (the "GORDON FOOD SERVICE Mark") and its abbreviated form "gfs" (the "GFS Mark"), including a design mark comprised of the letters "GFS" using a stylized font (collectively, the "GFS Marks"). Complainant delivers quality products and services to over 113,000 foodservice customers through widespread distribution centers and direct to consumers at over 180 physical Gordon Food Service Store locations throughout North America.

Complainant is also the registrant of domain names consisting of or including the GFS Marks, including Complainant's official domain name <gfs.com>, registered on February 28, 1994, which is used to access its principal website at "www.gfs.com", (the "Official GFS Mark Website") to promote its products and services.

Complainant owns numerous currently active and incontestable registrations protecting the GFS Marks and the GORDON FOOD SERVICE Mark in the United States and Canada, including:

United States Trademark Registration No. 1,500,087, GORDON FOOD SERVICE, registered on August 16, 1988, for a range of services in classes 35, and 42;

United States Trademark Registration No. 1,500,088, GFS, registered on August 16, 1988, for a range of goods and services in classes 8, 16, 21, 29, 30, 31, and 32;

United States Trademark Registration No. 3,054,458, , registered on January 31, 2006, for services in class 35;

Canadian Trademark Registration No. TMA444009, GORDON FOOD SERVICE, registered on June 16, 1995, for goods and services in classes 1, 3, 8, 16, 21, 29, 30, 31, 32, and 35; and

Canadian Trademark Registration No. TMA471930, GFS, registered on March 4, 1997, for goods and services in classes 1, 3, 5, 8, 16, 21, 29, 30, 31, 32, and 35.

Complainant's evidence submitted shows that all six of the disputed domain names were registered by Respondent with the same registrar, on registration dates ranging from September 27, 2024, to January 19, 2025. Specifically, disputed domain name <gfsvendor.com> was registered on September 27, 2024; disputed domain name <gfs-vendors.com> was registered on October 1, 2024; disputed domain names <gfsvendors-sharefiles.com> and <gfsvendors-sharefile.com> were registered on October 2, 2024; disputed domain name <gfsvendorsanalysis.com> was registered on October 3, 2024; and disputed domain name <gordonfoodsservices.com> was registered on January 19, 2025. Complainant's annexes also show that as of the access dates referenced in the annexes, disputed domain names <gfsvendors-sharefile.com> and <gfsvendors-sharefiles.com> each resolved to a 522 "Connection timed out" error page; disputed domain names <gfsvendor.com>, <gfs-vendors.com>, <gfsvendorsanalysis.com>, and <gordonfoodsservices.com> currently resolve to an inactive page, however, when Complainant first became aware of their registrations, disputed domain names <gfsvendor.com>, <gfs-vendors.com>, <gfsvendorsanalysis.com>, <gfsvendors-sharefile.com> and <gfsvendors-sharefiles.com> resolved to webpages sharing an identical layout, titled "Index of /" and contained hyperlinks on the displayed words "Name", "Last modified", "Size", and "Description". Before commencing the present proceeding,

Complainant also became aware that Respondent was using the disputed domain names <gfsvendorsanalysis.com> and <gordonfoodsservices.com> to distribute phishing emails and has provided evidence that Respondent used the emails to impersonate an officer of Complainant, requesting sensitive information like banking details from email recipients.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names. Notably, Complainant holds numerous trademark registrations for the GFS Marks and the GORDON FOOD SERVICE Mark across in Canada and the U.S. Complainant shows in its annexes that it owns registered trademark rights, including those set out in Section 4 above. Complainant further relies on the goodwill and recognition that has been attained under the GFS Marks and the GORDON FOOD SERVICE Mark, which have become a well-known distinctive identifiers for its products and services. Complainant shows that its GFS Marks and the GORDON FOOD SERVICE Mark are well-recognized by the public in the U.S. and Canada.

Complainant asserts that the disputed domain names are confusingly similar to the GFS Marks or the GORDON FOOD SERVICE Mark because each of the disputed domain names clearly encompass one of Complainant's GFS Marks or the GORDON FOOD SERVICE Mark in full, only followed or preceded by various descriptive terms. Complainant further contends that the presence of email servers linked with disputed domain names which reproduce Complainant's GFS Marks and/or include generic terms relevant to Complainant's business represents a severe risk of potential phishing and other fraudulent actions.

Complainant submits that there are no rights or legitimate interests held by Respondent in respect of the disputed domain names. Respondent is not commonly known by any of the disputed domain names, nor does Respondent have any affiliation with, authorization or license from Complainant to use any GFS Mark or the GORDON FOOD SERVICE Mark or to register any of the disputed domain names.

Complainant contends that Respondent cannot demonstrate use of the disputed domain names in connection with a bona fide offering of goods or services, because the disputed domain names have been used to devise and execute a phishing scheme, aimed at impersonating Complainant in order to fraudulently induce Complainant's customers and/or suppliers to reveal their banking information. Complainant also contends that Respondent's conduct constitutes the type of illegal activity whereby a registrant cannot acquire rights or legitimate interests, by the use of a domain name as an email address from which to send phishing emails because phishing is considered a form of Internet fraud and therefore establishes a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names.

The fact that each disputed domain name contains one of the GFS Marks and the GORDON FOOD SERVICE Mark together with a term relevant to Complainant's business such as such as "vendors" shows that the structure of the disputed domain names is inherently misleading as it effectively impersonates or suggests sponsorship or endorsement by Complainant.

Respondent is not making a legitimate noncommercial or fair use of any of the disputed domain names because its configuration of each disputed domain name creates a high risk of implied affiliation, which is among the core factors that UDRP panels look at when assessing respondent's fair use of the disputed domain name. Respondent's non-use of the remaining passively held disputed domain names does not confer it with a legitimate interest nor would use of a domain name to further an illegitimate purpose. In its amended complaint, Complainant adds the contention that Respondent appears to be a known cybersquatter and has already been ordered by previous panels to transfer domain names to complainants in numerous prior UDRP proceedings has been recognized by prior panels as a clear indication of lack of legitimate interest.

Complainant contends that the disputed domain names were registered and are being used in bad faith. First, Complainant asserts that the GFS Marks and the GORDON FOOD SERVICE Mark are widely known and therefore Respondent must have been aware that they would be registered as trademarks in Canada and the U.S., where Respondent is purportedly located. Complainant's earliest GFS Mark and the GORDON FOOD SERVICE Mark registrations also predate the registration of all of the disputed domain names by approximately 36 years and the Marks have gained widespread reputation as source identifiers for a food distribution company with a history spanning more than a century. Complainant also provides detailed evidence of phishing emails with signature blocks showing Complainant's marks in their stylized font and logo graphics. Impersonating Complainant in this manner confirms that Respondent registered the disputed domain names in bad faith, as Respondent was well-aware of Complainant and its prior trademark rights when registering the disputed domain names. Complainant submits, therefore, that Respondent knowingly registered each of the disputed domain names in bad faith with the intention of targeting Complainant's GFS Marks and the GORDON FOOD SERVICE Mark to trade off the goodwill and reputation attaching to Complainant's GFS Marks and the GORDON FOOD SERVICE Mark.

Complainant further contends that Respondent's use of each of the disputed domain names is in bad faith because Respondent not only configured email servers ("MX Records") on the disputed domain names, but it used email addresses with the extension "@gfsvendorsanalysis.com" and "@gordonfoodsservices.com" to impersonate Complainant and pretend to be Complainant's employee, in a phishing scheme designed to fraudulently induce Complainant's customers and/or suppliers to reveal their banking information. As for the remaining disputed domain names that are now or always have been inactive, Complainant contends bad faith use is demonstrated based on Complainant's evidence supporting factors that have been considered relevant in applying the passive holding doctrine. In its amended Complaint, Complainant adds the contention that Respondent is a "notorious cybersquatter" and has already been ordered by previous panels to transfer domain names to complainants in numerous prior UDRP proceedings. The record makes it clear that Respondent's behavior constitutes a pattern of abusive conduct preventing trademark holders from reflecting their mark in a corresponding domain name as bad faith conduct recognized under paragraph 4(b)(ii) of the Policy. Complainant contends, therefore, that Respondent's conduct amounts to registration and use of each of the disputed domain names in bad faith.

Complainant contends in its initial Complaint that the proceedings for each of the disputed domain names should be consolidated on the basis that they are all under common control based on factors relied upon by prior UDRP panels in ruling upon such requests. Complainant's support for these factors is provided in substantial and detailed evidence submitted in its initial Complaint, and requests transfer of all six of the disputed domain names, which is considered by the Panel in Section 6.1 below.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

6.1 Procedural Issue

Consolidation: Multiple Disputed Domain Names

In its Initial Complaint, Complainant argued this proceeding should be consolidated based on evidence submitted relating to common control to the extent that it then appeared the multiple domain names were potentially held by multiple registrants. Paragraph 3(c) of the Rules states, however, that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. Given the Registrar has disclosed after the filing of the initial Complaint that all of the disputed domain names are registered to the same registrant, the Panel notes that proceeding against the single named Respondent here is appropriate and consolidation need not be considered further.

6.2 Substantive Issues

Paragraph 15(a) of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on Complainant to make out its case and it is apparent from the terms of the Policy that Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer a domain name. As the proceedings are administrative, the standard of proof under the Policy is often expressed as the “balance of the probabilities” or “preponderance of the evidence” standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.2.

Thus, for Complainant to succeed it must prove within the meaning of paragraph 4(a) of the Policy and on the balance of the probabilities that:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The Panel finds that Complainant has met its burden in all three elements of the Policy and will deal with each of these elements in more detail below.

A. Identical or Confusingly Similar

Ownership of a nationally registered trademark constitutes prima facie evidence that the complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Complainant claims registered trademark rights in the GFS Marks for its foodservice industry products dating back to 1988 for a food distribution company with a history spanning more than a century. Sufficient evidence has been submitted in the form of electronic copies of valid and subsisting national and international trademark registration documents in the name of Complainant. Complainant has demonstrated, therefore, that it has rights in the GFS Marks and the GORDON FOOD SERVICE Mark required under the Policy. See *Horten Advokatpartnerselskab v. Domain ID Shield Service CO., Limited / Krutikov Valeriy Nikolaevich*, WIPO Case No. [D2016-0205](#); see also *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#).

Complainant’s extensive and detailed evidence submitted in the Complaint and its annexes relating to each disputed domain name shows that all of the disputed domain names each clearly and prominently encompass one of Complainant’s GFS Marks or GORDON FOOD SERVICE Mark in full, combined with additional terms and Complainant contends therefore, that the Complainant’s GFS Marks or GORDON FOOD SERVICE Mark is recognizable in the disputed domain names, and therefore the disputed domain names are confusingly similar to Complainant’s GFS Marks or GORDON FOOD SERVICE Mark.

Prior UDRP panels have held that a domain name which wholly incorporates a complainant’s registered mark is sufficient to establish identity or confusing similarity for purposes of the Policy despite the addition of other terms to such marks. [WIPO Overview 3.0](#), section 1.8 (“Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element”); see also *Meta Platforms, Inc., Instagram, LLC, WhatsApp, LLC v. Domains By Proxy, LLC / Emir 100k / fdsf dfsds / Instagram help, Instagram Yardim Merkezi / rasimcan yilmaz, serverbutik / mami qwe, sirket, Lara*

Lala, arda bozkyrt, Abuz Hamal, AbuzMemo Medya, ahmet kaplan, asddasa, adem can, qwe, dusny turker, dakjKJDAKJDKJAS, Kaan Yavuz, aslan sokak, adem kaya, Mdsksndishs dwnsksbe, flores russel, fff ffff, ahmet xd, hestia, Demet Karakus, Kerimhan Duman, Gizem ayyildiz, gurkan kaya, WIPO Case No. [D2022-0212](#).

Further, the addition of a generic Top-Level Domain (“gTLD”) “is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test”.

[WIPO Overview 3.0](#), Section 1.11.1.

Complainant has satisfied paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Under the second element of the Policy, a complainant is first required to make out a prima facie case that the respondent lacks rights or legitimate interests in the disputed domain name. If a complainant makes that showing, the burden of production on this element shifts to the respondent to come forward with relevant evidence of such rights or legitimate interests in the domain name. If the respondent fails to come forward with such evidence, a complainant is generally deemed to have satisfied the second element.

[WIPO Overview 3.0](#), section 2.1. See also, *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#).

Complainant has established, prima facie, that Respondent lacks rights or legitimate interests in each of the disputed domain names. First, Complainant submits that it has not licensed, or otherwise authorized Respondent to use the GFS Marks or the GORDON FOOD SERVICE Mark in any manner or to register any of the disputed domain names, nor has Complainant in any way or manner associated with or entered into any legal relationship with Respondent. There is no evidence of record that Respondent has registered as trademarks or used as unregistered marks the term “Gordon food service” or the letters “GFS” and Complainant states that to the best of its knowledge, Respondent has not registered any trademarks for GORDON FOOD SERVICE, GFS, or any of the GFS Marks, nor has Complainant found any evidence to suggest Respondent holds unregistered rights in such terms.

Complainant also contends and provides persuasive registration data evidence in the annexes to its Complaint that Respondent is not commonly known by any of the disputed domain names. The Whois evidence provided by Complainant shows Respondent’s registrant data has been privacy protected. As disclosed by the Registrar, Respondent registrant name is “Bonds Linda” which has no resemblance to any of the GFS Marks or the GORDON FOOD SERVICE Mark, or any of the disputed domain names. Complainant has also asserted that it is neither in possession of, nor aware of the existence of any evidence demonstrating that Respondent might be commonly known by any of the disputed domain names. Complainant also contends that Respondent’s conduct constitutes the type of illegal activity whereby a registrant cannot acquire rights or legitimate interests, by the use of a domain name as an email address from which to send phishing emails because phishing is considered a form of Internet fraud and therefore establishes a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names.

Complainant next contends that Respondent lacks rights or legitimate interests in the respective disputed domain names. Complainant contends that Respondent cannot demonstrate use of the disputed domain names in connection with a bona fide offering of goods or services, because the disputed domain names have been configured to attach MX records and in turn used their email servers to devise and execute an email phishing scheme aimed at impersonating Complainant in order to fraudulently induce Complainant’s customers and/or suppliers to reveal their banking information.

Prior UDRP panels have found even the mere existence of mail servers attached to disputed domain names such as Complainant has shown here, for disputed domain names <gfsvendors-sharefile.com>, <gordonfoodsservices.com>, and <gfsvendors-sharefiles.com>, represents a severe risk of phishing activities. See *Carrefour v. WhoisGuard, Inc., WhoisGuard Protected / Robert Jurek, Katrin Kafut*,

Purchasing clerk, Starship Tapes & Records, WIPO Case No. [D2017-2533](#). The Panel notes that the facts here go beyond the risk of potential phishing to providing evidence of actual phishing emails targeting Complainant's customers by impersonating one of its employees to induce Complainant's customers and/or suppliers to reveal their banking information. Under these circumstances, it is clear Respondent is attempting to impersonate and pass itself off as Complainant. Prior UDRP panels have consistently held that such use of a domain name for such illegitimate purposes can never confer rights or legitimate interests on a respondent. See [WIPO Overview 3.0](#), section 2.13; see also *AB Electrolux v. Domain Admin, Whois Privacy Corp.*, WIPO Case No. [D2022-0241](#).

After reviewing the record showing Respondent's configuration of the disputed domain names to create a false association with Complainant, MX records attached to support email correspondence sent from otherwise inactive domain names, plus evidence of actual phishing emails impersonating an employee of Complainant used to induce Complainant's customers and/or suppliers to reveal their banking information, it cannot be inferred that Respondent is making a legitimate noncommercial or fair use of the disputed domain names. See [WIPO Overview 3.0](#), section 2.5.3; see also *Houghton Mifflin Co. v. The Weathermen, Inc.*, WIPO Case No. [D2001-0211](#); *BioNTech SE v. Alicia Berry, Biontech*, WIPO case No. [DCO2024-0045](#).

Finally, in its amended complaint, Complainant adds the contention that Respondent appears to be a known cybersquatter, and has already been ordered by previous panels to transfer domain names to complainants in numerous prior UDRP proceedings. See, e.g., *Marlink SAS v. WhoisGuard Protected, WhoisGuard Inc / Linda Bonds*, WIPO Case No. [D2021-0068](#).

Prior UDRP panels have recognized a pattern of abusive registrations by a respondent as a clear indication of lack of legitimate interest in a respondent and this type of behavior could never be observed as use of a domain name for a bona fide offering of goods and Services. See [WIPO Overview 3.0](#), section 2.5.

Complainant has presented a prima facie case showing that Respondent does not have rights or legitimate interests in the disputed domain names. The Panel notes that Respondent has not submitted a Response in this proceeding, much less provided the Panel with any evidence set forth in paragraph 4(c) of the Policy from which the Panel might conclude Respondent has rights or legitimate interests in the respective disputed domain names. As such, Respondent has failed to rebut Complainant's prima facie case.

The Panel finds, therefore, that Complainant has successfully met its burden under paragraph 4(a)(ii) of the Policy. Complainant also became aware that Respondent was using one or more of the disputed domain names to distribute phishing emails and has provided evidence that Respondent used the emails to impersonate an officer of Complainant, requesting sensitive information like banking details from email recipients.

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.

The Panel finds that upon review of the circumstances present here as supported by the evidence submitted by Complainant in the annexes to its Complaint, Respondent's actions constitute bad faith registration and use of the disputed domain names.

In the present case, the Panel notes first that because Respondent has created a series of disputed domain names that are each confusingly similar to Complainant's GFS Marks or the GORDON FOOD SERVICE Mark, it is implausible to believe that Respondent was not aware of Complainant's widely recognized GFS Marks or the GORDON FOOD SERVICE Mark when it registered such confusingly similar disputed domain names. This likelihood of awareness is especially true where Complainant's earliest GFS Mark and GORDON FOOD SERVICE Mark registrations predate the registration of all of the disputed domain names

by over 36 years. See e.g., *Asian World of Martial Arts Inc. v. Texas International Property Associates*, WIPO Case No. [D2007-1415](#).

Complainant's GFS Marks and the GORDON FOOD SERVICE Mark are also registered in Canada and the U.S., where Respondent is purportedly located. UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith registration and use. See [WIPO Overview 3.0](#), section 3.1.4.

Based on the foregoing, the Panel finds it most likely that Respondent knew of and targeted Complainant and the GFS Marks and the GORDON FOOD SERVICE Mark, noting, inter alia its choice to encompass Complainant's well-known GFS Marks or the GORDON FOOD SERVICE Mark, with various trailing terms appended to the GFS Marks the disputed domain names. In these circumstances, registration of six disputed domain names incorporating Complainant's well-known GFS Marks or the GORDON FOOD SERVICE Mark points to registration in bad faith. See *Facebook, Inc. v. Ricky Bhatia*, WIPO Case No. [D2017-2542](#).

Bad faith use is also clear from Respondent's conduct as discussed in section 6.B. Complainant has shown that the disputed domain names <gfsvendorsanalysis.com> and <gordonfoodsservices.com> have been used to send fraudulent emails impersonating Complainant. The Panel finds, therefore, that Respondent has used the disputed domain names <gfsvendorsanalysis.com> and <gordonfoodsservices.com> to intentionally attract, for commercial gain, Internet users to its online location by creating a likelihood of confusion with Complainant's GFS Marks or the GORDON FOOD SERVICE Mark as to the source, sponsorship, affiliation, or endorsement which constitutes bad faith registration and use under paragraph 4(b)(iv) of the Policy.

Panels have also held that the use of a domain name for the illegal activity claimed here, impersonation/passing off, phishing or other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

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 3.0](#), section 3.2.1.

As for the disputed domain names <gfsvendors-sharefile.com> and <gfsvendors-sharefiles.com> that resolve to error pages and the remaining disputed domain names that are now inactive, panels have found that the non-use of a domain name (including a blank, inactive page or "this page isn't working at the moment" page as shown in Complainant's annex evidence) would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel finds the non-use of the inactive disputed domain names does not prevent a finding of bad faith in the circumstances of this proceeding. Although panelists will look at the totality of the circumstances in each case, key factors that the Panel has considered here in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of Complainant's mark, (ii) the failure of Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) Respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of Complainant's trademark, and the composition of the disputed domain names and finds that in the circumstances of this case the passive holding of all of the inactive disputed domain names does not prevent a finding of bad faith under the Policy. See *Cleveland Browns Football Company LLC v. Andrea Denise Dinoia*, WIPO Case No. [D2011-0421](#); *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

Moreover, the Panel notes that in its amended Complaint Complainant added the contention that Respondent is a "notorious cybersquatter", and has shown in decisions cited in section 6.B. above that Respondent has been ordered by previous panels to transfer domain names to complainants in numerous

prior UDRP proceedings. The record also makes it clear that Respondent's behavior constitutes a pattern of abusive conduct preventing trademark holders from reflecting their mark in a corresponding domain name as bad faith conduct recognized under paragraph 4(b)(ii) of the Policy. Further, Respondent has registered six disputed domain names, all wholly incorporating Complainant's well-known GFS Marks or the GORDON FOOD SERVICE Mark, but has provided no explanation of why it registered the disputed domain names, and particularly no explanation why six registrations were necessary or appropriate. Registration of six disputed domain names which are confusingly similar to Complainant's GFS Marks or the GORDON FOOD SERVICE Mark is sufficient for the Panel also to find that Respondent is engaging in a pattern of abusive conduct within the meaning of paragraph 4(b)(ii) of the Policy. See [WIPO Overview 3.0](#), section 3.1.2; see also *Wikimedia Foundation Inc. v. Kevo Ouz a/k/a Online Marketing Realty*, WIPO Case No. [D2009-0798](#).

Accordingly, considering all of the foregoing circumstances, the Panel finds that all of the disputed domain names have been both registered and used in bad faith, and that Complainant has met its burden under paragraph 4(a)(iii) 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 <gfsvendor.com>, <gfsvendorsanalysis.com>, <gfs-vendors.com>, <gfsvendors-sharefile.com>, <gfsvendors-sharefiles.com>, <gordonfoodsservices.com> be transferred to Complainant.

/Scott R. Austin/

Scott R. Austin

Sole Panelist

Date: May 2, 2025