

## ADMINISTRATIVE PANEL DECISION

Insured Aircraft Title Company, LLC v. Name Redacted  
Case No. D2025-0890

### 1. The Parties

Complainant is Insured Aircraft Title Company, LLC, United States of America (“United States”), represented by Crowe & Dunlevy, P.C., United States.

Respondent is Name Redacted.<sup>1</sup>

### 2. The Domain Names and Registrar

The disputed domain names <inssuredaircraft.com>, <insurdeaircraft.com>, <insuredaircraft.com>, <insuredaircrasft.com>, <insuredairecraft.com>, <insuredcaircraft.com> and <Insuredaircrafts.com> are registered with NameCheap, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 4, 2025. On March 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 5, 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 (Redacted for Privacy, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on March 6, 2025, with the registrant and contact information of nominally multiple underlying

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<sup>1</sup>This proceeding was initiated by Complainant against a number of individuals whose names (and other information) were used by a third party without their knowledge or consent to register the disputed domain names. This third party, whose identity remains unknown, is either a single or commonly controlled enterprise that has engaged in a complex scheme to defraud Complainant and its customers. For purposes of this decision, this unknown third party is referred to as “Respondent” and the individuals that were used as unwitting “proxies” in the registrations of the disputed domain names are not further named. Their names are redacted from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain names, which includes the names of the individuals listed in the records of registration. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See, e.g., *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

registrants revealed by the Registrar, requesting Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or, alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. Complainant filed an amended Complaint on March 12, 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 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2025.

A third party, one of the disputed domain name registrants, filed a communication to the Center on March 19, 2025, regarding the theft of its identity. The Center acknowledged the communication and notified the Parties of the receipt of a third-party communication on the same date.

On April 2, 2024, the Center received a communication from a different third party, also one of the disputed domain name registrants, regarding the theft of its identity and requesting a copy of the Complaint and Annexes. The Center acknowledged the communication of that named registrant and notified the Parties the receipt of this communication on April 3, 2025, and sent the requested copies to the named disputed domain name registrant on April 4, 2025.

The Center on April 3, 2025, notified the Parties of the Commencement of the Panel Appointment Process.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on April 8, 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**

Complainant is a limited liability company organized in the State of Delaware, United States. Founded in 1963, Complainant has provided worldwide escrow services and title and document recordation services to the aviation industry. Complainant is based in Oklahoma City, Oklahoma, United States, Complainant one of the world's largest aircraft title and escrow companies. Complainant's primary corporate website is hosted at the domain name <insuredaircraft.com>.

Complainant is the owner of registration on the Principal Register of the United States Patent and Trademark Office ("USPTO") for the word and design service mark INSURED AIRCRAFT TITLE SERVICE, INC., registration number 4,086,419, registration dated January 17, 2012, in international classes (ICs) 35 and 36, covering services in connection with the transfer of aircraft titles, as further specified. Complainant also is owner of registration at the USPTO for the word service mark INSURED AIRCRAFT TITLE SERVICE, registration number 7,296,869, registration dated February 6, 2024, in ICs 35 and 42, covering services in connection with the transfer of aircraft titles, and computer data entry for International Registry of Mobile Assets, as further specified.

According to the Registrar's verification, a group of individuals with no apparent affiliation are the named registrants of the disputed domain names. According to the Whois report, the disputed domain names were registered in the period between May and September 2024. There is substantial evidence that the disputed domain names were registered by a third party other than the parties identified as registrants in the records of registration. The name of that third party is unknown. Complainant submitted substantial evidence to establish that, although the identity of the third-party controlling the disputed domain names is unknown, the

disputed domain names are under the common control of that single party. Such evidence includes certain commonalities in the false registration data listed in the records of registration, and most persuasively the use of the disputed domain names in a common enterprise to defraud Complainant and its customers.

The disputed domain names have been used as deceptive email domains in messages purportedly transmitted by actual officers and employees of Complainant, with the subject email content displaying factual corporate address and contact information, with the notable exception of the deceptive email addresses. In their content, these emails have used various approaches to executing or attempting to execute fraudulent schemes, including by providing false information regarding financial accounts allegedly used by Complainant, by solicitation of escrow fees, by solicitation of substantial aircraft insurance policy payments, and by requesting completion of forms with data allegedly required by United States federal authorities. Complainant has not specifically indicated the extent to which the above-described fraudulent schemes resulted in monetary losses to Complainant and/or its customers, although certain correspondence suggests that some transfers of funds were made to accounts set up by Respondent to perpetrate the fraud.

The identities of the officers and employees of Complainant that were fraudulently used in email messages are distinct from the names of the parties falsely named as registrants of the disputed domain names. In other words, there is not a correlation between the persons subject to identity theft in the sense of being used as "false proxies" for the third-party commonly controlling the disputed domain name registrations, and the corporate employees falsely represented as individuals communicating by email on behalf of Complainant.

Complainant has suggested, inter alia, that the third party commonly controlling the disputed domain names was somehow able to monitor or identify transactions being carried out by Complainant and its customers, and that this information was used in furtherance of Respondent's scheme to defraud.

There is no evidence of an association, commercial or otherwise, between Complainant, the individuals named as registrants of the disputed domain names, and the third-party commonly controlling the disputed domain names (the latter referred to herein as Respondent).

## **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.

Complainant alleges that parties named as registrants of the disputed domain names on the records of registration are not the registrants-in-fact of those disputed domain names, but rather are names used without permission by an unknown third-party commonly controlling the disputed domain names. On this basis, Complainant argues that the Panel should consolidate the multiple domain name disputes that might otherwise be required to address the common scheme to defraud, as established by evidence of concerted fraudulent activity by a commonly controlled enterprise.

Complainant argues that it is the owner of rights in federally registered trademarks and that the disputed domain names are confusingly similar to those trademarks.

Complainant contends that Respondent lack rights or legitimate interests in the disputed domain names because: (1) the party controlling the disputed domain names (i.e., Respondent) is engaged in a complex scheme to defraud; (2) the undertaking of a financial crime and impersonation scam cannot establish a legitimate interest in the disputed domain names.

Complainant alleges that Respondent registered and is using the disputed domain names in bad faith because: (1) Respondent is engaged in a criminal impersonation scheme aimed at defrauding third parties with false contact and banking information that manifestly constitutes evidence of bad faith within the meaning of the Policy.

Complainant requests the Panel to direct the Registrar to transfer the disputed domain names to Complainant.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

The Center formally notified the Complaint to Respondent at the email and physical addresses provided in its records of registration. Courier delivery to three of the physical addresses provided by Respondent in records of registration were completed, triggering responses by the two recipients disclaiming any knowledge or interest in the disputed domain names or in this dispute. The remaining courier deliveries could not be completed because of inaccurate and inadequate address information provided in the records of registration. It appears that email transmissions to Respondent at the listed addresses was largely unsuccessful. The Center took those steps prescribed by the Policy and the Rules to provide notice to Respondent, and those steps are presumed to satisfy notice requirements.

Paragraph 4(a) of the Policy sets forth three elements that must be established by a complainant to merit a finding that a respondent has engaged in abusive domain name registration and use and to obtain relief. These elements are that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights;

(ii) 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.

### **Consolidation: Multiple Respondents**

The amended Complaint was filed in relation to nominally different domain name registrants. Complainant alleges that the domain name registrant-in-fact is the same entity or an enterprise under common control. Complainant requested the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrant-in-fact (i.e. the enterprise in common control of the disputed domain names) did not comment on Complainant's request. The nominal registrants of the disputed domain names that successfully received notice of the Complaint disclaimed any knowledge of or interest in the disputed domain names and requested dismissal of the Complaint filed against them because of identity theft. The commonly controlled enterprise that undertook the scheme involving identity theft (i.e., Respondent) did not respond to the Complaint.

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 Complainant's request, the Panel considered whether (i) the disputed domain names 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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that registration data for the disputed domain names, while nominally referring to an unaffiliated group of individuals, included certain common contact information (including email domains and physical addresses) not likely to have been provided by unaffiliated individuals. Even more tellingly, in carrying out the scheme to defraud the commonly controlled enterprise behind that scheme (i.e. Respondent) used several different disputed domain names in relation to the same underlying transaction. Such concerted use of the disputed domain names strongly implies use the disputed domain names by a single or commonly controlled enterprise.

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

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants in a single proceeding. The single or commonly controlled enterprise that undertook registration of the disputed domain names is referred to as "Respondent".

### **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 Complainant's trademark and the disputed domain names. [WIPO Overview 3.0](#), section 1.7.

Complainant has shown rights in respect of service marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the marks are recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The disputed domain names incorporate minor typographical variations on Complainant's service marks and are used by Respondent as the domain in email addresses deliberately intended to avoid detection or notice of fraudulent activity by the email recipient.

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 Complainant, panels have recognized that proving Respondent lacks rights or legitimate interests in domain names may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant, as here, makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain names (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating

rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

Panels have held that the use of domain names for illegitimate and illegal activity, here claimed as identity theft regarding individuals named as registrants of the disputed domain names, and use of emails employing deceptive and fraudulent addresses and content that attempt to induce persons doing business with Complainant to transfer funds to accounts in control of a commonly controlled enterprise perpetrating fraudulent activity, can never confer rights or legitimate interests on Respondent-in-fact.

[WIPO Overview 3.0](#), 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 domain names in bad faith.

In the present case, the Panel notes that Respondent was manifestly aware of Complainant and its service marks when it registered the disputed domain names by virtue of Respondent's fraudulent use of the disputed domain names to target Complainant and its customers, including with respect to specific transactions.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that domain names were registered and used in bad faith, but other circumstances may be relevant in assessing whether Respondent's registration and use of domain names is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of domain names, here claimed as identity theft regarding individuals named as registrants of the disputed domain names, and use of emails employing deceptive and fraudulent addresses and content that attempt to induce persons doing business with Complainant to transfer funds to accounts in control of a commonly controlled enterprise perpetrating fraudulent activity, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

The Panel finds that 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 <insuredaircraft.com>, <insurdeaircraft.com>, <insuredairciraft.com>, <insuredaircrafft.com>, <insuredairecraft.com>, <insuredcaircraft.com> and <Insuredaircrafts.com> be transferred to Complainant.

*/Frederick M. Abbott/*

**Frederick M. Abbott**

Sole Panelist

Date: April 22, 2025