

## **ADMINISTRATIVE PANEL DECISION**

MasTec North America, Inc. v. Yikai Ren  
Case No. D2025-1392

### **1. The Parties**

The Complainant is MasTec North America, Inc., United States of America (“United States” or “U.S.”), represented by Greenberg Traurig LLP, United States.

The Respondent is Yikai Ren, China.

### **2. The Domain Name and Registrar**

The disputed domain name <mastec.info> is registered with Dominet (HK) Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 4, 2025. On April 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 9, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. On April 14, 2025, the Center provided the contact details of the Respondent received from the Registrar to the Complainant for its information.

The Center verified that 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 April 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2025. The Complainant filed an amended Complaint on April 17, 2025, which was sent to the Respondent on the same day. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 6, 2025.

The Center appointed Tobias Zuberbühler as the sole panelist in this matter on May 13, 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 a large infrastructure construction company operating mainly throughout the United States across a range of industries. The Complainant is publicly traded and listed on the New York Stock Exchange as MTZ since 1998. For over 80 years, the Complainant has continuously used its MASTEC mark in connection with infrastructure construction services. The Complainant promotes its business online through the domain name <mastec.com>.

The Complainant owns various trademark registrations, including the U.S. trademark MASTEC (Reg. No. 2130081, registered on January 20, 1998).

The disputed domain name was registered on May 23, 2024. At the time of filing of the Complaint, it resolved to a webpage where the disputed domain name was offered for sale for USD 950 or Lease to Own for USD 106 per month. At the time of this Decision, the website associated with the disputed domain name is inactive.

#### **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.

##### **B. Respondent**

The Respondent has not submitted any reply to the Complainant's contentions.

#### **6. Discussion and Findings**

##### **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 of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 1.7.

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

Apart from the generic Top-Level Domain ("gTLD") ".info", the disputed domain name is identical to the Complainant's trademark.

Accordingly, the Panel finds that 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 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 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds that 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 evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The Panel also notes that the composition of the disputed domain name creates a high risk of implied affiliation as Internet users may believe that the website at the disputed domain name would provide information about the Complainant, contrary to the fact.

The Panel finds that 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.

Considering the distinctiveness and reputation of the Complainant’s trademark, and apart from the gTLD, the disputed domain name is identical to the Complainant’s domain name, it therefore can be inferred that the Respondent was most likely aware of the Complainant’s trademark when registering the disputed domain name.

At the time of filing of the Complaint, the disputed domain name resolved to a webpage where the disputed domain name was offered for sale for USD 950. Under the circumstances of this case, the Panel finds that the Respondent has registered the disputed domain name primarily for the purpose of selling it to the Complainant or to a competitor of the Complainant, for valuable consideration in excess of the costs directly related to the disputed domain name.

Although the disputed domain name currently does not resolve to any active website, panelists have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding ([WIPO Overview 3.0](#), section 3.3).

While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the 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. The Panel notes the distinctiveness and reputation of the Complainant’s mark, the Respondent’s failure to file a Response, and the composition of the disputed domain name targeting the Complainant’s mark and finds that the current passive holding of the disputed domain name does not prevent a finding of bad faith.

The Panel further notes that the Complainant asserts that the Respondent has established a pattern of bad faith conduct because the Respondent used the entirety of a third-party trademark in registering a domain name in a previous UDRP case, and the Respondent was found by the panel to have registered and used that domain name in bad faith. See *Pluxee International v. Yikai Ren*, WIPO Case No. [D2024-2710](#).

The application of these factors to the present case supports a finding that the Respondent has registered and used the disputed domain name in bad faith.

The Panel finds that the Complainant has also 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 name <mastec.info> be transferred to the Complainant.

*/Tobias Zuberbühler/*

**Tobias Zuberbühler**

Sole Panelist

Date: May 27, 2025