

ADMINISTRATIVE PANEL DECISION

RE/MAX, LLC v. Name Redacted, Name Redacted
Case No. D2025-1430

1. The Parties

The Complainant is RE/MAX, LLC, United States of America (“United States”), internally represented.

The Respondents are Name Redacted¹, United States (“Respondent 1”); Name Redacted, Timor-Leste (“Respondent 2”).

2. The Domain Names and Registrar

The disputed domain names <remaxsecurity.com>, <remaxsecurityrealestate-rockport.com>, <remaxsecurityrealestaterockport.com>, <remax-security-realestate-rockport-tx.com>, <remaxsecurityrealestatetexas.com>, <remax-security-rockport.com>, <remaxsecurityrockport.com>, <remaxsecurityrockport-texas.com>, <remaxsecurityrockporttexascom.com>, <remaxsecurity-rockport-tx.com> and <tracipoteetremax.com> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 8, 2025. On April 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 8, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 14, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names

¹ The Respondent appears to have used the name of a third party when registering the disputed domain names. In light of the potential identity theft, the Panel has redacted the Respondent’s name 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 name, which includes the name of the Respondent 1. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in these proceedings, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST 12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on April 18, 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 Respondents of the Complaint, and the proceedings commenced on April 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 15, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on May 19, 2025.

The Center appointed Andrea Mondini as the sole panelist in this matter on June 2, 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 headquartered in the United States and operates a network of franchisees providing real estate brokerage services in over 110 countries worldwide since at least 1973. The Complainant owns numerous trademark registrations, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASSES
RE/MAX	United States	1,139,014	August 26, 1980	35, 36
REMAX	United States	2,054,698	April 22, 1997	35

(Collectively referred as the “REMAX” trademark)

The Complainant holds the domain name <remax.com> which hosts its main website.

The Respondent 1 is reportedly located in United States and the Respondent 2 is reportedly located in Timor-Leste, but the Panel notes that the information provided seems to be false.

All of the disputed domain names were registered on October 1, 2023.

According to the evidence submitted with the Complaint, some of the disputed domain names resolved to a pay-per-click (“PPC”) site and some to a pornographic website.

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 names.

Notably, the Complainant contends as follows:

The contact details provided for the Respondent 2 are obviously false, and the Respondent 2 is the alter ego of the Respondent 1.

The disputed domain names are confusingly similar to the famous RE/MAX trademark in which the Complainant has rights, because they all incorporate this trademark in its entirety, and the addition of terms related to either the real estate industry, the RE/MAX Security Office name and its location, or the name of a former RE/MAX real estate agent are not sufficient to prevent a finding of confusing similarity.

The Respondents have no rights or legitimate interests in respect of the disputed domain names. The trademark RE/MAX has been extensively used to identify the Complainant and its real estate services. The Respondent has not been authorized by the Complainant to use this trademark, is not commonly known by the disputed domain names, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain names in connection with a bona fide offering of goods and services.

On the contrary, in June 2024, all of the disputed domain names resolved to one of the Complainant's competitors' website. On June 18, 2024, the Complainant contacted the Respondent 1 who allegedly was a franchisee of the alleged competitor when the disputed domain names were registered but did not receive a response from it. On August 22, 2024, the Complainant contacted the franchisor for the alleged competitor, who responded that they were not the registrant of the disputed domain names but would reach out to franchisees of the alleged competitor to try to determine the registrant. After this communication, several of the disputed domain names were redirected to PPC parking pages and no longer directed to the competing website. Lastly, several of the disputed domain names were used to direct to a pornographic website.

Because the Complainant's communication with the franchisees of the alleged competitor resulted in a redirection of the disputed domain names, the Complainant believes that the disputed domain names were registered and used in bad faith by a competitor for the purpose of disrupting the Complainant's business and to tarnish the Complainant's trademark.

B. Respondents

The Respondents did not reply to the Complainant's contentions.

On May 19, 2025, the Center received an email from the individual named as the Respondent 1, claiming that his email accounts had been compromised, and that he does not have any relationship with the disputed domain names.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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.

6.1 Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

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 the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites 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 all of the disputed domain names contain the trademark REMAX and were registered on the same date within seconds. These circumstances indicate that the disputed domain names are subject to common control.

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.

6.2 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 3.0](#), 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.

The Panel finds the entirety of the REMAX mark is reproduced within all of the disputed domain names. The addition of terms related to either the real estate industry, the RE/MAX Security Office name and its location, or the name of a former RE/MAX real estate agent does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The addition of the generic Top-Level Domain ("gTLD") ".com" in the disputed domain names is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

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 Respondents 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 for a complainant to prove 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 3.0](#), section 2.1.

The record shows that some of the disputed domain names have been used for PPC advertising, and some of them have been redirected to a website with pornographic content. Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondents lack rights or legitimate interests in the disputed domain names.

The Respondents have not rebutted the 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.

Furthermore, the disputed domain names suggest a connection or affiliation between the Complainant and the Respondents which in fact does not exist.

Based on the available record, 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 a domain name in bad faith.

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.

In the view of the Panel, noting that that the Complainant's trademark predates the registration of the disputed domain names and considering that the Complainant's trademark is very well-known, it is inconceivable that the Respondents could have registered the disputed domain names without knowledge of the Complainant's trademark. In the circumstances of this case, this is evidence of registration in bad faith.

The redirection of the disputed domain names to PPC websites referring to competing real estate services and/or to websites with pornographic content further indicates that the Respondents have intentionally attempted to attract, for commercial gain, Internet users to their web site, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its web site in the sense of Policy, paragraph 4(b)(iv). In particular, the use of some of the disputed domain names to direct Internet users to a pornographic website constitutes a strong indication of bad faith.

The Respondents' bad faith is further established by the fact the Respondents not only sought to conceal their identity by using a privacy shield, but also registered the disputed domain names by using false contact information and apparently the stolen identity of another individual.

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

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain names.

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 <remaxsecurity.com>, <remaxsecurityrealestate-rockport.com>, <remaxsecurityrealestaterockport.com>, <remax-security-realestate-rockport-tx.com>, <remaxsecurityrealestatetexas.com>, <remax-security-rockport.com>, <remaxsecurityrockport.com>, <remaxsecurityrockport-texas.com>, <remaxsecurityrockporttexascom.com>, <remaxsecurity-rockport-tx.com> and <tracipoteetremax.com> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: June 11, 2025