

ADMINISTRATIVE PANEL DECISION

Zoox, Inc. v. david HILL, coverahealth inc
Case No. D2025-1500

1. The Parties

Complainant is Zoox, Inc., United States of America, represented by Lee & Hayes, PC, United States of America.

Respondent is david HILL, coverahealth inc, United States of America.

2. The Domain Name and Registrar

The disputed domain name <zoox.team> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 11, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 14, 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 (Domain Administrator / See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to Complainant on April 14, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 14, 2025.

The Center verified that the Complaint together with the amendment to 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 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. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 7, 2025.

The Center appointed Bradley A. Slutsky as the sole panelist in this matter on May 21, 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 was founded in 2014 and is building a fleet of autonomous, battery-powered electric vehicles that will be used for a ride-hailing service. In 2020, Complainant was purchased by Amazon. Complainant has been using the ZOOX mark since at least as early as 2016, and has numerous trademark registrations for the ZOOX mark, including the following:

| Mark | Goods/Services | Jurisdiction | Reg. No. | Reg. / Eff. Date |
|------|--|--------------|--------------|-------------------|
| ZOOX | Transportation robots / machines, etc. | Brazil | 911543554 | July 24, 2018 |
| ZOOX | Transportation robots / machines, etc. | France | 4792286 | August 26, 2016 |
| ZOOX | Transport robots / machines, etc. | Germany | 302021017983 | November 24, 2021 |

Complainant also is the registrant of the <zoox.com> domain name, which contains information concerning Complainant and uses Complainant's logos and marks.

Respondent registered the disputed domain name on March 19, 2025. The Annexes to Complainant's Complaint contain emails and other messages showing the use of the disputed domain name to impersonate one of Complainant's human resources employees in connection with unauthorized job postings and associated job interviews.

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 name.

Notably, Complainant contends that the disputed domain name is confusingly similar to Complainant's ZOOX mark because it consists solely of the ZOOX mark plus the generic Top-Level Domain ("gTLD") ".team". Complainant also contends that Respondent has no rights or legitimate interests in the disputed domain name because the disputed domain name is being used for phishing in connection with unauthorized job interviews, because Respondent is not authorized to use Complainant's ZOOX mark, and because Respondent is not making a bona fide offering of goods or services. Complainant also contends that the disputed domain name was registered and is being used in bad faith because Respondent allegedly is intentionally attempting to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark, because Respondent is using the disputed domain name for phishing, and because Complainant used the mark first and "[i]t is therefore more likely than not the Respondent had Zoox's trademark in mind when registering the [disputed] Domain Name" (especially given that Respondent also used Complainant's photographs, trademarks, and logos).

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Pursuant to paragraph 15(a) of the Rules, a panel in UDRP proceedings “shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

Under paragraph 4(a) of the Policy, Complainant must prove the following:

- (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.

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

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 entirety of the ZOOX mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to Complainant’s mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The disputed domain name follows Complainant’s ZOOX mark with the “.team” gTLD. “The applicable Top Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) 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.

Accordingly, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name. “Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate [Respondent’s] rights or legitimate interests to the domain name[s] for purposes of paragraph 4(a)(ii):

- (i) before any notice to [Respondent] of the dispute, [Respondent’s] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or
- (ii) [Respondent] (as an individual, business, or other organization) [has] been commonly known by the [disputed] domain name, even if [Respondent has] acquired no trademark or service mark rights; or
- (iii) [Respondent is] making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue”. Policy, paragraph 4(c).”

Although the overall burden of proof in UDRP proceedings is on 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 Respondent. As such, where a complainant 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 name (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 name. 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 name such as those enumerated in the Policy or otherwise.

The only demonstrated use of the disputed domain name in this matter is the impersonation of Complainant’s Human Resources Project Manager in an effort to obtain information concerning users who apply for and then interview for a fake / nonexistent job. This is not a bona fide offering of goods or services, nor is it a legitimate noncommercial or fair use of the disputed domain name. Respondent has not rebutted these allegations.

“Panels have categorically held that the use of a domain name for illegal activity (e.g., ... phishing, ... impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent.” [WIPO Overview 3.0](#), section 2.13.1. Further, “the fact that Respondent is neither affiliated with Complainant nor authorized by Complainant to use Complainant’s mark in the [disputed domain name] also indicates that Respondent’s use is not bona fide or legitimate.” *Moelis & Company v. Sophia, Sophia*, WIPO Case No. [D2024-2851](#).

Accordingly, 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. Specifically, “the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that [Respondent has] registered or [Respondent has] acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of [Respondent’s] documented out-of-pocket costs directly related to the domain name; or
- (ii) [Respondent has] registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that [Respondent has] engaged in a pattern of such conduct; or
- (iii) [Respondent has] registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, [Respondent has] intentionally attempted to attract, for commercial gain, Internet users to [Respondent’s] website or other online location, by creating a likelihood of confusion with Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of [Respondent’s] website or location or of a product or service on [Respondent’s] website or location.” Policy, paragraph 4(b).

“Given that the scenarios described in UDRP paragraph 4(b) are non-exclusive and merely illustrative, even where a complainant may not be able to demonstrate the literal or verbatim application of one of the above scenarios, evidence demonstrating that a respondent seeks to take unfair advantage of, abuse, or otherwise engage in behavior detrimental to Complainant’s trademark would also satisfy Complainant’s burden.” [WIPO Overview 3.0](#), section 3.1.

In the present case, Respondent has used the disputed domain name to send email messages seeking to impersonate Complainant’s Human Resources Project Manager, in an effort to obtain information concerning users who apply for and then interview for a fake / nonexistent job. This indicates that Respondent registered and is using the disputed domain name with knowledge of Complainant’s ZOOX trademark and with the intent to trade off of the goodwill associated with Complainant’s trademark, as described in paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for such illegal activity constitutes bad faith. [WIPO Overview 3.0](#), section 3.4 (“Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution. [...] Many such cases involve the respondent’s use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information from prospective job applicants [...].”). Indeed, in an almost identical case involving the use of the <zoox.live> domain “to impersonate the Complainant in an attempt to steal personal information from job applicants”, the Panel specifically found that registration and use for such purposes constitutes bad faith. *Zoox, Inc. v. curtis dennis*, WIPO Case No. [D2023-2552](#).

Accordingly, 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 name <zoox.team> be transferred to Complainant.

/Bradley A. Slutsky/

Bradley A. Slutsky

Sole Panelist

Date: June 4, 2025