

ADMINISTRATIVE PANEL DECISION

Ford Motor Company v. Host Master, Transure Enterprise Ltd
Case No. D2025-1514

1. The Parties

The Complainant is Ford Motor Company, United States of America ("United States"), represented by Kucala Burgett Law LLC, United States.

The Respondent is Host Master, Transure Enterprise Ltd, United States.

2. The Domain Name and Registrar

The disputed domain name <jerrytaylorford.com> is registered with Above.au Pty Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 14, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 28, 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 (REGISTRATION PRIVATE, above_privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on the same day, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on May 4, 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 Respondent of the Complaint, and the proceedings commenced on May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 27, 2025.

The Center appointed Nels T. Lippert as the sole panelist in this matter on May 28, 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 well-known global leader in the automotive industry. The Complainant manufactures and distributes automobiles across six continents, in approximately 200 markets, and employs approximately 170,000 employees worldwide. There are approximately 9,000 Ford dealerships worldwide and approximately 3,000 Ford dealerships in the United States. Accordingly, the FORD name and trademark is famous around the world. The Complainant has used the FORD mark in connection with automobiles and automotive parts since 1895 in the United States and has registered the FORD mark and marks that incorporate FORD in the United States and worldwide including:

United States Registration No. 74,530, registered July 20, 1909;
United States Registration No. 643,185, registered March 26, 1957; and
United States Registration No. 3,658,023, registered July 21, 2009.

The Complainant also operates its official website at <ford.com> and additionally owns many domain names that combine the FORD mark with country code Top Level Domains.

The disputed domain name was registered by the Respondent on September 15, 2019. According to the Complaint, in 2024, the disputed domain name was being directed to a pornographic website and was being redirected to malware websites and used in connection with pay-per-click advertising for third-party automobile dealerships. The disputed domain name does not currently resolve to an active 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 name.

Notably, the Complainant contends that the Complainant's vast network of authorized Ford dealerships sells and services Ford automobiles, and those dealerships are authorized by the Complainant to conduct business under names that include the Ford marks and are granted use of the Ford marks in domain names and websites. Beginning in 2000, Jerry Taylor Ford was an authorized Ford dealership that registered what is now the disputed domain name. With the Complainant's permission, Jerry Taylor Ford used the disputed domain name for its official Ford dealership website, until it sold operations in July 2019. Shortly after the disputed domain name stopped being used as an official Ford dealership website, the Respondent registered the disputed domain name.

The Complainant further contends that the Respondent has no relationship with Ford and is not authorized to use the FORD marks or to register the disputed domain name.

In addition, the Complainant notes that the Respondent is the respondent in over 200 WIPO and over 90 FORUM domain name cases which demonstrates its long history of domain name registration in bad faith.

B. Respondent

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

6. Discussion and Findings

As noted above, the Respondent did not respond to the Complainant's allegations. Under the Rules, paragraphs 5(f) and 14(a), the effect of a default by the Respondent is that, in the absence of exceptional

circumstances, the Panel shall proceed to a decision on the basis of the Complaint. The Panel does not find any exceptional circumstance in this case.

Paragraph 4(a) of the Policy provides that in order to divest a respondent of a domain name, a complainant must demonstrate each of the following:

- (i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of the domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

Under paragraph 15(a) of the Rules, “[a] Panel 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”.

In this case, the Panel finds that as a result of the default, the Respondent has failed to rebut any of the reasonable factual assertions that are made and supported by evidence submitted by the Complainant. By defaulting and failing to respond, the Respondent has failed to offer the Panel any of the types of evidence set forth in Paragraph 4(c) of the Policy or otherwise, from which the Panel might conclude that the Respondent has any rights or legitimate interests in the disputed domain name.

Moreover, the Respondent failed to provide any information or reasoning that might rebut the Complainant’s arguments that the Respondent has acted 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 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.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, “jerry” and “taylor” may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Furthermore, it is well established that the applicable Top Level Domain in a domain name 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.

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 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 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 relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

As noted by prior panels, a respondent does not have any rights or legitimate interests in a disputed domain name which resolves to a website with pay-per-click links related to the automotive industry. *Ford Motor Company v. Domain Admin, Whois Privacy Corp. / PPA Media Services / Ryan Foo*, WIPO Case No. [D2016-2572](#).

Also, the nature of the disputed domain name (referring to a former distributor of the Complainant) creates a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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 a domain name in bad faith.

The disputed domain name incorporates the Complainant’s famous trademark in its entirety along with terms referring to a former distributor of the Complainant. The Panel considers that the Respondent knew of the Complainant’s trademark when registering the disputed domain name and registered the disputed domain name in bad faith.

In the present case, the Panel also notes that the Respondent engaged in a pattern of bad faith conduct by registering numerous trademark-abusive domain names. [WIPO Overview 3.0](#), section 3.1.2. Furthermore, the Panel finds that the Respondent’s use of the disputed domain name to direct users to a pornographic website and to redirect users to a malware website with pay-per-click advertising for the Complainant’s competitors are indicative of bad faith use. [WIPO Overview 3.0](#), section 3.1.4

The Panel finds that the 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 <jerrytaylorford.com> be transferred to the Complainant.

/Nels T. Lippert/

Nels T. Lippert

Sole Panelist

Date: June 11, 2025