

ADMINISTRATIVE PANEL DECISION

DPDgroup International Services GmbH & Co v. Daniel Freewill
Case No. D2025-1748

1. The Parties

The Complainant is DPDgroup International Services GmbH & Co, Germany, represented by Fidal, France.

The Respondent is Daniel Freewill, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <dpdgo.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 30, 2025. On May 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 2, 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 Admin, Public Domain Registry) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 2, 2025, 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 amendment to the Complaint on May 5, 2025, and further amended Complaints on May 14 and May 19, 2025.

The Center verified that the Complaint together with the amendment to the Complaint and further amended Complaints 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 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 10, 2025.

The Center appointed Anna Carabelli as the sole panelist in this matter on June 16, 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 one of the leading parcel delivery networks in Europe, with a turnover of EUR 15.7 billion in 2023, more than 57,000 delivery experts and a network of more than 108,000 Pickup points. The Complainant delivers 5.3 million parcels each day, for a total of 2.1 billion parcels per year.

The Complainant owns various trademark registrations in various jurisdictions (including the United States where the Respondent is purportedly based), consisting of or containing the acronym DPD (the “DPD Trademark”), including the following:

- International Trademark Registration No. 761146, DPD (Figurative) registered on May 26, 2001, in classes 36 and 39;
- International Trademark Registration No. 1217471, DPD (Figurative) registered on March 28, 2014, in classes 9, 16, 35, 39, and 42, designating, among others, the United States; and
- International Trademark Registration No. 1271522, DPD GROUP (Figurative), registered on August 25, 2015, in class 39.

The Complainant also owns numerous domain names containing the DPD Trademark, including <dpd.com> (which was registered in March 1991 and resolves to the Complainant’s official website), <dpd-shipping.com> and <dpdgroupeexpress.com>.

The disputed domain name was registered on March 15, 2025. The evidence in the Complaint shows that the disputed domain name resolves to an active website impersonating the Complainant, using the DPD Trademark and offering the same services as the Complainant.

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 DPD Trademark is distinctive and well known, as recognized in previous UDRP decisions (see *DPDgroup International Services GmbH & Co v. Louis Santiago*, WIPO Case No. [D2025-0507](#) and *DPDgroup International Services GmbH & Co v. Palos Mikanos*, WIPO Case No. [D2024-4948](#));
- The disputed domain name is confusingly similar to the Complainant’s DPD Trademark, since it includes the Complainant’s mark in its entirety, with the addition of the descriptive term “go” which is directly related to the Complainant’s activity;
- The Respondent has no rights or legitimate interests in respect of the disputed domain name since: (i) the Respondent has not been authorized or somehow given consent by the Complainant to register and use the disputed domain name, and is not commonly known by the disputed domain name; (ii) the Respondent’s use of the disputed domain name is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use;

- The disputed domain name was registered and is being used in bad faith. The Respondent has registered and used the disputed domain name with knowledge of the Complainant and to capitalize on the Complainant's considerable goodwill and reputation, to attract for commercial gain Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant and its DPD Trademark. Based on the above the Complainant requests the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to decide the Complaint based on the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

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

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

Paragraph 4(b) of the Policy sets out four illustrative circumstances, which for the purposes of paragraph 4(a)(iii) of the Policy, shall be evidence of registration and use of a domain name in bad faith.

Paragraph 4(c) of the Policy sets out three illustrative circumstances any one of which, if found by the Panel, shall be evidence of the Respondent's rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy above.

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 and recognizable 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 "go", may bear on assessment of the second and third elements, the Panel finds the addition of such term 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.

The addition of the Top-Level Domain, such as ".com", is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [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 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.

In addition, the Panel notes the nature of the disputed domain name (comprising of the Complainant’s DPD Trademark and the term “go”), combined with the content of the Respondent’s website, carries a risk of implied affiliation with the Complainant.

Furthermore, panels have held that the use of a domain name for illegal activities, such as impersonation/passing off, as it is the case here, can never confer rights or legitimate interests on a respondent. [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 a domain name in bad faith.

In the present case, given the distinctiveness and reputation of the Complainant’s DPD Trademark particularly in postal and delivery services (also recognized in previous UDRP decisions), in the Panel’s view, it is difficult to believe that the Respondent did not have in mind the Complainant’s DPD Trademark when registering the disputed domain name. Prior panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or well-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The fact that the Respondent has used the disputed domain name following registration, to resolve to a website which prominently features the figurative mark and logo of the Complainant, and where the Respondent passes itself off as the Complainant allegedly offering identical services, establishes both the Respondent’s actual knowledge of the Complainant’s rights as at the date of registration of the disputed domain name, and the Respondent’s intention to take unfair advantage of those rights.

The above conduct constitutes bad faith registration and use of the disputed domain name under the Policy. Indeed, the Respondent has used the disputed domain names to capitalize on the goodwill of the

Complainant's DPD Trademark, and has intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

In addition, panels have held that the use of a domain name for illegitimate activities (here impersonation/passing off) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

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

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 <dpdgo.com> be transferred to the Complainant.

/Anna Carabelli/

Anna Carabelli

Sole Panelist

Date: June 30, 2025