

ADMINISTRATIVE PANEL DECISION

Dogtainers Australia Pty Ltd v. Ethan Harper
Case No. D2025-1801

1. The Parties

The Complainant is Dogtainers Australia Pty Ltd, Australia, represented by Dundas Lawyers Pty Ltd, Australia.

The Respondent is Ethan Harper, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <dog-tainers.com> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 6, 2025. On May 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 7, 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 (Redacted for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 7, 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 amended Complaint on May 8, 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 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 8, 2025. The Respondent sent email communications to the Center on May 9, 16, 19, and 21, 2025.

The Center appointed Kaya Köklü as the sole panelist in this matter on June 19, 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 company established in Australia in 1971. Ever since, it offers tailor-made pet relocation services for corporations and natural persons. It currently operates sixteen offices throughout Australia and New Zealand servicing all major cities there and also offers nine international destinations for its pet relocation services.

The Complainant is the owner of the DOGTAINERS trademark. Among others, the Complainant is the registered owner of the Australian Trademark Registration No. 717028, registered on September 11, 1996, for DOGTAINERS, claiming protection for transportation of domestic animals as protected in class 39.

The Complainant further operates its official website at <dogtainers.com.au>.

The Respondent is reportedly located in the United States.

The disputed domain name was registered on February 24, 2025.

According to unrebutted evidence provided by the Complainant, the disputed domain name resolved to a website displaying the Complainant's trademark and allegedly operated by DogTainers, purportedly offering pet relocation services in Australia and the United States without a visible disclaimer describing the (lack of) relationship between the Parties.

At the date of the Decision, the disputed domain name no longer resolves to an active website.

On April 8, 2025, the Complainant's attorneys sent an email to the Respondent requesting the transfer of the disputed domain name, but no response was received.

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 did not reply to the Complainant's contentions. However, the Center received various email communications from the Respondent on May 9, 16, 19 and 21, 2025.

In his email communication of May 9, 2025, the Respondent literally stated "[...] go ahead and transfer ownership of the domain to them". Additionally, the Respondent stated "Please abort all the process and simply transfer ownership to them".

In the Respondent's following email communications to the Center, mainly questions on formalities and further steps to be considered for the transfer of ownership were raised.

However, a suspension of the administrative proceedings was refused by the Complainant.

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

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

For the evaluation of this case, the Panel has taken note of the WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

A. Consent to Transfer

The Panel notes that even without a formal settlement between the parties, a consent for the transfer of the disputed domain name by the Respondent can provide sufficient basis for an order for transfer without the need for substantial consideration of the UDRP elements and the further merits of the case. In view of [WIPO Overview 3.0](#), section 4.10, a panel may "order the requested remedy solely on the basis of such consent".

In his email communication to the Center of May 9, 2025, the Respondent unambiguously expressed his willingness and consent to unconditionally transfer the disputed domain name to the Complainant.

As a consequence, the Panel orders the transfer of the disputed domain name based on the Respondent's unambiguous consent to transfer.

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 <dog-tainers.com> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: July 3, 2025