

## **ADMINISTRATIVE PANEL DECISION**

PlanHub, Inc. v. MF Bzone  
Case No. D2025-2285

### **1. The Parties**

Complainant is PlanHub, Inc., United States of America (“United States” or “U.S.”), represented by Bass, Berry & Sims PLC, United States.

Respondent is MF Bzone, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <planhubestimators.com> (the “Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 11, 2025. On June 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On June 18, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on June 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on June 24, 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 Respondent of the Complaint, and the proceedings commenced on June 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 16, 2025. Respondent did not submit a response. Accordingly, the Center notified Respondent’s default on July 18, 2025.

The Center appointed John C. McElwaine as the sole panelist in this matter on August 5, 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.

On the same day, Respondent sent a communication to the Center.

On September 3, 2025, the Panel issued Procedural Order No. 1 inviting:

- Complainant to provide evidence to support certain assertions made in the Complaint, including but not limited to:
  - (1) The duration and extent of use of the alleged trademark. This may include historical records of the first use of the alleged trademark, along with documentation proving uninterrupted and exclusive use of the alleged trademark to the present.
  - (2) The geographic reach of the alleged trademark's recognition. Evidence such as regional and national sales data, distribution agreements, and proof of global presence to demonstrate whether the alleged trademark is known locally, nationally, or internationally.
  - (3) The volume and extent of sales under the alleged trademark. Annual revenue figures and market share reports to establish the commercial success of products or services associated with the alleged trademark.
  - (4) The nature and extent of advertising and promotional efforts for the alleged trademark. This may include advertising budgets, media spend, and examples of national or global campaigns across television, online, and print media, as well as sponsorships and endorsements.
  - (5) The degree of public recognition of the alleged trademark. This may include consumer surveys showing brand awareness, media coverage, press mentions, and social media engagement metrics to demonstrate how well the general public associates the alleged trademark with its source. Such consumer recognition is stronger evidence if it is in relation to the general consuming public, and not just a niche market.
  - (6) Whether the mark is inherently distinctive or has acquired distinctiveness. This evidence includes whether the mark is fanciful, arbitrary, suggestive or descriptive, and whether there is a crowded field of other similar marks.
  - (7) Evidence concerning cease and desist letters, UDRP decisions, or records of successful oppositions or infringement suits to demonstrate the owner's commitment to protecting the alleged trademark.

Further to the issuance of Procedural Order No.1, the Panel noted that they did not receive any submission from either Party. However, on September 29, 2025, Complainant sent proof that it submitted a response to Procedural Order No. 1 on September 10, 2025, which was not received due to its large file size.

Therefore, pursuant to paragraphs 12 and 10 of the Rules, the Panel issued Procedural Order No.2, accepting the submission and allowing Respondent to comment on the submission filed by Complainant on September 10, 2025. Respondent's submission was required to be received by the Center no later than October 7, 2025. Respondent sent its submission on September 30, 2025.

#### **4. Factual Background**

Complainant operates a cloud-based preconstruction software. Relevant to this matter, Complainant owns a United States trademark registration for PLANHUB, U.S. Reg. No. 6631370, registered on February 1, 2022, in Class 42 (the "PLANHUB Mark").

The Domain Name was registered on January 10, 2022, and at the time of filing the Complaint, it resolved to a webpage displaying the message, "Your connection is not private" with a code indicating "ERR\_CERT\_DATE\_INVALID". At the time of this decision, the Domain Name resolves to a website titled "PlanHub Estimators" offering construction estimating services. The website states: "PlanHub Estimators are experienced construction estimating professionals dedicated to providing you with reliable and detailed construction estimating services. PlanHub Estimators understand the importance of having accurate

estimates in securing profitable contracts and managing project costs effectively”.<sup>1</sup> The website further states that Respondent’s contact information is “USA,[...]@planhubestimating.com.”

## **5. Parties’ Contentions**

### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that it has heavily invested in the PLANHUB Mark over the years, which has become widely known in the construction industry due to its association with Complainant’s respected reputation. Complainant further asserts that the PLANHUB Mark is the premier platform for contractor bidding and project management, which has made it famous.

With respect to the first element of the Policy, Complainant asserts that it has offered and sold services under the PLANHUB Mark since February 1, 2017. Complainant further asserts that the Domain Name is both visually and phonetically identical to the PLANHUB Mark, which is likely to confuse consumers. Complainant notes that the Domain Name includes the entirety of the PLANHUB Mark and asserts that the Domain Name will confuse consumers into believing Complainant owns the Domain Name.

With respect to the second element of the Policy, Complainant claims that Respondent does not have authorization or a license from Complainant to use the PLANHUB Mark. Complainant further asserts that, given the distinctive nature of the PLANHUB Mark, it is impossible for Respondent to be commonly known by any derivative of “PlanHub”. Complainant also contends that Respondent’s website is similar to that of Complainant. Complainant alleges, as a result, that Respondent does not use the Domain Name in connection with a bona fide offering of services; rather, Respondent means to mislead the public and divert Internet traffic to capitalize on Complainant’s reputation.

With respect to the third element of the Policy, Complainant contends that Respondent intended to use the Domain Name to deceive consumers into believing their website is authorized by Complainant, which damages Complainant’s reputation and disrupts Complainant’s business operations. Although no evidence has been submitted of an active website at the time of filing the Complaint, Complainant asserts that “upon information and belief, the Disputed Domain Name was being used to divert Internet users to a website that falsely purports to be Complainant’s website”. Accordingly, Complainant asserts that Respondent had actual or constructive knowledge of Complainant’s famous mark. Further, Complainant claims that Respondent registered the Domain Name through a privacy service, which is evidence of bad faith.

### **B. Respondent**

Respondent did not reply to the Complaint. However, on August 5, 2025, Respondent submitted an email to the Center stating:

“What is this regarding?  
Here is my offer, you want the domain “planhubestimators.com” — pay me \$700,000 and domain is yours.

How’s that?

Thanks  
Muhammad”

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<sup>1</sup> WIPO Overview section 4.8 (a panel may undertake limited factual research... including, visiting the website linked to the disputed domain name in order to obtain more information about the respondent or its use of the domain name).

### **C. Complainant's Supplemental Submission in response to Procedural Order No. 1**

Complainant responded to Procedural Order No. 1 by submitting evidence to substantiate its claims regarding the use, recognition, and protection of the PLANHUB Mark in the United States since at least February 2017. Complainant asserts that the PLANHUB Mark has been used in connection with technology for construction bidding, bid management, bid estimates, and project planning, and that since 2019, the mark has been presented with a distinctive green color treatment and online impression, which Complainant contends was copied by Respondent. Complainant further states that its services are provided to approximately 19,714 companies throughout North America, with a detailed breakdown by U.S. state demonstrating broad geographic reach and market presence.

Complainant reports that, between 2022 and August 2025, it invested over USD 1.6 million in advertising and promotional activities, reflecting significant efforts to promote the PLANHUB Mark through various media channels and industry events. Complainant alleges that brand recognition is evidenced by extensive media coverage, press releases, and Internet advertising campaigns, including recognition by Inc. 5000, features in Yahoo! Finance, PR Newswire, and coverage of industry events and strategic partnerships. Complainant asserts that the PLANHUB Mark was recognized on Deloitte Technology's Fast 500 list for 2024 and included in South Florida Business Journal's Fast 50 list, highlighting the fastest-growing private companies in South Florida. Additionally, Complainant has consistently received top-tier rankings from independent third-party reviewers evaluating products and services offered under the PLANHUB Mark.

### **D. Respondent's Supplemental Submission in response to Procedural Order No. 2**

On September 30, 2025, Respondent sent an email with its response to Procedural Order No. 2.

Respondent explained that they operate a cost estimating and quantities takeoff business based in Pakistan, serving clients throughout the USA and Canada. Respondent stated that the name "PlanHub Estimating Services" was chosen to reflect the nature of their business, which is related to plans and drawings, and expressed a lack of understanding regarding Complainant's objection, noting that the parties are based in different countries and serve different markets. Respondent asserted that they have invested significant time and resources in developing their business under this name, including marketing, office expenses, staff salaries, and building a client base. While expressing respect for Complainant's concerns, Respondent proposed two options: either Complainant withdraw the complaint, recognizing the distinct nature of Respondent's business, or compensate Respondent for relinquishing the name, referencing a previously stated amount of USD 1.0 million. Respondent emphasized that their investment in the business was substantial and that changing the name would result in considerable financial loss.

## **6. Discussion and Findings**

Paragraph 4 of the Policy requires that, to succeed in this UDRP proceeding, Complainant must prove its assertions with evidence demonstrating:

- (i) the 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 Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

Complainant bears the burden of establishing each of the three elements by a preponderance of the evidence. See, e.g., *F. Hoffmann-La Roche AG v. Relish Enterprises*, WIPO Case No. [D2007-1629](#). Having considered the Complaint, the Response, the Policy, the Rules, the Supplemental Rules and applicable principles of law, the Panel's findings on each of the above-cited elements are as follows:

## 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 provided evidence of a United States trademark registration for the PLANHUB Mark. The Domain Name incorporates the entirety of Complainant's PLANHUB Mark, with the addition of the descriptive term "estimators", which panels have recognized as confusingly similar for the purpose of UDRP standing. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

## B. Rights or Legitimate Interests

Under the Policy, paragraph 4(a)(ii), Complainant has the burden of establishing that Respondent has no rights or legitimate interests in the Domain Name. Complainant needs to make a prima facie showing on this element, at which point the burden of production shifts to Respondent to present evidence that it has rights or legitimate interests in the Domain Name. If Respondent has failed to do so, Complainant is deemed to have satisfied its burden under paragraph 4(a)(ii) of the Policy. See *Vicar Operating, Inc. v. Domains by Proxy, Inc. / Eklin Bot Systems, Inc.*, WIPO Case No. [D2010-1141](#).

In this case, Complainant has not licensed or otherwise authorized Respondent to use its PLANHUB Mark or to register domain names incorporating this mark. There is no evidence that Respondent has been commonly known by the Domain Name. Respondent's name is "MF Bzone".

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 Domain Name, such as those enumerated in the Policy<sup>2</sup> or otherwise. Instead, the record demonstrates that Respondent has engaged in conduct that negates any claim to legitimate interests. Specifically, Respondent has operated a website that impersonates Complainant by adopting similar branding, color scheme, and service descriptions, thereby misleading Internet users into believing there is an affiliation or authorization by Complainant. Such impersonation is inconsistent with bona fide use and constitutes clear evidence of an intent to capitalize on Complainant's reputation. Panels have consistently held that impersonation of a complainant or its business through a domain name and associated website negates any claim to rights or legitimate interests. See *On AG, On Clouds GmbH v. Nguyen Luu, Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf, Vuong Hoang, AN NGUYEN, NEO CORP., and Ngoc Tam Nguyen*, WIPO Case No. [D2021-1714](#) ("a [disputed domain name's] use cannot be deemed bona fide if the disputed domain names constitute trademark infringement"), citing *Sai Machine Tools Pvt. Ltd. v. Mr. Sudhir Jaiswal, Shree Sai Extrusion Technik Pvt. Ltd*, WIPO Case No. [D2018-2560](#) ("bona fide use is predicated on honest adoption of the name" and respondent failed to show such honest adoption; rather, respondent's use was infringing and therefore not bona fide).

Additionally, Respondent's Domain Name registration data and website contain an inaccurate assertion of "Plan Hub Estimators" being located in New York, United States, as evidenced by the website content, despite Respondent's own admission in its response that it is based in Pakistan. This misrepresentation of geographic location further supports the conclusion that Respondent's use of the Domain Name is not

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<sup>2</sup> The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a disputed domain name: "(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue".

legitimate, but rather intended to deceive consumers and create a false impression of connection to Complainant's business and market. See *DFDS A/S v. Milena Valenskaya*, WIPO Case No. [D2011-0941](#) (“[A]t the time of the filing of the Complaint the Domain Name was associated to a website which appeared to contain false information about a non-existing company appearing as affiliated to Complainant, and this has taken place without the consent of Complainant. In the Panel's view, such conduct could not be regarded as giving rise to rights and legitimate interests”). Taken together, Respondent's impersonation of Complainant and its false statements regarding its location demonstrate that Respondent is not making a bona fide offering of goods or services, nor is Respondent commonly known by the Domain Name. Instead, Respondent's actions are designed to mislead and divert Internet users for commercial gain.

The Panel therefore finds that Respondent has no rights or legitimate interests in the Domain Name.

### **C. Registered and Used in Bad Faith**

Under paragraph 4(a)(iii) of the Policy, Complainant must show that Respondent registered and is using the Domain Name in bad faith. A non-exhaustive list of factors constituting bad faith registration and use is set out in paragraph 4(b) of the Policy.

Bad faith registration can be found where respondents “knew or should have known” of a complainant's trademark rights and nevertheless registered domain names in which they had no rights or legitimate interests. The evidence establishes that Respondent likely knew of Complainant's PLANHUB Mark at the time of registration and use of the Domain Name. The website operated by Respondent adopts a logo and color scheme that closely mimic those of Complainant (see Complainant's Response to Procedural Order No. 1, Exhibits A and B), which supports an inference of knowledge and deliberate targeting. Panels may infer knowledge of a complainant's mark where the circumstances indicate that the respondent's choice of domain name and website branding are not coincidental but intended to capitalize on the complainant's reputation. Further, the term “Plan Hub” is not merely descriptive of Respondent's services. Rather, it is a distinctive term that has acquired trademark significance through Complainant's longstanding use and substantial investment in advertising and promotion. Respondent's explanation for registering the Domain Name is that “PlanHub Estimating Services is the name I choose keeping in mind my line of business which is related to Plans/Drawings.” However, there is no adequate explanation of why the term “hub” was selected including a similar logo and color scheme. The evidence demonstrates that “Plan Hub” is associated with Complainant and not simply a generic or descriptive term.

With respect to use, it is alleged that Respondent impersonated Complainant by adopting similar branding and service descriptions, creating a likelihood of confusion among Internet users as to the source, sponsorship, or affiliation of the website. *AG, On Clouds GmbH v. Nguyen Luu*, WIPO Case No. [D2021-1714](#) (“the Panel's finding not only that the Respondents are infringing the Complainants' trademarks ... also runs afoul of principles articulated in sections 2.4 and 2.5 (including subsections) of the WIPO Overview is dispositive of [the issue of bad faith]”). Respondent has also provided false information on its website, including a claim of being located in New York, United States, while admitting in its response that it is based in Pakistan.

The totality of Respondent's actions—including the adoption of a confusingly similar domain name, imitation of Complainant's branding and provision of inaccurate contact information on the website—demonstrates an intent to attract Internet users for commercial gain by creating confusion with Complainant's mark. This conduct falls squarely within the scope of paragraph 4(b)(iv) of the Policy. It is also important to point out that Respondent admitted that its customers were in the United States and Canada. This is sufficient for the Panel to infer that Respondent was aware of Complainant and of its goodwill and that Internet users who reach the website of Respondent may well believe that this website is affiliated with Complainant.

The Panel further notes that Respondent made two unsolicited offers to sell the Domain Name to the Complainant for USD 700,000 and 1.0 million, respectively. This amount is manifestly excessive and far exceeds any reasonable documented out-of-pocket costs directly related to the registration of the Domain

Name. Such conduct falls squarely within the scope of bad faith registration and use as contemplated by paragraph 4(b)(i) of the Policy, which identifies as evidence of bad faith an offer to sell the domain name to the complainant for valuable consideration in excess of documented out-of-pocket costs.

Panels have consistently found that exorbitant offers to sell domain names to complainant are indicative of bad faith. See *Zweites Deutsches Fernsehen (ZDF) v. Franz Maier*, WIPO Case No. [D2000-1071](#) (“Obviously, the requested price of USD 100,000 is by far higher than any out-of-pocket costs directly related to this Domain Name and this fact by itself is one of the indications mentioned in the Policy for bad faith.”); *Uitgeverij Crux v. W. Frederiks*, WIPO Case No. [D2000-0575](#) (“Given that the evidence supports a finding that the Respondent offered the Domain Name for sale for USD 50,000 to the Complainant, a sum which is obviously greatly in excess of any out-of-pocket expenses the Respondent may have been obliged to pay for registering the Domain Name, the Panel is of the opinion that paragraph 4(b)(i) of the ICANN Policy applies and the Respondent has registered and is using the Domain Name in bad faith.”). Accordingly, the Panel finds that Respondent’s conduct in offering the Domain Name for sale at a price of USD 700,000 and then 1.0 million constitutes compelling additional evidence of bad faith registration and use under the Policy.

For the reasons set forth above, the Panel holds that Complainant has met its burden and has established that Respondent registered and is using the Domain Name in bad faith.

## 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 Domain Name <planhubestimators.com> be transferred to Complainant.

*/John C. McElwaine/*

**John C. McElwaine**

Sole Panelist

Date: October 14, 2025