

ADMINISTRATIVE PANEL DECISION

Veterinary Emergency Group, LLC v. Registration Private
Case No. D2025-2348

1. The Parties

Complainant is Veterinary Emergency Group, LLC, United States of America ("United States"), represented internally.

Respondent is Registration Private, United States.

2. The Domain Name and Registrar

The disputed domain name <vegerforpets.com> (the "Domain Name") is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 13, 2025. On June 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On June 17, 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 (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to Complainant on June 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed the first amended Complaint on June 21, 2025, and the second amended Complaint on June 26, 2025.

The Center verified that the Complaint together with the first amended Complaint and the second 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 July 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 24, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on July 25, 2025.

The Center appointed Robert A. Badgley as the sole panelist in this matter on July 29, 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 (or its predecessor; there was a corporate name change in September 2021) is a provider of emergency veterinary services. According to the Complaint, Complainant “operates 107 hospitals across 32 states in the United States under the marks, VEG and VEG ER FOR PETS.”

Complainant alleges that it “has established common law trademark rights in both the VEG and VEG ER FOR PETS marks through continuous and consistent commercial use, as evidenced by extensive marketing materials.” Annexed to the Complaint are various marketing materials to corroborate the foregoing allegation.

Complainant owns various domain names, including <veg.vet> (acquired on July 20, 2016) and <veg.com> (acquired on February 22, 2022), and uses these domain names to host a commercial website promoting Complainant’s services. Complainant also maintains a social media presence. For instance, Complainant’s “VEG ER for Pets” Facebook page has more than 53,000 followers. Complainant’s LinkedIn page has more than 72,000 followers. According to Complainant: “Over time, with the explosive growth of Complainant’s veterinary services and consistent branding efforts, the VEG and VEG ER FOR PETS marks have become distinctive identifiers that consumers associate with Complainant’s emergency veterinary services and hospitals.”

Complainant holds trademark registrations for the mark VEG with the United States Patent and Trademark Office (“USPTO”). First, Complainant holds USPTO Reg. No. 6,520,824 for the design mark VEG, registered on October 12, 2021, in connection with, among other things, “veterinary emergency and trauma services,” with a November 2015 date of first use in commerce. Second, Complainant holds USPTO Reg. No. 6,522,855 for the word mark VEG, registered on October 19, 2021, in connection with, among other things, “veterinary emergency and trauma services,” with an August 7, 2018, date of first use in commerce.

On October 28, 2024, Complainant submitted to the USPTO an application (USPTO Serial No. 98824169) to register the design mark VEG ER FOR PETS. The USPTO has issued a non-final office action, and the trademark application is still pending.

On November 22, 2024, Complainant registered the mark VEG ER FOR PETS (Reg. No. 1836237) with the European Union Intellectual Property Office.

The Domain Name was registered on October 28, 2024, the same date as Complainant’s USPTO application for the mark VEG ER FOR PETS was filed. The Domain Name resolves to a Registrar parking page which announces that the Domain Name is for sale.

The Domain Name has been listed on two different domain auction sites. According to Complainant, when the Domain Name was listed on GoDaddy.com, Complainant purchased it on March 14, 2025, for USD 2,862.17. According to Complainant, though, this purchase transaction was “inexplicably canceled by GoDaddy.com” on March 17, 2025, and the Domain Name was later listed for sale on Dynadot.com with a significantly inflated sale price of USD 48,889.00. Annexed to the Complaint are receipts of the foregoing attempted transaction.

Respondent has not disputed any of the foregoing allegations.

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.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (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.

A. Identical or Confusingly Similar

The Panel finds that Complainant has rights in the trademark VET ER FOR PETS through registration and use demonstrated in the record. The Panel also finds that the Domain Name is identical to that mark.

Complainant has established Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] 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 [Respondent] (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 [Respondent] 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.

The Panel concludes that Respondent lacks rights or legitimate interests in connection with the Domain Name. Respondent has not come forward in this proceeding to deny any of Complainant's allegations or dispute any of Complainant's evidence. Nor has Respondent come forward to articulate some purportedly legitimate reason for registering the Domain Name. All we know from this undisputed record is that: (1) Respondent registered the Domain Name on the very day that Complainant had filed an application with the USPTO to register a trademark comprised of the very same string of characters as are contained in the Domain Name; and (2) Respondent put the Domain Name up for sale, and then reneged on the initial deal in order to sell the Domain Name for an even larger profit.

The timing of Complainant's USPTO application and the registration of the Domain Name cannot, in these circumstances, be put down to coincidence. Rather, the Panel finds it more likely than not that Respondent

registered the Domain Name in order to make an illegitimate profit from Complainant's trademark. Such conduct cannot yield a finding that Respondent has rights or legitimate interests vis-à-vis the Domain Name.

Complainant has established Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation," are evidence of the registration and use of the Domain Name in "bad faith":

- (i) circumstances indicating that Respondent has registered or 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 its documented out of pocket costs directly related to the Domain Name; or
- (ii) that 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 conduct; or
- (iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that 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.

The Panel concludes that Respondent registered and used the Domain Name in bad faith under the Policy. The Panel incorporates its discussion above in the "Rights or Legitimate Interests" section. On this record, the Panel finds it more likely than not that Respondent targeted Complainant's trademark when registering the Domain Name, and has used the Domain Name for illegitimate commercial gain by seeking to sell it at a hefty profit. This constitutes bad faith registration and use within the meaning of the above-quoted Policy paragraph 4(b)(i).

Complainant has established Policy paragraph 4(a)(iii).

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 <vegerforpets.com> be transferred to Complainant.

/Robert A. Badgley/

Robert A. Badgley

Sole Panelist

Date: August 12, 2025