

ADMINISTRATIVE PANEL DECISION

Digital Renegades v. Evan Morgenstein
Case No. D2025-2679

1. The Parties

The Complainant is Digital Renegades, United States of America (“United States” or “USA”), represented by Pierce Patent Law, United States.

The Respondent is Evan Morgenstein, United States, represented by Richard Foster.

2. The Domain Name and Registrar

The disputed domain name <thedigitalrenegades.com> 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 July 8, 2025. On July 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 8, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on July 9, 2025, providing the registrant and contact information disclosed by the Registrar.

The Center verified that the 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 July 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 9, 2025. The Respondent sent email communications to the Center on July 16, 2025, July 21, 2025, July 31, 2025, and August 12, 2025, in which the Respondent, in a cursory manner, first claimed to not understand the nature of the proceedings, and then generally denied the claims of the Complainant.

The Center appointed Evan D. Brown as the sole panelist in this matter on August 22, 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 in the business of providing digital marketing services. It owns the trademark DIGITAL RENEGADES and enjoys the benefits of registration of that mark in the United States (Reg. No. 7741889 and Reg. No. 7741948, both registered on April 1, 2025).

According to the Whois records, the disputed domain name was registered on March 7, 2020. The Respondent has used the disputed domain name to operate a website that appears to relate to digital marketing.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent provided only the cursory email messages described above, and did not substantively respond to the Complainant's contentions. The Respondent's representative wrote on August 12, 2025 "I tried to resolve this with Mr. Pierce, but he ignored me. I advised him that my client has ceased using the name digital renegades."

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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. The Panel finds that the Complainant has not satisfied all three elements in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. 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. *Id.* This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#). The Complainant has demonstrated its rights in the DIGITAL RENEGADES mark by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the DIGITAL RENEGADES mark in its entirety with the addition of the definite article “the,” which does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s DIGITAL RENEGADES mark. See [WIPO Overview 3.0](#), section 1.8. The DIGITAL RENEGADES mark remains recognizable for a showing of confusing similarity under the Policy.

The Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

Because the Panel finds that the Complainant has failed to establish the third element under the Policy, it declines to address this second element.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

Where a respondent registers a domain name before the complainant’s trademark rights accrue, panels will not normally find bad faith on the part of the respondent. See [WIPO Overview 3.0](#), section 3.8.1.

The disputed domain name was registered on March 7, 2020. The registration of the disputed domain name precedes the issuance of the Complainant’s trademark registrations by more than five years. While the Complainant’s registrations recite a first use in commerce date of December 12, 2016, the Complainant has not claimed nor provided any supporting evidence as to the nature, extent, or commercial impact of any common law rights it may have had at that time. See [WIPO Overview 3.0](#), section 1.3.

Accordingly, the Panel finds that the Complainant has not demonstrated that it had trademark rights in DIGITAL RENEGADES at the time the disputed domain name was registered.

Moreover, while both Parties appear to operate generally in the digital marketing space, the services and focus of each do not exactly overlap. The Panel also notes that the Complainant has provided no evidence indicating that the Respondent was specifically targeting or attempting to falsely suggest association with the Complainant.

For these reasons, the Panel cannot find that the Respondent registered the disputed domain name in bad faith. The Complainant has not prevailed on this third element.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: September 5, 2025