

ADMINISTRATIVE PANEL DECISION

Aeroflow, Inc. v. Ronald McQueary, Farmington
Case No. D2025-3076

1. The Parties

The Complainant is Aeroflow, Inc., United States of America (“United States”), represented by SafeNames Ltd., United Kingdom.

The Respondent is Ronald McQueary, Farmington, United States.

2. The Domain Name and Registrar

The disputed domain name <aeroflowbreast.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 1, 2025. On August 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 5, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 6, 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 August 6, 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 August 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 29, 2025.

The Center appointed Lynda J. Zadra-Symes as the sole panelist in this matter on September 8, 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 multinational consumer healthcare company and durable medical equipment (DME) provider, founded in 2001 in North Carolina, United States. The Complainant provides personalized healthcare solutions through its main website at “www.aeroflowhealth.com”, including breast pumps, diabetes management, sleep support and urology care. Complainant also operates a website at “www.aeroflowbreastpumps.com”, where consumers can access breast pump products and accessories, educational classes and pregnancy support. Complainant is listed in top “best-buy” lists and articles within its sector. Complainant also operates websites at “www.aeroflowurology.com”, “www.aeroflowsleep.com”, and “www.aeroflowdiabetes.com”.

In 2024, the Complainant’s reported revenues exceeded USD 600 million. The Complainant served around 3.6 million patients across all 50 States and has 14 offices in the United States. Complainant has over 1000 employees across 33 States.

The Complainant is the owner of numerous registrations for its AEROFLOW mark across several jurisdictions, including the United States, as listed below:

- AEROFLOW registration No. 6140295 registered on September 1, 2020;
- AEROFLOW BREASTPUMPS BREASTPUMPS THROUGH INSURANCE (design mark) registration No. 5743198 registered on May 7, 2019;
- AEROFLOW BREASTPUMPS MOTHERHOOD THROUGH INSURANCE (design mark) registration No. 6381644 registered on June 8, 2021;
- AEROFLOW HEALTHCARE registration No. 3720768 registered on December 8, 2009.

The Complainant also uses the AEROFLOW mark as part of its brand logo AEROFLOW HEALTH. The Complainant also has an established social media presence on Instagram, LinkedIn, Facebook, Youtube and Tiktok where it consistently uses its AEROFLOW mark to promote its goods and services.

The disputed domain name was registered on July 1, 2015, and resolves to a website that impersonates the Complainant and its products and services, including images and information copied from the Complainant’s websites.

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 disputed domain name is confusingly similar to the Complainant’s AEROFLOW mark as it encompasses the Complainant’s mark in its entirety, that the Respondent has no rights or legitimate interests in respect of the disputed domain name and that the disputed domain name has been registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

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 AEROFLOW is reproduced 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.

The Panel finds the addition of the term "breast" 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 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.

There is no evidence that Respondent owns any registered or unregistered trademarks to the term "Aeroflow" or any similar term. The Complainant has not licensed the Respondent to use the mark or incorporate it in a domain name. There is no evidence that Respondent has made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services.

Instead, Respondent is using the disputed domain name to host a site that impersonates the Complainant's offerings, using the Complainant's logo, trademark, copyrighted and scraped material taken from the Complainant's website at "www.aeroflowbreastpumps.com". The Respondent used visual indicia from the Complainant's main website and purported to sell goods under the Complainant's name at discounted prices. The Respondent's website also collected Internet users' sensitive information in the login, registration and checkout processes.

The Respondent is exploiting the Complainant's mark by creating increased traffic to the website at the disputed domain name and generating profit from purchases made on the landing pages. The Respondent has impersonated the Complainant's offerings to host a fraudulent online shop, and thus has attempted to misleadingly divert consumers for the purpose of deriving commercial gain.

Panels have held that the use of a domain name for such illegal activity as shown here, namely, phishing, impersonation/passing off, or other types of fraud, 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, the Panel notes that the record indicates the Respondent was aware of Complainant's trademark rights at the time of registering the disputed domain name, and has used the disputed domain name to operate a website that impersonates Complainant with the intent to derive commercial gain either through phishing for customer personal and financial information, or through illegitimate sales through Respondent's website based on a likelihood of confusion with Complainant's mark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for the illegal activity shown here, namely, phishing, impersonation/passing off, or other types of fraud, 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 <aeroflowbreast.com> be transferred to the Complainant.

/Lynda J. Zadra-Symes/

Lynda J. Zadra-Symes

Sole Panelist

Date: September 19, 2025