

ADMINISTRATIVE PANEL DECISION

Estafeta Mexicana, S.A. De C.V. v. Domain Admin, TotalDomain Privacy Ltd
Case No. D2025-3172

1. The Parties

The Complainant is Estafeta Mexicana, S.A. de C.V., Mexico, represented by Calderon & De La Sierra, Mexico.

The Respondent is Domain Admin, TotalDomain Privacy Ltd, Panama.

2. The Domain Name and Registrar

The disputed domain name <stafeta.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 8, 2025. On August 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 9, 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 (PDR LTD. D/B/A PUBLICDOMAINREGISTRY.COM) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 14, 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 19, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 17, 2025.

The Center appointed Steven A. Maier as the sole panelist in this matter on September 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 limited liability company registered in Mexico. It offers courier and parcel delivery services under the name and trademark ESTAFETA.

The Complainant is the owner of numerous trademark registrations for the mark ESTAFETA, including for example:

- Mexico trademark registration number 546615 for a combined mark ESTAFETA, registered on April 24, 1997 for courier and parcel services in International Class 39; and
- Mexico trademark registration number 2042803 for the word mark ESTAFETA, registered on September 26, 2019 in International Class 35.

The Complainant operates a website at “www.estafeta.com”.

The disputed domain name was registered on September 30, 2004.

The Complainant exhibits evidence that the disputed domain name has resolved to a parking page, which appears to include pay-per-click (“PPC”) advertising links to courier and parcel services in Mexico. The page also indicated that the disputed domain name may be for sale.

5. Parties’ Contentions

A. Complainant

The Complainant states that it was founded in 1979 and is now a market leader in courier and logistics services in Mexico, handling millions of shipments every year. It states that it employs 12,400 individuals and operates 5,000 vehicles and 129 distributions centres.

The Complainant submits that the disputed domain name is confusingly similar, and indeed virtually identical, to its ESTAFETA trademark. It contends that the omission of the initial letter “e” from the disputed domain name does not reduce the risk of confusion with the ESTAFETA mark, and also that the terms are phonetically similar, as the initial letter “s” in the disputed domain name is liable to be pronounced “es”.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has never authorized the Respondent to use its ESTAFETA trademark, and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name. The Complainant contends that, instead, the Respondent has taken unfair advantage of its ESTAFETA trademark by using it to offer competing parcel and courier services.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It claims that the disputed domain name represents a case of cybersquatting or typosquatting upon its ESTAFETA trademark, which is intended to divert Internet users to the Respondent’s website for commercial gain. The Complainant adds that the advertised minimum bid to purchase the disputed domain name was USD 4,499, indicating that the Respondent registered it primarily for the purpose of selling it to the Complainant.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (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.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of registered trademark rights for the mark ESTAFETA. The disputed domain name is identical to that trademark, but for the omission of the initial letter "e", which does not prevent the Complainant's trademark from being confusingly similar to the disputed domain name on a straightforward side-by-side comparison.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

In the view of the Panel, the Complainant's submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in this proceeding and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise.

Moreover, the Respondent has used the disputed domain name, which is confusingly similar to the Complainant's ESTAFETA trademark, to link to courier and parcel services which compete with those of the Complainant. The targeting of a trademark in this fashion is antithetical to the presence of rights or legitimate interests on the Respondent's part.

The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

While the disputed domain name was registered as long ago as 2004, a number of the Complainant's trademark registrations substantially predate that date.

Moreover, the near identity between the disputed domain name and the Complainant's ESTAFETA trademark, the use of the disputed domain name to link to services competitive with those of the Complainant, and the price indicated to purchase the disputed domain name, are all matters from which registration and use of the disputed domain name in bad faith may be inferred.

There being no doctrine of laches or acquiescence under the Policy, and no explanation from the Respondent having been provided, the Panel finds in the circumstances that, by using the disputed domain name for a PPC site in which the disputed domain name is also offered for sale, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel therefore finds that the disputed domain name has been registered and is being used 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 disputed domain name <stafeta.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: October 3, 2025