

ADMINISTRATIVE PANEL DECISION

Metal Manufactures Pty Limited and Castle Pacific Insurance Pte Ltd v. Lar David

Case No. D2025-3188

1. The Parties

The Complainants are Metal Manufactures Pty Limited, Australia ("First Complainant"), and Castle Pacific Insurance Pte Ltd, Singapore ("Second Complainant"), represented by HWL Ebsworth Lawyers, Australia.

The Respondent is Lar David, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <castlepacificinsurance.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 11, 2025. On August 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 11, 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 (Privacyguardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainants on August 20, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on August 22, 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 12, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on September 23, 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 First Complainant is an Australian electrical and industrial wholesaler. The Second Complainant is a subsidiary of the First Complainant and was established in 2008. It is a Singapore-licensed captive insurer¹ which underwrites risks of its parent and related companies.

The First Complainant is the owner of the Singaporean trademark CASTLE PACIFIC with registration No. 40202404062S, registered on July 25, 2024 for insurance services in International Class 36 (the “CASTLE PACIFIC trademark”). The Second Complainant has been authorized by the First Complainant to use the CASTLE PACIFIC trademark.

The disputed domain name was registered on April 1, 2022. It previously resolved to an English-language website with the header “Welcome to Castle Pacific Insurance Pte Ltd.”, which offered insurance services and displays the logo



The website indicated the Second Complainant as the provider of the insurance services offered on it and provides its exact physical address in Singapore, but a different email address set up at the disputed domain name. The website also displayed the copyright notice “Copyright © 2025 Castle Pacific Insurance Pte Ltd. All Rights Reserved.”

5. Parties’ Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainants state that the disputed domain name is confusingly similar to their CASTLE PACIFIC trademark, because it incorporates this trademark with the addition of the dictionary word “insurance”, which is descriptive of their services, and the CASTLE PACIFIC trademark is the dominant and distinctive element of the disputed domain name.

According to the Complainants, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not affiliated with them and they have not licensed it to register or use the disputed domain name or their CASTLE PACIFIC trademark. The Complainants add that the Respondent is not commonly known by the disputed domain name and has no relevant trademark rights.

The Complainants contend that the disputed domain name was registered and is being used in bad faith. They note that the disputed domain name resolves to a website that falsely purports to be operated by the Second Complainant and that offers various insurance services. The Complainants maintain that the Respondent is using the website at the disputed domain name to mislead consumers into believing that the website at the disputed domain name is operated by, or affiliated with the Complainants with the intention to

¹ A “captive insurer” is a wholly-owned subsidiary specifically created to provide insurance to its non-insurance parent company.

deceive them into making purchases from it for commercial gain, or with the intention to disrupt the commercial activities of the Complainants.

The Complainants note that on September 30, 2024, they sent a cease-and-desist letter to the Respondent, but received no response.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural issue – Consolidation of the Complainants

Under paragraph 10(e) of the Rules, a Panel shall decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and the Rules.

As discussed in section 4.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), a complaint may be brought by multiple complainants where (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion; and (ii) it would be equitable and procedurally efficient to permit the consolidation.

In this proceeding, the Complaint has been submitted jointly by the two Complainants. They are affiliated to each other and have a common interest in the CASTLE PACIFIC trademark. They also describe a common grievance against the Respondent where it has allegedly engaged in a conduct that has affected their rights. The Respondents have not expressed any views on the issue of consolidation of the Complainants, and it appears to the Panel that it would be procedurally efficient and equitable for the Complainants to be consolidated.

Taking the above into account, and on the basis of paragraph 10(e) of the Rules, the Panel allows the consolidation of the Complainants in this proceeding.

6.2. Substantive issues

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 3.0](#), section 1.7.

The Complainants have shown rights in respect of the CASTLE PACIFIC trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The First Complainant is the owner of this trademark, while the Second Complainant is a subsidiary of the First Complainant and has been authorized by it to use the trademark. [WIPO Overview 3.0](#), section 1.4.1.

The Panel finds the CASTLE PACIFIC trademark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the CASTLE PACIFIC trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "insurance") may bear on assessment of the second and third elements, the Panel finds the addition of such term 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.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The disputed domain name is confusingly similar to the Complainants’ CASTLE PACIFIC trademark and also incorporates the dictionary word “insurance”, which refers to the services provided by the Second Complainant. It was being used for a website that displayed a variation of the CASTLE PACIFIC trademark and purported to offer insurance services under the name of the Second Complainant, indicating its physical address but providing an email address at the disputed domain name. The Complainants deny having authorized the Respondent to use their trademark, and the Respondent does not claim otherwise or provide any plausible explanation for its actions.

Considering the above, the Panel reaches the conclusion that the Respondent has registered and used the disputed domain name in an attempt to impersonate the Second Complainant and mislead Internet users as to the identity of the provider of the services offered on the associated website for financial gain. Such conduct is not legitimate and cannot give rise to rights or legitimate interests in the disputed domain name.

The Panel therefore finds that 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.

Panels have also held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off) 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 disputed domain name was registered two years before the registration of the distinctive CASTLE PACIFIC trademark. However, the Second Complainant was established in 2008 and has operated since then under a business name that incorporates the same trademark. The Respondent has registered a

domain name that incorporates this trademark in combination and refers to the insurance services for which the trademark is protected and which are offered by the Second Complainant under it. The Respondent has associated the disputed domain name to a website that impersonated the Second Complainant and purported to offer the same services. The Respondent has not denied any of this and has not provided any arguments or evidence supporting the legitimacy of its conduct.

The above leads the Panel to the conclusions that the Respondent must have been well aware of the Second Complainant and its business and of the yet-unregistered CASTLE PACIFIC trademark when registering the disputed domain name, and that by registering and using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the website at the disputed domain name by creating a likelihood of confusion with the Second Complainant and with the CASTLE PACIFIC trademark as to the source of the insurance services offered on its website. This supports a finding of registration and use of the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy. See [WIPO Overview 3.0](#), section 3.8.2.

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 <castlepacificinsurance.com> be transferred to the First Complainant, Metal Manufactures Pty Limited.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: October 3, 2025