

## **ADMINISTRATIVE PANEL DECISION**

Casella Waste Systems, Inc. v. Domain Admin, TotalDomain Privacy Ltd  
Case No. D2025-3436

### **1. The Parties**

The Complainant is Casella Waste Systems, Inc., United States of America ("United States"), represented by SILKA AB, Sweden.

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

### **2. The Domain Name and Registrar**

The disputed domain name <casellawaste.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 26, 2025. On August 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 27, 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 (Domain Admin / Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 27, 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 amendment to the Complaint on August 29, 2025.

The Center verified that the Complaint together with the amendment to 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 September 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 23, 2025.

The Center appointed Adam Taylor as the sole panelist in this matter on September 26, 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 has supplied waste and recycling services in the United States under the mark CASELLA since 1975, with annual revenues of some USD 1.56 billion in 2024. The Complainant employs approximately 5,000 people.

The Complainant owns a number of United States registered trade marks for CASELLA including No. 3439611, registered on June 3, 2008, in class 40, with first use in commerce in June 1983.

The Complainant has operated a website at “www.casella.com” since 1996.

The disputed domain name was registered on September 27, 2005.

As of August 18, 2025, the disputed domain name resolved to a website with pay-per-click (“PPC”) links relating to waste and recycling, e.g. “TRASH HAULING”, “WASTE COLLECTION”, “GARBAGE DISPOSAL SERVICES”, etc., as well as a statement that the disputed domain name “maybe for sale” plus a link to an enquiry form. According to the evidence filed by the Complainant, the website at the disputed domain name has been similarly used to display PPC links, or to generate error pages, since at least 2014.

As of August 20, 2025, the disputed domain name was listed for sale on GoDaddy with an asking price of USD 3.299.

#### **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.

##### **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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark 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.

Although the addition of other terms (here, “waste”) 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 recognised 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.

As to paragraph 4(c)(i) of the Policy, the disputed domain name has been used for a parking page with PPC links to waste/recycling goods/services that compete with those supplied by the Complainant. Use of a domain name to host PPC links that compete with or capitalise on the reputation and goodwill of the complainant’s mark or otherwise mislead Internet users does not represent a bona fide offering. [WIPO Overview 3.0](#), section 2.9.

Nor is there any evidence on the available record that paragraphs 4(c)(ii) or (iii) of the Policy are relevant in the circumstances of this case.

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.

While the disputed domain name was registered in 2005, prior to the registration of the Complainant’s trade mark, the Complainant has provided evidence demonstrating its longstanding use of the trade mark prior to 2005, including press articles discussing the Complainant’s operations since 1975 and evidence showing that Internet searches for the terms “casella” and “waste” preceding 2005 produce results primarily related to the Complainant. Noting also the June 1983 first use date specified in the Complainant’s United States trade mark registration, the Panel finds that the Complainant has established rights in its mark that significantly predate registration of the disputed domain name.

In the Panel's view, by using the disputed domain name that comprises the Complainant's distinctive trade mark plus a term directly descriptive of the Complainant's services, in connection with a parking page with PPC links relating to the Complainant's industry, the Respondent has intentionally attempted to create a likelihood of confusion with the Complainant's trade mark in accordance with paragraph 4(b)(iv) of 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 <casellawaste.com> be transferred to the Complainant.

*/Adam Taylor/*

**Adam Taylor**

Sole Panelist

Date: October 10, 2025