

ADMINISTRATIVE PANEL DECISION

DigiStream Investigations, Inc. v. Name Redacted Case No. D2025-3859

1. The Parties

Complainant is DigiStream Investigations, Inc., United States of America (“United States” or “U.S.”), represented by CSC Digital Brand Services Group AB, Sweden.

Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <digistreaminvestigations.com> (the “Domain Name”) 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 September 22, 2025. On September 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 24, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to Complainant on September 26, 2025, confirming 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”).

¹Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted Respondent’s name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on September 30, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was October 20, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on October 23, 2025. On October 23, 2025, Respondent sent an email communication to the Center stating that "I did not receive any message regarding a deadline. Can you doublet [sic] check and tell me what I need to do to restore domain?"

The Center appointed John C. McElwaine as the sole panelist in this matter on October 29, 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

Complainant is a United States-based full-service private investigation firm specializing in insurance defense and legal support services, established in 2001.

Relevant to this matter, Complainant owns the following trademark registrations:

- DIGISTREAM INVESTIGATIONS, United States, Registration No. 4692142, registered on February 24, 2015, in International Class 45; and
- DIGISTREAM, United States, Registration No. 3387610, registered on February 26, 2008, in International Class 45.

Complainant operates its business under the website <digistream.com>. Collectively, these registered and common law trademark rights are referred to as the "DIGISTREAM Marks".

The Domain Name was registered on March 17, 2025. Prior to being suspended by the Registrar due to Complainant's abuse report, Respondent used the Domain Name to create an email address "[...].@digistreaminvestigations.com" to impersonate Complainant's founder. At present, the Domain Name resolves to a blank page.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

As background, Complainant asserts that it is a full-service private investigation firm that has made significant investments to advertise and promote its DIGISTREAM Marks and has developed substantial goodwill in the DIGISTREAM and DIGISTREAM INVESTIGATIONS brands.

With respect to the first element of the Policy, Complainant asserts that the Domain Name is identical to Complainant's DIGISTREAM INVESTIGATIONS trademark, consisting solely of the prominent textual elements of the registered mark.

With respect to the second element of the Policy, Complainant alleges that Respondent has no rights or legitimate interests in respect of the Domain Name. Complainant states that it has never authorized or licensed Respondent to use the DIGISTREAM Marks, and that Respondent is not affiliated with Complainant in any way. Complainant submits that Respondent is not commonly known by "digistream" or "digistream investigations", and in fact, the underlying registrant name appears to be an unrelated individual (whose name and business bear no resemblance to the Domain Name). According to Complainant, Respondent registered the Domain Name in 2025, long after Complainant first began using the DIGISTREAM name and after Complainant secured its trademark rights – thus, any use of the Domain Name would inevitably suggest

a false association with Complainant. Complainant asserts that Respondent has not made any bona fide offering of goods or services under the Domain Name, nor any legitimate noncommercial or fair use. On the contrary, Respondent used the Domain Name for an illicit purpose: namely, to create an email address impersonating Complainant's founder, and then attempted to carry out a fraudulent corporate filing. Complainant argues that such use – a form of phishing or identity theft – can never confer any rights or legitimate interests on Respondent. Furthermore, Respondent's current passive holding of the Domain Name (which resolves to a blank page) does not constitute a legitimate use and reinforces the lack of any rights or legitimate interests in the Domain Name.

With respect to the third element of the Policy, Complainant contends that the Domain Name was registered and is being used in bad faith. Complainant emphasizes that its DIGISTREAM Marks have been used in commerce for many years and are well-known in the private investigation industry. Given the distinctiveness of the term "Digistream" and Complainant's extensive promotion of its services under that brand (including via its website and online presence), Complainant asserts that Respondent undoubtedly had Complainant in mind when registering the Domain Name. According to Complainant, the fact that the Domain Name exactly matches Complainant's trademark (and its company name and domain name) is no coincidence – rather, it evidences that Respondent targeted Complainant's brand with opportunistic bad faith intent. In Complainant's view, there is no plausible good-faith reason for Respondent to have registered a domain name identical to a well-established business name unless to exploit it.

Complainant further argues that Respondent's actual use of the Domain Name confirms its bad faith. By using the Domain Name to impersonate Complainant's founder and attempt to manipulate official records, Respondent engaged in fraudulent activity for Respondent's own benefit. Such behavior, Complainant submits, is a paradigm of bad faith use of a domain name, as it seeks to deceive and harm Complainant (and potentially other third parties). Even aside from that scheme, Respondent's passive holding of the Domain Name after the fraud was halted does not absolve it of bad faith. Complainant cites the well-known Telstra decision (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)) for the principle that the passive holding of a domain name can constitute bad-faith use, particularly when (as here) the Domain Name is identical to a famous mark, Respondent has provided false or misleading contact information, and no legitimate use by Respondent is apparent. In this case, Respondent listed contact details for the Domain Name that appear to be falsified or misappropriated (using the name and address of a medical professional unconnected to the Domain Name), which is itself evidence of bad faith. Complainant concludes that Respondent's overall conduct – from registration through use – demonstrates bad faith under paragraph 4(a)(iii) of the Policy.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted, paragraph 4 of the Policy requires that, in order to succeed in this UDRP proceeding, Complainant must still prove its assertions with evidence demonstrating:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

Because of Respondent's default, the Panel may accept as true the reasonable factual allegations stated within the Complaint and may draw appropriate inferences therefrom. See *St. Tropez Acquisition Co. Limited v. AnonymousSpeech LLC and Global House Inc.*, WIPO Case No. [D2009-1779](#); *Bjorn Kassoe Andersen v. Direction International*, WIPO Case No. [D2007-0605](#); see also paragraph 5(f) of the Rules ("If a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall

decide the dispute based upon the complaint”). Having considered the Complaint, the Policy, the Rules, the Supplemental Rules and applicable principles of law, the Panel’s findings on each of the above-cited elements are as follows.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. Complainant has provided evidence of its rights in the DIGISTREAM and DIGISTREAM INVESTIGATIONS trademarks through valid U.S. trademark registrations. The Panel is satisfied that Complainant’s registered marks establish its rights for purposes of Policy paragraph 4(a)(i). See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.2.1 (ownership of a nationally registered mark is sufficient to show rights in a mark).

Excluding the “.com” Top-Level Domain (which is disregarded under the first element analysis as a standard requirement of domain name formation), the Domain Name is identical to Complainant’s DIGISTREAM INVESTIGATIONS trademark. The Domain Name incorporates the entirety of Complainant’s mark. Panels have consistently found that the incorporation of a whole mark in a domain name establishes confusing similarity. See [WIPO Overview 3.0](#), section 1.7. Here, “digistream investigations” remains clearly recognizable in the Domain Name.

Accordingly, the Panel finds that the Domain Name is identical to the trademark in which Complainant has rights. Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under the Policy, paragraph 4(a)(ii), Complainant must demonstrate that Respondent has no rights or legitimate interests in respect of the Domain Name. Because it may be difficult for a complainant to prove a negative (i.e., the absence of any rights or interests on the part of the respondent), UDRP panels generally require a complainant to make a prima facie showing, after which the burden of production shifts to the respondent to come forward with evidence of rights or legitimate interests in the domain name. See [WIPO Overview 3.0](#), section 2.1. If the respondent fails to rebut the complainant’s prima facie case, the complainant is deemed to have satisfied paragraph 4(a)(ii).

In the present case, the Panel finds that Complainant has made a prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Complainant has credibly asserted that it never authorized Respondent to use the DIGISTREAM Marks, nor is Respondent associated with Complainant in any fashion. There is no evidence that Respondent is commonly known by the Domain Name or by the names “Digistream” or “Digistream Investigations.” On the contrary, the registrant data indicates that Respondent’s name bears no connection to the Domain Name. Nothing in the record suggests that Respondent has any independent trademark or trade name rights in “Digistream” or “Digistream Investigations”. Respondent did not file a Response and thus has provided no explanation for why it chose a domain name that exactly matches Complainant’s business name and trademarks.

Indeed, the available evidence points to Respondent’s use being clearly illegitimate. Before the Domain Name was suspended, Respondent was using it to facilitate a fraudulent scheme – specifically, by sending emails impersonating Complainant’s founder in an attempt to deceive state authorities and interfere with Complainant’s corporate records. Such activity cannot constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the Domain Name. UDRP panels have categorically held that the use of a domain name for illegal ends (for example, phishing, impersonation, or other fraudulent behavior) can never confer rights or legitimate interests on a respondent. See [WIPO Overview 3.0](#), section 2.13.1. Respondent’s misconduct falls squarely into this category.

In summary, Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent, by failing to submit a Response, has not rebutted Complainant’s case and has not provided any evidence to demonstrate rights or legitimate interests as outlined in paragraph 4(c) of the Policy or otherwise. On the contrary, the record reflects that Respondent’s only use of the Domain Name was in furtherance of a fraudulent impersonation, which is inherently neither a

bona fide offering nor a legitimate noncommercial use. The Panel therefore finds that Respondent has no rights or legitimate interests in the Domain Name. Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith

Paragraph 4(a)(iii) of the Policy requires Complainant to prove that the Domain Name was registered and is being used in bad faith by Respondent. The Policy, paragraph 4(b), provides a non-exhaustive list of circumstances that, if found by the Panel, shall be evidence of bad faith registration and use. These include: (i) registration of the domain name primarily for the purpose of selling, renting, or otherwise transferring it to the complainant (or a competitor) for profit; (ii) a pattern of registering domain names to prevent the trademark owner from reflecting its mark in a domain name; (iii) registration of the domain name primarily to disrupt the business of a competitor; or (iv) using the domain name to intentionally attempt to attract Internet users for commercial gain by creating a likelihood of confusion with the complainant's mark. See Policy, para. 4(b)(i)-(iv).

With respect to bad faith registration, the circumstances of the registration strongly suggest that Respondent targeted Complainant and its trademark. The Domain Name is identical to Complainant's DIGISTREAM INVESTIGATIONS mark and mirrors Complainant's company name. "Digistream" is not a dictionary word or common phrase one would accidentally stumble upon; it is a coined term closely associated with Complainant. Given Complainant's established presence in its industry and online (including a website at <digistream.com> that predates Respondent's registration by many years), the Panel finds that Respondent knew of Complainant's rights and business when registering the Domain Name. In the Panel's view, Respondent "knew or should have known" of Complainant's mark at the time of registration and nevertheless proceeded to register the Domain Name in bad faith. See *Accor v. Kristen Hoerl*, WIPO Case No. [D2007-1722](#). There is no evidence that Respondent had any legitimate rationale for this choice of Domain Name; absent any Response, the Panel infers that Respondent chose the Domain Name precisely because of Complainant's trademark reputation, in an effort to exploit it.

With respect to bad faith use, Respondent's actual use of the Domain Name constitutes compelling evidence of bad faith. Respondent actively used the Domain Name as a tool in a fraudulent impersonation scheme. By creating an email address incorporating Complainant's entire name and posing as Complainant's founder, Respondent clearly intended to deceive others into believing that communications from that address were legitimate and originated from Complainant. Respondent then attempted to use that false identity to make unauthorized changes to Complainant's corporate records, presumably for Respondent's own gain or to Complainant's detriment. Such behavior is plainly fraudulent and in bad faith. It falls under the concept of using a domain name to attract others by confusion with the mark (Policy paragraph 4(b)(iv)), even if the ultimate aim was to commit fraud rather than merely commercial gain through web traffic. Numerous panels have held that phishing or impersonation schemes carried out via a confusingly similar domain name are definitive evidence of bad faith. See [WIPO Overview 3.0](#), section 3.1.4 ("the use of a domain name for per se illegitimate activity such as... phishing... is manifestly considered evidence of bad faith"). This Panel has no hesitation in concluding that Respondent's conduct was malicious and within the scope of bad faith that the Policy was designed to address.

Additionally, the Panel notes that Respondent's provision of evidently misleading registrant data (purporting to be a business unrelated to the Domain Name) is further evidence of bad faith. Using a false identity or misappropriating someone else's identity to register a domain name suggests an intent to avoid accountability and is often associated with illegitimate activity. See, e.g., *KT Intellectual Property Holding Company, LLC v. Henry Findstein, et al.*, WIPO Case No. [D2017-2047](#) (finding bad faith where respondent used false Whois details to mask its identity, reinforcing an inference of bad faith). In this case, Respondent's misuse of a third party's name and address in the registration data corroborates the conclusion that Respondent acted in bad faith from the outset.

Considering all the above, the Panel finds that Respondent both registered and has used the Domain Name in bad faith. Complainant has satisfied 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 Domain Name <digistreaminvestigations.com> be transferred to Complainant.

/John C McElwaine/

John C McElwaine

Sole Panelist

Date: November 12, 2025