

## **ADMINISTRATIVE PANEL DECISION**

Root, Inc. v. Kapil Saza  
Case No. D2025-4369

### **1. The Parties**

The Complainant is Root, Inc., United States of America, represented by ZeroFox, United States of America.

The Respondent is Kapil Saza, India.

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

The disputed domain name <root-insurance.net> is registered with CloudFlare, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 23, 2025. On October 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 24, 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 (“Registration Private”) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 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 November 12, 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 November 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 9, 2025.

The Center appointed Peter Burgstaller as the sole panelist in this matter on December 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 was founded in 2015 and is a mobile first insurance company located in the United States of America. It owns the United States of America registered trademarks consisting of the word ROOT, Registration No. 5369824, registered January 2, 2018, as well as Registration No. 6868799, 6868800 and 6868801, registered October 11, 2022. Further, the Complainant operates a business website under the domain names <joinroot.com> and <root.com>; it states that it has used the domain name <joinroot.com> since June 2015, although it provides no evidence to that effect. However, based on the Panel's review at "www.web.archive.org", a website relating to car insurance was active at that URL from at least July 16, 2015.<sup>1</sup>

The disputed domain name was registered on May 11, 2022 (Annex 4 to the Complaint). At the time of filing the Complaint, the disputed domain name resolved to a website with information about the Complainant, displaying the Complainant's trademark and the disclaimers "This website is not associated with the Root Insurance" and "Official Login At 'www.joinroot.com' as well as a 'contact us' page" (Annexes 3 and 4 to the Complaint).

#### **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 it owns several registered trademarks for ROOT and has an online presence through its primary domain name <joinroot.com>, which was registered in June of 2015 and the domain name <root.com>, which was transferred in June 2022. The disputed domain name is confusingly similar to the mark ROOT since it incorporates the trademark in its entirety and only adds the descriptive term "-insurance".

Further, the Complainant alleges that the Respondent has no rights or legitimate interests in respect of the disputed domain name, it does not use it for a bona fide offering of goods or services, it is not known under the disputed domain name and it is not authorized to use the mark ROOT in any way.

Finally, the Complainant asserts that the disputed domain name was registered and used in bad faith by the Respondent. From the content of the website to which the disputed domain name resolved the Respondent must have been aware of the Complainant when registering the disputed domain name; moreover, although it is not clear what the purpose of the website to which the disputed domain points is, it is possible that the Respondent uses the disputed domain name for search engine optimization and driving traffic to the site by using the Complainant's mark, or leverage the confusing similarity in an attempt to gain contact with visitors through the "Contact Us" form on the website.

The Respondent furthermore has concealed its contact and registration information by using a privacy service which also supports a finding of bad faith.

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<sup>1</sup> As discussed in section 4.8 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision (in this case: "www.web.archive.org" and official trademark database).

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests with respect to 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**

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.

Based on the available record and the independent accessing of the trademark registration databases by the Panel, the Complainant has established rights in respect of the mark ROOT for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.2.1 and 4.8.

In the present case, the disputed domain name is confusingly similar to the mark ROOT in which the Complainant has rights since it incorporates the entirety of the mark and only adds the term "insurance" (which is descriptive and directly refers to the Complainant's core business) as suffix together with a hyphen between the ROOT mark and the term "insurance".

It has long been established under UDRP decisions that where the relevant trademark is recognizable within the disputed domain name, the mere addition of other terms, especially descriptive terms like in the present case, does not prevent a finding of confusing similarity under the first element of the Policy. This is the case at present. [WIPO Overview 3.0](#), section 1.8.

Finally, it has also long been held that generic Top-level Domains ("gTLDs") (in this case ".net") are generally disregarded when evaluating the confusing similarity of a disputed domain name. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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.

While 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 often impossible 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. 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 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, since it has never assigned, granted, licensed, sold, transferred, or in any way authorized the Respondent to register or use the ROOT trademark in any manner.

The Respondent is not known under the disputed domain name and the disputed domain name is not being used for a bona fide offering of goods or services; rather the disputed domain name referred to a website with information about the Complainant as well as a “contact us” form and may be misunderstood by Internet users as being somehow sponsored or endorsed by the Complainant, which is not the case.

Finally, the Respondent did not provide any evidence showing rights or legitimate interests in the disputed domain name.

Based on the available record, and noting the Panel's further findings under the third element below, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

As stated in many decisions rendered under the Policy both conditions, registration and use in bad faith, must be demonstrated; consequently, the Complainant must show that:

- the disputed domain name was registered by the Respondent in bad faith, and
- the disputed domain name is being used by the Respondent in bad faith.

(i) The Complainant has established rights in the registered trademark ROOT, before the registration of the disputed domain name and has (following the independent research by the Panel) an Internet presence through its website under the domain name <joinroot.com> since 2015.

The disputed domain name incorporates the Complainant's registered trademark in its entirety and only adds the descriptive term “-insurance” as suffix, which directly refers to the Complainant's business.

These facts indicate that the Respondent must have been aware of the Complainant, its business and trademark, when registering the disputed domain name.

Therefore, the Panel finds that the disputed domain name was registered in bad faith by the Respondent.

(ii) The Panel moreover finds that the disputed domain name was also used by the Respondent in bad faith. The Panel notes that the Respondent's website has been set up in a way that it seems to present the Complainant's services in an informative way; the Respondent has even included a disclaimer at the very bottom of the website. However, by combining the Complainant's ROOT trademark with reference to insurance services which the Complainant provide, the disputed domain name is likely to mislead Internet users into believing that it must be owned or operated by, or otherwise legitimately affiliated with, the Complainant, which in fact is not the case. The Panel also notes that in various places on the website the visitor is guided to a “Login Portal” or invited to sign in to the “Root account”, thereby misleading the visitor who may submit their confidential Login or other information.

Furthermore, the evidence and documents produced and put forward by the Complainant together with the fact that the Respondent has failed to file a Response and therefore failed to present any evidence of any good faith registration and use with regard to the disputed domain name further prove that the disputed domain name was registered and is used by the Respondent in bad faith under paragraph 4(a)(ii) of the Policy.

Based on the available record, 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 <root-insurance.net> be transferred to the Complainant.

*Peter Burgstaller/*  
**Peter Burgstaller**  
Sole Panelist  
Date: December 30, 2025