

## **ADMINISTRATIVE PANEL DECISION**

Propel Pro v. IT Admin, Educate 360, LLC  
Case No. D2025-4499

### **1. The Parties**

The Complainant is Propel Pro, United States of America ("United States"), represented by Knobbe, Martens, Olson & Bear, LLP, United States.

The Respondent is IT Admin, Educate 360, LLC, United States.

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

The disputed domain name <propelpro.com> 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 30, 2025. On October 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 3, 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 (Data redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 4, 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 November 5, 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 November 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 1, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on December 11, 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 organized under the laws of the State of Delaware, United States, with a principal place of business in New York, New York, United States. The Panel notes that according to the online database of the Delaware Secretary of State, the Complainant was incorporated on July 8, 2024<sup>1</sup>. The Complainant “is in the business of providing an online service connecting athletes of all skill levels to elite, world class coaches to help them improve their skills in a variety of sports.” The Complainant does this through its website at “www.propelpros.com”, which the Complainant states that it launched in 2024, and linked social media sites.

The Panel notes that the domain name used for the Complainant’s website was registered on January 25, 2024, but the Complainant does not furnish screenshots before October 2025. None are available from the Internet Archive’s Wayback Machine before March 2025, when the Complainant’s domain name resolved to a website headed “Pro Coaches. Unprecedented Access” followed by the messages “Lock In! Kickoff Is Near” and “Coming Soon to an App Store Near You”. The Wayback Machine has not stored screenshots of the website since April 2025. The Complainant’s website is somewhat more developed at the time of this Decision but still bears the “Kickoff Is Near” and “Coming Soon to an App Store” messages quoted above. The site appears to be still under development. No coaches are named or described, for example, and the FAQs section does not have any FAQs but invites emailed questions. A user would have to contact the Complainant and provide personal information on a contact form or by telephone or email to obtain any specific information.

The Complainant does not claim to have a registered trademark but applied to the United States Patent and Trademark Office (“USPTO”) on June 30, 2025, on an “intent to use” basis, to register PROPELPRO as a standard character mark (Serial Number 99260683, in international classes 9, 25, and 41). The Complainant also applied to USPTO on August 19, 2025 to register the figurative mark P PROPELPRO featuring those stylized letters (Serial Number 99346009), in the same international classes, and again on an “intent to use” basis. Those applications are both pending. The Panel notes that since the Complaint was filed in this proceeding, the USPTO issued Nonfinal Office Actions refusing both applications due, in part, to the likelihood of confusion with an existing PROPEL trademark registration.

The disputed domain name was created on October 26, 2014, and is registered to the Respondent “IT Admin” of Educate 360, LLC, listing a postal address in Providence, Massachusetts, United States .

The Panel notes that the relevant online database of the Massachusetts Secretary of State shows that Educate 360, LLC is registered in Massachusetts as a foreign limited liability company, organized under the laws of the State of Indiana on December 17, 2015, to engage in the business of providing “training in the field of project management”.

The disputed domain name does not resolve to an active website at the time the Complaint was filed and at the time of this Decision. The Panel notes that screenshots from the Internet Archive’s Wayback Machine show that the disputed domain name has, over the years, resolved to landing pages listing it for sale.

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<sup>1</sup>Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in these proceedings. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.8.

## **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 has been using its PROPEL PRO marks "since its inception" on its website and social media pages and suggests that it has "common-law, use based trademark rights ... due to its multi-year usage and marketing of the PROPEL PRO Marks for its virtual coaching platform." The Complainant asserts that the disputed domain name is identical or confusingly similar to these marks.

The Complainant states that it has not licensed the Respondent to use the Complainant's marks and that there is no evidence that the Respondent has been known by a corresponding name or has used it for a bona fide commercial offering or a legitimate noncommercial fair use.

The Complainant asserts that the Respondent "is using the Disputed Domain Name primarily for the purpose of selling the domain, disrupting Complainant's business and/or for the purpose of intentionally attempting to attract internet users to Respondent's inactive website by creating a likelihood of confusion with Complainant's distinctive PROPEL PRO Marks". The Complainant also cites the "passive holding" doctrine as outlined in [WIPO Overview 3.0](#), section 3.3, as the Respondent is not using the disputed domain name for an active website.

### **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 trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant does not have a registered trademark, and the UDRP Complaint cannot be grounded on pending applications for registration (which have not yet been accepted at this point in the process); the Panel also notes the related Office Actions. The Complainant claims common law rights in PROPEL PRO marks, but the Panel does not find that the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3. This requires evidence such as sales, marketing, media mentions, and consumer or industry recognition to demonstrate that a mark has acquired distinctiveness or "secondary meaning". The Complainant offers very little to support its claims of "multi-year usage and marketing". The Complainant was not formed until July 2024. Its trademark applications in June and August 2024, respectively, were filed on an "intent to use" basis. As noted above, there is no evidence that the Complainant had an active website for its online business until March 2025, and the Complainant's website appears still to be incomplete, with "Kickoff Is Near" and "Coming Soon" messages. The Complainant simply does not offer proof indicating that its mark is well known by a substantial number of consumers and distinctively associated with the Complainant. This paucity of evidence is consequential both for the claim of a common law trademark and for the Complainant's inference of bad faith under the third element.

The Panel finds the first element of the Policy has not been established.

## **B. Rights or Legitimate Interests**

Given the Panel's finding on the first element of the Complaint, it is not necessary to enter a finding on the second.

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

Given the Panel's finding on the first element of the Complaint, it is not necessary to enter a finding on the third. The Panel notes, however, that the disputed domain name was created on October 26, 2014, and the Respondent was formed on December 17, 2015. The Complainant furnishes a registration history of the disputed domain name, from which registrant names are withheld for privacy. Thus, it is not possible to ascertain precisely when the Respondent acquired the disputed domain name; notably however, the Complainant does not allege a change in ownership post-dating its claimed trademark rights. As noted above, the Wayback Machine does not show that the disputed domain name has been used for an active website by the Respondent or any other party since 2014. But given that the Complainant did not exist until 2024, does not have a registered trademark, and has not established a record demonstrating common law trademark rights even today, it is difficult to conceive how the Respondent could have registered the disputed domain name in a bad-faith effort to exploit the Complainant's reputation.

The Panel finds the third element of the Policy has not been established.

## **D. Reverse Domain Name Hijacking**

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.0](#), section 4.16.

The Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking. The Complaint is grounded on claimed common-law marks based on "multi-year use" in an online business that appears actually to have been in operation (incompletely) for a few months, in an effort to obtain a disputed domain name that was registered 21 years ago. The Factual Background section of the Complaint comprises two paragraphs. The Bad Faith section does not address the obvious difficulty that the disputed domain name was registered decades before the Complainant or its claimed mark existed. After the Registrar furnished the name of the underlying registrant, the Complainant amended the Complaint only to change the name of the Respondent in the caption, still referring to the Respondent in the text as "Unknown" and not bothering to check whether it was an entity that could have registered the disputed domain name at or near the time of the 2014 registration date furnished by the Registrar. The Complaint also mistakenly refers to "captures after September 2008" showing a lack of due diligence in preparation. The Complaint, filed by experienced intellectual property counsel, was an inexplicably sloppy and incomplete pleading that wildly overstated the Complainant's case and ignored fundamental deficiencies in the Complainant's claims under the first and third elements.

## **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/W. Scott Blackmer/*

**W. Scott Blackmer**

Sole Panelist

Date: December 23, 2025