

ADMINISTRATIVE PANEL DECISION

Carvana, LLC v. Fredo Lomas, Loin
Case No. D2025-4532

1. The Parties

The Complainant is Carvana, LLC, United States of America ("United States" or "US"), internally represented.

The Respondent is Fredo Lomas, Loin, Mexico.

2. The Domain Names and Registrar

The disputed domain names <carvanamx.com> and <carvanmex.com> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 31, 2025. On November 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 4, 2025, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

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").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on November 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 5, 2025.

The Center appointed Miguel B. O'Farrell 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 an e-commerce platform for buying and selling used cars.

The Complainant is a Fortune 500 company that promotes and renders its online vehicle dealership services and online vehicle financing services throughout the United States under its trademark CARVANA and through its primary website, “www.carvana.com”, which hosts its e-commerce platform.

The Complainant holds rights in several trademark registrations (jointly with another entity) for the CARVANA mark and variations thereof in the US, including the following.

US Trademark Registration No. 4,328,785 CARVANA, registered on April 30, 2013, for online dealership services featuring automobiles in International Class 35, and online financing services in the field of automobile loans in International Class 36;

US Trademark Registration No. 4,971,997 CARVANACARE, registered on June 7, 2016, for extended warranty services, namely service contracts; Providing extended warranties on automobiles, in International Class 36; and

U.S. Trademark Registration No. 6,037,292 CARVANA, registered on April 21, 2020, for online dealership services featuring automobiles, in International Class 35, online financing services in the field of automobile loans; extended warranty services, namely, service contracts; providing extended warranties on automobiles, in International Class 36, and shipping, pickup, and delivery services for automobiles in International Class 39.

The disputed domain name <carvanamx.com> was registered on July 10, 2025 and the disputed domain name <carvanmex.com> was registered on October 21, 2025. Both disputed domain names resolve to similar websites displaying the Complainant’s stylized mark and offering car dealership services and, in one case, featuring text such as “At Carvana Mexico, we ...” and “Our team”.

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 names.

Notably, the Complainant contends that the Respondent is engaged in the unauthorized use of the Complainant’s registered trademarks, as the disputed domain names contain the Complainant’s CARVANA marks exactly or nearly exactly, minus the last “a,” and merely add the letters “mx” or “mex” at the end, to indicate the country of Mexico, as well as hosting infringing content of copycat phishing sites.

In essence, the Complainant contends that the disputed domain names are confusingly similar to the Complainant’s CARVANA marks; the Respondent lacks any legitimate rights in the CARVANA marks; and the Respondent registered and continues to use the disputed domain names in bad faith.

The Panel should grant the Complainant relief and order the transfer of the disputed domain names to the Complainant.

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

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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, "mx" and "mex" and the deletion of the letter "a" in the disputed domain name <carvanmex.com> may bear on assessment of the second and third elements, the Panel finds that such differences do not prevent a finding of confusing similarity between the disputed domain names 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 names. 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 names such as those enumerated in the Policy or otherwise.

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

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.

The Panel is satisfied that the Respondent must have been aware of the Complainant's business and trademark CARVANA mentioned in section 4 above (Factual Background) and also the Complainant's website when the Respondent registered the disputed domain names. By that time the Complainant had registered and had been using the trademark CARVANA for many years.

By registering the disputed domain names, the Respondent was targeting the Complainant and its business by incorporating the Complainant's trademark CARVANA its entirety in one case and almost in its entirety in the other case (disputed domain name <carvanmex.com>).

The websites at the disputed domain names lead Internet users to mistakenly think that the websites are official websites of the Complainant, or endorsed by it, and thereby the Respondent may capitalize on the reputation of the trademark CARVANA for its own commercial benefit.

The clear absence of rights or legitimate interests coupled with no explanation for the Respondent's choice of the disputed domain names, the nature of the disputed domain names and the use to which they have been put, are indicative of bad faith (as stated in section 3.2.1 of the [WIPO Overview 3.0](#)).

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under 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 names <carvanamx.com> and <carvanmex.com> be transferred to the Complainant.

/Miguel B. O'Farrell/

Miguel B. O'Farrell

Sole Panelist

Date: December 19, 2025