

ADMINISTRATIVE PANEL DECISION

Carvana, LLC v. Jatori Smith

Case No. D2025-4547

1. The Parties

Complainant is Carvana, LLC, United States of America (“United States” or “U.S.”), represented internally.

Respondent is Jatori Smith, United States.

2. The Domain Name and Registrar

The disputed domain name <carvanahrdpt.org> (the “Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

Complainant initially filed a single Complaint on October 23, 2025, addressing both <carvanahr.com> and the Domain Name in this proceeding. Since the Registrar revealed that the two domain names had different underlying registrants, the WIPO Arbitration and Mediation Center (the “Center”) directed Complainant to split the dispute into separate cases or assert that the respondents were in fact the same party. Complainant accordingly filed the present Complaint with the Center on November 4, 2025, focusing solely on the Domain Name and naming Jatori Smith as Respondent.

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 Respondent of the Complaint, and the proceedings commenced on November 18, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was December 8, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on December 9, 2025.

The Center appointed John C. McElwaine 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

Complainant is a leading e-commerce platform for buying and selling used cars in the United States. Founded in 2012, Complainant operates its online vehicle dealership and related financing services under the well-known CARVANA brand through its primary website “www.carvana.com”. Complainant owns numerous trademark registrations for the CARVANA trademark. Notably, these include:

- CARVANA – United States Reg. No. 4,328,785, registered April 30, 2013, for online dealership services featuring automobiles (Int’l Class 35) and online financing services in the field of automobile loans (Int’l Class 36).
- CARVANA – United States Reg. No. 5,022,315, registered August 16, 2016, for shipping, pickup, and delivery services for automobiles (Int’l Class 39); and
- CARVANA (stylized) – United States Reg. No. 6,037,292, registered April 21, 2020, for online dealership services featuring automobiles (Int’l Class 35); online financing and extended warranty services for automobiles (Int’l Class 36); and automobile shipping, pickup, and delivery services (Int’l Class 39).

Collectively, these registered trademark rights are referred to herein as the “CARVANA Mark.”

The Domain Name <carvanahrdpt.org> was registered on September 26, 2025. At the time of the Complaint, the Domain Name resolved to a website purporting to be associated with Complainant’s Human Resources department, allegedly to facilitate employee recruiting or onboarding, but in fact aimed at deceiving users and collecting personal information under false pretenses.

5. Parties’ Contentions

A. Complainant

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

With respect to the first element of the Policy, Complainant asserts rights in the CARVANA trademark by virtue of its numerous U.S. trademark registrations (including those noted above) and extensive use of the mark in commerce. Complainant argues that the Domain Name is confusingly similar to its CARVANA Mark. The Domain Name reproduces the CARVANA mark in its entirety and merely adds the descriptive abbreviation “hr”, denoting “human resources”, and “dpt”, denoting “department”. According to Complainant, the addition of this two-letter term does not prevent a finding of confusing similarity. In fact, the inclusion of “hr dpt” directly suggests Complainant’s Human Resources department, exacerbating the likelihood of confusion. Complainant characterizes the Domain Name as a deliberate misspelling or permutation of its CARVANA mark designed to mislead Internet users. Citing UDRP precedent, Complainant submits that a mere addition of a generic or descriptive term to a trademark does not avoid confusing similarity and that such modifications are insufficient to create a distinct domain name.

Moving on to the second element of the Policy, Complainant contends that Respondent has no rights or legitimate interests in respect of the Domain Name. Complainant states that it has never authorized, licensed, or otherwise permitted Respondent to use the CARVANA Mark in any manner, nor is Respondent associated with Complainant. Respondent is not commonly known by the Domain Name or by any name corresponding to “Carvana.” Complainant argues that Respondent’s use of the Domain Name for a fraudulent website impersonating Complainant’s HR department is an illegitimate activity that can never confer rights or legitimate interests. Complainant points out that Respondent’s sole purpose is to deceive people by using Complainant’s famous mark for phishing, which is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the Domain Name. By using the Domain Name in this manner, Respondent is attempting to capitalize on Complainant’s reputation and goodwill for malicious ends, which demonstrates the lack of any rights or legitimate interests on the part of Respondent.

Lastly, 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 CARVANA Mark was well-established and widely known long before Respondent registered the Domain Name in 2025, making it clear that Respondent was aware of Complainant's rights. According to Complainant, the circumstances of the registration—specifically, the incorporation of the CARVANA Mark together with a term implying an official company function (“hr department”)—indicate an intent to impersonate Complainant. Complainant argues that Respondent's use of the Domain Name to host a fraudulent website is a calculated attempt to mislead individuals into believing they are dealing with Complainant (particularly its human resources department), in furtherance of a phishing or identity theft scheme. This conduct, Complainant asserts, is emblematic of bad faith under the Policy. It disrupts Complainant's business and tarnishes Complainant's trademark by using it as a vehicle for fraud.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted and failed to file a Response, paragraph 4(a) of the Policy requires Complainant to support its assertions with evidence and thus prove each of the following elements:

- (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 Complainant's reasonable factual allegations and draw appropriate inferences in Complainant's favor, provided the Panel is satisfied that such allegations are supported by evidence. 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 Rules, paragraph 5(f) (“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 reviewed the Complaint, the amended Complaint, and the supporting evidence, and in light of the Policy, the Rules, the Supplemental Rules, and applicable principles of law, the Panel's findings on each of the required elements are set forth below.

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 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 Domain Name incorporates Complainant's distinctive CARVANA Mark in its entirety. The only difference is the addition of the designation “hrdpt” immediately following “carvana,” and the inclusion of the generic Top-Level Domain “.org.” It is well established that the inclusion of a generic or descriptive term (or an acronym) appended to a complainant's trademark does not prevent a finding of confusing similarity under the UDRP. Here, the term “hrdpt” is an abbreviation for “human resources department”. Complainant's CARVANA mark remains clearly recognizable within the Domain Name. As such, the addition of “hrdpt” does not prevent a finding of confusing similarity. UDRP panels have consistently found that a domain name composed of a trademark plus a descriptive term or abbreviation is considered confusingly similar to the trademark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Consequently, the Panel finds that the Domain Name is confusingly similar to Complainant's CARVANA trademark. Complainant has satisfied paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(a)(ii) of the Policy requires Complainant to prove that Respondent has no rights or legitimate interests in the Domain Name. The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances that, if demonstrated by a respondent, might establish the respondent's rights or legitimate interests in a domain name (e.g., use of the domain name in connection with a bona fide offering of goods or services, being commonly known by the domain name, or legitimate noncommercial or fair use of the domain name). However, the overall burden of proof rests with Complainant. UDRP panels recognize that it may be difficult for a complainant to prove a negative (i.e., that a respondent lacks any rights or legitimate interests), since the evidence of such rights or interests (if any) would normally be within the respondent's knowledge or control. Accordingly, a complainant is required to make out a prima facie case, at which point the burden of production shifts to the respondent to come forward with appropriate evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to rebut the complainant's prima facie case, the complainant is deemed to have satisfied the second element of the Policy. See [WIPO Overview 3.0](#), section 2.1.

In this case, Complainant has made a strong prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Complainant has confirmed that Respondent is not affiliated with Complainant and has never been authorized or licensed to use the CARVANA mark or to register any domain name on Complainant's behalf. There is no evidence that the Respondent or any entity associated with Respondent is commonly known by the term "Carvana" or by the Domain Name. Respondent did not submit a response and has provided no explanation or evidence to justify its registration and use of the Domain Name. Therefore, no claim of legitimate rights or interests has been asserted by Respondent.

On the contrary, the available evidence indicates that Respondent is using the Domain Name for illegitimate purposes – specifically, to impersonate Complainant and facilitate a fraudulent phishing scheme. Respondent's website resolving at the Domain Name falsely represents itself as Complainant's HR department's webpage in order to deceive users. Such use of the Domain Name is inherently deceptive and cannot be considered a bona fide offering of goods or services. Nor can it be considered a legitimate noncommercial or fair use, since Respondent is plainly seeking to mislead Internet users for malicious ends. UDRP panels have categorically held that using a domain name for illegal or fraudulent activities (such as phishing, identity theft, or impersonation of a complainant) can never confer rights or legitimate interests on a respondent. Indeed, any use of a domain name that intentionally trades on the goodwill of a trademark holder for illegitimate purposes is, by definition, neither bona fide nor legitimate. In this case, Respondent's conduct – impersonating Complainant to lure individuals into a scam – is a textbook example of illegitimate activity that negates any possible claim of rights or interests. See [WIPO Overview 3.0](#), section 2.13.1 (domain names used for unlawful purposes, such as phishing or fraud, cannot establish legitimate rights). UDRP panels have repeatedly found that scam operations like fake recruitment or employment offer schemes do not give rise to any rights or legitimate interests in the domain names used for such schemes.

Respondent, having failed to come forward with any response, has not rebutted Complainant's prima facie case. There is no evidence in the record to support any of the circumstances under paragraph 4(c) of the Policy that might demonstrate Respondent's rights or legitimate interests. On the contrary, all indications are that Respondent selected the Domain Name solely due to its similarity to Complainant's well-known mark, in order to perpetrate a fraud. Such conduct cannot and does not vest Respondent with any legitimate rights in the Domain Name.

Accordingly, the Panel finds that Complainant has proven that Respondent has no rights or legitimate interests in the Domain Name, satisfying paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, Complainant must show that the Domain Name “has been registered and is being used in bad faith.” The Policy, paragraph 4(b), sets forth a non-exhaustive list of circumstances that, if found, shall be evidence of the registration and use of a domain name in bad faith. These illustrative circumstances include, inter alia: (i) registering a domain name primarily for the purpose of selling it to the trademark owner for more than the registrant’s out-of-pocket costs; (ii) engaging in a pattern of preventing the trademark owner from reflecting its mark in a domain name; (iii) registering a domain name primarily to disrupt the business of a competitor; or (iv) intentionally attempting to attract Internet users to one’s website for commercial gain by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the site. While the listed scenarios in paragraph 4(b) are common exemplars of bad faith, bad faith may also be found in other circumstances where the respondent’s conduct clearly demonstrates an abusive intent. See [WIPO Overview 3.0](#), section 3.2.1.

Having considered the totality of the circumstances in this case, the Panel concludes that Respondent’s registration and use of the Domain Name constitute bad faith under the Policy. Several factors lead to this conclusion:

Respondent undoubtedly had Complainant’s CARVANA mark in mind when registering the Domain Name. The CARVANA mark is a distinctive and well-known trademark in the United States, as evidenced by Complainant’s extensive business presence and multiple trademark registrations. The timing and composition of the Domain Name strongly indicate that Respondent was aware of Complainant’s rights. The Domain Name was registered in 2025, years after Complainant’s mark became famous in its field. Respondent chose to incorporate the exact CARVANA mark and append the term “hr,” which directly references an aspect of Complainant’s organization (human resources). This choice was plainly not a coincidence; on the contrary, it was a deliberate attempt to impersonate or associate the domain with Complainant. Registering a domain name that incorporates a well-known trademark in its entirety, especially with an added term implying affiliation, is itself indicative of bad faith. See, e.g., *Yahoo! Inc. v. Yahoo-Asian Company*, WIPO Case No. [D2001-0051](#) (finding bad faith where respondent registered domain names containing the YAHOO! mark with generic terms suggesting official services). Given the notoriety of Complainant’s mark, Respondent’s conduct falls squarely within the scenario of a respondent who “knew or should have known” of Complainant’s rights and nevertheless registered a confusingly similar domain – a scenario which panels often consider as indicative of bad faith registration.

Respondent’s use of the Domain Name also provides compelling evidence of bad faith. Respondent has used the Domain Name to host a fraudulent website that impersonates Complainant, apparently for the purpose of misleading individuals (such as job seekers or even existing employees) into divulging personal or sensitive information. By masquerading as Complainant’s human resources page, Respondent’s website attempts to gain the trust of users through false pretenses. Such use of the Domain Name is unequivocally in bad faith. Respondent is exploiting Complainant’s reputation to deceive people, which is the antithesis of a good-faith use. Even if Respondent’s ultimate motive (e.g., identity theft, financial fraud, etc.) is not fully detailed in the record, the very act of impersonating Complainant for fraudulent purposes constitutes bad faith use under the Policy. Panels have consistently held that phishing and other forms of online fraud leveraging a complainant’s mark are clear evidence of bad faith use. In the present case, by using the Domain Name to resolve to a site that appears to be an official Carvana site, Respondent is intentionally attempting to attract Internet users by creating a likelihood of confusion with Complainant’s mark as to the source or affiliation of the site, for Respondent’s own nefarious ends. This falls within the example of bad faith outlined in Policy paragraph 4(b)(iv). Moreover, such conduct inevitably causes harm to Complainant’s business and reputation – for instance, users who are misled by the scam may associate the fraud or any data breach with Complainant – and thus disrupts Complainant’s business. Using a domain name in this manner to disrupt or tarnish a complainant’s business (even if the respondent is not a direct competitor) has been found to constitute bad faith under Policy paragraph 4(b)(iii).

The Panel notes that Respondent's fraudulent scheme here is analogous to the employment offer scams addressed in prior UDRP cases. For example, in *Startup Group v. Whois Agent, Domain Protection Services, Inc. / Dominique Geffroy*, WIPO Case No. [D2020-0330](#), the panel found that using a domain name to impersonate a company in fake job offers is clear evidence of bad faith. Similarly, in *Securitas AB v. Whois Privacy Protection Service, Inc. / A. H.*, WIPO Case No. [D2013-0117](#), the panel held that the respondent's use of the disputed domain name to perpetrate an email scam (by impersonating a well-known company) was conclusive proof of bad faith. In this case, Respondent's actions mirror those scenarios: Respondent intentionally adopted Complainant's mark to impersonate Complainant and execute a fraudulent scheme, which is paradigmatic bad faith. There is no legitimate reason for Respondent to have registered the Domain Name except to exploit Complainant's trademark unlawfully. The Panel finds it "inconceivable that Respondent coincidentally selected" the term "carvanahr" without knowledge of Complainant and its mark. This points to willful targeting and bad faith intent at the time of registration.

Finally, Respondent's failure to participate in this proceeding or offer any explanation for its conduct leaves the Panel with no evidence to refute Complainant's assertions of bad faith. Given the strong prima facie case made by Complainant, Respondent's silence can be taken as further support for the inference of bad faith. While a respondent's default alone is not sufficient to prove bad faith, in this case, the unchallenged evidence of Respondent's impersonation scam speaks for itself. There is simply no plausible good-faith reason for Respondent's registration and use of the Domain Name.

In summary, the Panel finds that Respondent's conduct in registering and using the Domain Name constitutes bad faith under the Policy. Respondent has intentionally attempted to trade on Complainant's famous mark to deceive users, which is precisely the kind of abusive behavior the UDRP was designed to address. The requirements of paragraph 4(a)(iii) of the Policy are thus satisfied.

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 <carvanahrdpt.org> be transferred to Complainant.

/John C. McElwaine/

John C. McElwaine

Sole Panelist

Date: January 2, 2026