

ADMINISTRATIVE PANEL DECISION

Estafeta Mexicana, S.A. DE C.V. v. Qingxiang Sun
Case No. D2025-4614

1. The Parties

The Complainant is Estafeta Mexicana, S.A. DE C.V., Mexico, represented by Calderón & De La Sierra, Mexico.

The Respondent is Qingxiang Sun, China.

2. The Domain Name and Registrar

The disputed domain name <estafetaz.com> is registered with Namemart Limited (the “Registrar”)¹.

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on November 6, 2025. On November 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 8, 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 (THE INFORMATION IS PRIVATE) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 13, 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 14, 2025, and an amended Complaint in English on November 19, 2025.

On November 13, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On November 19, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the amendment to the Complaint and 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”).

¹ The Registrar has changed its name from Domain International Services Limited (China) to Namemart Limited.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent in Chinese and English of the Complaint, and the proceedings commenced on November 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 24, 2025.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on December 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

The Complainant has provided courier and logistics services in Mexico under the mark ESTAFETA since 1979. The Complainant promotes its business at "www.estafeta.com".

The Complainant provides evidence that it owns an international trademark portfolio for the ESTAFETA mark, including but not limited to the following registered trademarks: Uruguay Trademark Registration Number 520697 for the word mark ESTAFETA, registered on August 3, 2022; and Mexican Trademark Registration number 1070328 for the word mark ESTAFETA, registered on November 4, 2008.

The disputed domain name was registered on January 6, 2025 and directs to an inactive or error webpage.

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.

The Complainant states that it was founded in 1979 in Mexico City by German entrepreneur Gerd P. Grimm, with the aim of transforming the Mexican parcel delivery market by introducing the country's first door-to-door courier service. The Complainant explains that, over more than four decades, it has grown from a small operation into the market leader in courier and logistics services in Mexico, handling millions of shipments annually and achieving nationwide coverage shortly after its inception. The Complainant states that it currently employs over 12,400 personnel and operates a logistics network comprising approximately 5,000 vehicles, 129 distribution centers, three major logistics hubs located in San Luis Potosí, Veracruz, and Mexico City, as well as its own cargo airline, Estafeta Carga Aérea, which operates in both Mexico and the United States of America.

The Complainant contends that the disputed domain name is confusingly similar to trademarks in which it has rights for the purposes of paragraph 4(a)(i) of the Policy. The Complainant states that it owns multiple trademark registrations for ESTAFETA in classes 35, 38, and 39, covering courier, delivery, logistics, communications, and related commercial services. The Complainant also states that in September 2020, the Mexican Institute of Industrial Property recognized the Complainant's ESTAFETA brand as a well-known trademark, with the Complainant owning more than 92 trademark registrations for this mark in Mexico. According to the Complainant, the disputed domain name wholly incorporates the ESTAFETA mark with the mere addition of the letter "z", a negligible variation that does not dispel confusing similarity. The Complainant argues that the disputed domain name is visually and phonetically almost identical to its trademark and is likely to lead Internet users to mistakenly assume an association with the Complainant, regardless of the current inactive status of the associated website.

Additionally, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name under paragraph 4(a)(ii) of the Policy. The Complainant states that it has not authorized the Respondent to use the ESTAFETA trademark, that the Respondent is not commonly known by the disputed domain name, and that the ESTAFETA mark is the exclusive property of the Complainant. The Complainant argues that the Respondent registered the disputed domain name with knowledge of the Complainant's trademark and services, and with the intent to prevent the Complainant from registering the disputed domain name, rather than for any bona fide or legitimate purpose.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy. The Complainant argues that the Respondent intentionally chose a domain name that closely and phonetically reproduces the ESTAFETA trademark to exploit its reputation and to attract Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement. The Complainant further states that the disputed domain name is available for acquisition through intermediary services, since a domain name resale platform offers the option of hiring a manager to attempt to acquire it, which, the Complainant argues, shows that the owner is open to negotiation in order to obtain undue financial gains from the Complainant. The Complainant also states that the disputed domain name may be used for phishing or other fraudulent activities, demonstrating classic cybersquatting and bad faith to the detriment of both consumers and the Complainant.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English, arguing that conducting the proceeding in Chinese would place it at a procedural disadvantage in an international dispute, as Chinese is - according to the Complainant - not commonly used as a general business language and could lead to misunderstandings, translation errors, or difficulties in understanding the Respondent's submissions and evidence. The Complainant further contends that English is allegedly the recognized lingua franca of international commercial and legal proceedings, ensuring procedural fairness and efficiency, and that translation tools, including machine translation and artificial intelligence, provide more accurate and reliable results when translating into English, which supports the adoption of English as the language of the proceeding.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Findings on the Merits

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 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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is 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, the letter "z", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name 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 name. 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 name such as those enumerated in the Policy or otherwise.

The Panel notes that the Respondent is not commonly known by the disputed domain name, is not licensed by the Complainant to use the ESTAFETA mark in any way and has not provided any evidence of the use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name only directs to an inactive / error webpage. In this regard, the Panel finds that holding a domain name passively, without making any use of it, does not confer any rights or legitimate interests in the disputed domain name on the Respondent in this case (see in this regard earlier UDRP decisions such as *Bollere SE v. 赵竹飞 (Zhao Zhu Fei)*, WIPO Case No. [D2020-0691](#); and *Vente-Privee.Com and Vente-Privee.com IP S.à.r.l. v. 崔郡 (jun cui)*, WIPO Case No. [D2021-1685](#)).

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.

In the present case, given the extensive and longstanding use of the ESTAFETA marks by the Complainant, the large scale of its business operations, and its broad international trademark portfolio, the Panel accepts that the Complainant's ESTAFETA mark has acquired well-known status in the relevant industry. The Panel notes that the Respondent registered the disputed domain name which contains the Complainant's well-known mark in its entirety and that the Complainant's mark was registered many years before the registration date of the disputed domain name. The Panel finds that, in accordance with the Complainant's evidence, a simple Internet search or trademark search on the date of registration of the disputed domain name would have shown the Respondent that the Complainant owned prior registered trademark for ESTAFETA. Therefore, the Panel finds that by registering the disputed domain name, the Respondent deliberately and consciously targeted the Complainant's prior well-known trademark for ESTAFETA. The Panel finds that this creates a presumption of bad faith. In the Panel's view, the foregoing elements, together with the absence of the Respondent's explanation in choosing ESTAFETA in the disputed domain name, indicate bad faith on the part of the Respondent, and the Panel therefore finds that it has been demonstrated that the Respondent registered the disputed domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark and the composition of the disputed domain name (which is a misspelled version of the Complainant's ESTAFETA trademark) and the lack of response from the Respondent, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 name <estafetaz.com> be transferred to the Complainant.

/Deanna Wong Wai Man/

Deanna Wong Wai Man

Sole Panelist

Date: January 12, 2026