

ADMINISTRATIVE PANEL DECISION

ESTAFETA MEXICANA, S.A. DE C.V. v. Walter Brand, Walter Brand BV
Case No. D2025-4616

1. The Parties

The Complainant is ESTAFETA MEXICANA, S.A. DE C.V., Mexico, represented by Calderón y de la Sierra y Cía., S.C., Mexico.

The Respondent is Walter Brand, Walter Brand BV, Netherlands (Kingdom of the).

2. The Domain Name and Registrar

The disputed domain name <estafete.com> (the “Disputed Domain Name”) is registered with Gandi SAS (the “Registrar”).

3. Procedural History

The Complaint was filed 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 7, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 11, 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.

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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 11, 2025. The Response was filed with the Center on December 9, 2025.

The Center appointed Nick J. Gardner as the sole panelist in this matter on December 15, 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 major Mexican courier and logistics company. It was established in 1979 by German entrepreneur Gerd P. Grimm. It has grown from a small beginning, and nowadays it is operating throughout Mexico with more than 12,400 employees, a fleet of approximately 5,000 vehicles, 129 distribution centers, and its own cargo airline. The airline also flies to destinations in the United States of America.

The Complainant holds multiple trademark registrations for ESTAFETA in Mexico - see for example - Mexican Trademark Registration No. 546615 for ESTAFETA (and design) in Class 39, registered April 24, 1997, and Mexican Trademark Registration No. 2042803 for ESTAFETA in Class 35, registered September 26, 2019. In September 2020, the Mexican Institute of Industrial Property recognized the ESTAFETA mark as a well-known trademark.

The Disputed Domain Name was registered on April 17, 2011. The Respondent is located in the Netherlands (Kingdom of the). The Disputed Domain Name does not resolve to an active website. There is no evidence it has ever been used in any way.

5. Parties' Contentions

A. Complainant

The Complainant contends that the Disputed Domain Name is confusingly similar to its ESTAFETA trademark, differing only by the substitution of a letter "e" for a letter "a". The Complainant argues this minimal difference creates phonetic similarity and consumer confusion, particularly as searches for the Disputed Domain Name on search engines return results associated with the Complainant's business.

The Complainant asserts that the Respondent has no rights or legitimate interests in the Disputed Domain Name. It says the Respondent is not licensed or authorized to use the ESTAFETA trademark; the Respondent is not commonly known by the Disputed Domain Name; and the Disputed Domain Name does not resolve to any active website offering bona fide goods or services.

The Complainant contends the Disputed Domain Name was registered and is being used in bad faith because the registration intentionally targets the Complainant's well-known trademark. It says the Disputed Domain Name could be used for phishing, typosquatting, or cybersquatting activities. It also says that the GoDaddy platform indicates the Disputed Domain Name may be available for acquisition through a broker, suggesting commercial exploitation. In addition, the passive holding of the Disputed Domain Name prevents the Complainant from registering the ".com" variant of its trademark.

The Complainant did not provide any evidence as to why it chose the word Estafeta for its name nor did it suggest that word had any particular meaning.

B. Respondent

The Respondent states that he registered the Disputed Domain Name on April 17, 2011, for a personal creative project entirely unrelated to the Complainant. The Respondent explains that he intended to create a website about how four personality types can cooperate effectively, using the Dutch concept of a relay race as a metaphor for teamwork. The Dutch word for a relay race is "estafette". The Respondent says that he

chose `<estafete.com>` because `<estafette.com>` was already taken, and “estafete” is an alternative spelling derived from the Dutch word.

The Respondent says he has never used the Disputed Domain Name for any commercial purpose, and he has never placed it for sale. He says he has never created any content or service related to the Complainant or the courier/logistics industry and he had no knowledge of the Complainant at the time of registration in 2011. The Respondent says he still intends to develop this project and has no intention of selling the Disputed Domain Name. The Respondent says his registration demonstrates a consistent naming pattern, as he also owns other domain names using variants of “estafette”.

The Respondent requests a finding of Reverse Domain Name Hijacking.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must prove each of the following three elements to succeed:

- (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 in respect of the Disputed Domain Name; and
- (iii) the Disputed Domain Name was registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Panel finds that the Complainant has established rights in the ESTAFETA trademark through its Mexican trademark registrations dating back to 1997, as well as the recognition of the mark as well-known in Mexico as of September 2020.

The Disputed Domain Name incorporates the Complainant’s ESTAFETA mark in its entirety with the substitution of a letter “e” for the final “a”. The generic Top-Level Domain “.com” is a standard requirement and is typically disregarded for purposes of confusing similarity analysis under the first element.

Previous panels have consistently found that the addition, omission, or substitution of a single letter in a trademark creates a confusingly similar domain name. Moreover, “estafeta” and “estafetta” are phonetically similar. The Panel therefore finds that the Disputed Domain Name is confusingly similar to the Complainant’s ESTAFETA trademark. The first element of the Policy has been satisfied.

B. Rights or Legitimate Interests

Given the Panel’s findings in relation to bad faith (below) the Panel does not need to determine this issue.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out certain circumstances which, if found by the Panel to be present, shall be evidence of registration and use in bad faith. These include:

- (i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant or to a competitor;
- (ii) the respondent has registered the domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name;
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark.

The Respondent has provided a specific and detailed explanation for his registration of the Disputed Domain Name. He states that he registered `<estafete.com>` in 2011 for a personal project using the Dutch concept of a relay race ("estafette"), intending to create a website about how four personality types can cooperate effectively using the relay race as a metaphor for teamwork.

The Respondent's explanation is consistent with the Dutch language context. "Estafette" is indeed a Dutch word meaning "relay race" or "relay". The Panel has confirmed this is the case – see for example Cambridge Dictionary which confirms in a Dutch-English dictionary entry that "estafette" means "relay race [noun] - a race between teams of runners, swimmers etc, in which the members of the team run, swim etc one after another, each covering one part of the total distance to be run, swum etc". The word "estafette" is also an archaic English word meaning "mounted courier". The word does not appear to have any meaning in Spanish or German.

The Disputed Domain Name was registered on April 17, 2011. At that time the Complainant's operations were in Mexico. There is no evidence it had any business elsewhere (with the possible exception of some business in the United States). There is no evidence it had any business, fame or reputation in Europe in general or the Netherlands (Kingdom of the) in particular. The Respondent's statement that he had no knowledge of the Complainant when he registered the Disputed Domain Name seems credible.

Further, in the fourteen years since it was registered there is no evidence that the Respondent has used the Disputed Domain Name to divert traffic from the Complainant; attempted to sell the Disputed Domain Name; engaged in any conduct targeting the Complainant's trademark; or used the domain for phishing, cybersquatting, or any other malicious purpose.

The Complainant's argument that the Disputed Domain Name appears on GoDaddy's broker service is not persuasive evidence of the Respondent's intent to sell. GoDaddy's broker service is an automated feature that allows inquiries about virtually any domain name, regardless of whether the owner has expressed any willingness to sell.

Taking all of the above into account, the Panel concludes that it is more likely than not that the Respondent registered the Disputed Domain Name as a variant of a Dutch dictionary word and not because of any connection with the Complainant. The Panel therefore finds that the Complainant has failed to satisfy the third element of the Policy.

7. Reverse Domain Name Hijacking

Reverse Domain Name Hijacking ("RDNH") is defined under the Rules as "using the Policy in bad faith to attempt to deprive a registered domain-name holder of a domain name". 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 was brought primarily 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".

As set out in the [WIPO Overview 3.0](#), section 4.16, reasons articulated by UDRP panels for finding RDNH include: (i) facts which demonstrate that the complainant knew it could not succeed as to any of the required three elements - such as the complainant's lack of relevant trademark rights, clear knowledge of respondent rights or legitimate interests, or clear knowledge of a lack of respondent bad faith (such as registration of the disputed domain name well before the complainant acquired trademark rights); (ii) facts which demonstrate that the complainant clearly ought to have known it could not succeed under any fair interpretation of facts reasonably available prior to the filing of the complaint, including relevant facts on the website at the disputed domain name or readily available public sources such as the Whois database; (iii) unreasonably ignoring

established Policy precedent notably as captured in this WIPO Overview - except in limited circumstances which *prima facie* justify advancing an alternative legal argument; (iv) the provision of false evidence, or otherwise attempting to mislead the panel; (v) the provision of intentionally incomplete material evidence - often clarified by the respondent; (vi) the complainant's failure to disclose that a case is a UDRP refiling; (vii) filing the complaint after an unsuccessful attempt to acquire the disputed domain name from the respondent without a plausible legal basis; (viii) basing a complaint on only the barest of allegations without any supporting evidence".

The Panel does not consider the Complainant's conduct warrants a finding of RDNH. In circumstances where the Disputed Domain Name was very similar to the Complainant's name and trademark, had not been used at all, and the Complainant had no reason to know that it had been registered as a variant of a Dutch dictionary word, the Panel is not persuaded the Complainant's conduct falls within the above guidelines nor that it deserves the censure of a finding of RDNH.

8. Decision

For the foregoing reasons, the Complaint is denied.

/Nick J. Gardner/
Nick J. Gardner
Sole Panelist
Date: December 29, 2025