

ADMINISTRATIVE PANEL DECISION

Tesla Inc. v. Leonid Tabinski
Case No. D2025-4884

1. The Parties

The Complainant is Tesla Inc., United States of America (“United States”), represented by Bird & Bird LLP, Germany.

The Respondent is Leonid Tabinski, Poland.

2. The Domain Name and Registrar

The disputed domain name <freeteslacharge.com> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 24, 2025. On November 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 26, 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 (Not Disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 26, 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 December 2, 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 December 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 29, 2025.

The Center appointed Anna Carabelli as the sole panelist in this matter on January 6, 2026. 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 well-known manufacturer of electric vehicles, batteries and related products under the brand TESLA.

The Complainant owns several trade mark registrations for TESLA in many jurisdictions, including the following:

- United States trade mark registration No. 4554429, registered on June 24, 2014 in class 9;
- United States trade mark registration No. 4443472, registered on December 3, 2013 in class 12;
- European Union Trade Mark registration No. 014456917 (figurative), registered on May 16, 2016, in classes 9, 37, and 42;
- European Union Trade Mark registration No. 016198061, registered on June 13, 2017, in classes 7, 9, 36, 37, and 42; and
- European Union Trade Mark registration No. 010008571, registered on October 11, 2011 in class 36.

The Complainant also owns the domain name <tesla.com> which resolves to its primary website, and is used by the Complainant to advertise, promote, and market the products and services offered under the TESLA brand.

The disputed domain name was registered on April 8, 2025. As per the uncontested evidence and allegations submitted by the Complainant, the disputed domain name resolved to a website featuring the Complainant's imagery and the Complainant's TESLA trade mark, and purportedly offering for sale a stealth charge device intended to illegally circumvent payment for the use of the Complainant's vehicle charging stations.

At the time of this decision, no website was accessible at the disputed domain name.

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:

- Due to extensive use and advertising since 2003, its TESLA trade mark is distinctive and globally well-known;
- the disputed domain name is confusingly similar to the Complainant's TESLA mark. The addition of the additional terms "free" and "charge" (that are descriptive of the Respondent's purported activities via the disputed domain name) does not mitigate a likelihood of confusion;
- the Respondent has no rights or legitimate interests in the disputed domain name, since the Complainant has not authorized or somehow given consent to the Respondent to register the disputed domain name, the Respondent is not commonly known by the disputed domain name, and the Respondent's use of the disputed domain name is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use;
- the disputed domain name was registered and is being used in bad faith for fraudulent activity, to create an association with and take advantage of the Complainant's widely known trade mark.

Based on the above the Complainant requests the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to decide the Complaint based on the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

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

- (i) the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

Paragraph 4(b) of the Policy sets out four illustrative circumstances, which for the purposes of paragraph 4(a)(iii) of the Policy, shall be evidence of registration and use of a domain name in bad faith.

Paragraph 4(c) of the Policy sets out three illustrative circumstances any one of which, if found by the Panel, shall be evidence of the Respondent's rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy above.

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

The entirety of the mark is reproduced and recognizable 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. The addition of the generic Top-Level Domain ("gTLD") such as ".com" is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Although the addition of other terms, here "free" and "charge" placed respectively before and after the Complainant's TESLA mark, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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.

Moreover, as noted in Section 6.A above, the disputed domain name incorporates the Complainant’s TESLA mark in its entirety together with the terms referring to the Complainant’s services, which carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

The Panel further notes that as per the uncontested evidence submitted with the Complaint, the Respondent has used the disputed domain name in connection to a website advertising and selling a stealth charge device intended to illegally circumvent payment for the use of the Complainant’s vehicle charging stations. Panels have held that the use of a domain name for illegal activity 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.

In the present case, in the Panel’s view the composition of the disputed domain name (incorporating the Complainant’s TESLA mark together with the terms referring to the Complainant’s services), and the content of the Respondent’s website establish both the Respondent’s actual knowledge of the Complainant’s rights as at the date of registration of the disputed domain name and the Respondent’s intention to take unfair advantage of those rights. This is evidence of bad faith under paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegal activity (here claimed as: the promotion and sale of a stealth charge device to circumvent payment for the use of the Complainant’s vehicle charging stations) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

The fact that the disputed domain name does not currently point to an active website and merely resolves to a webpage stating that the site cannot be reached, does not prevent a finding of bad faith under the passive holding doctrine given the totality of the circumstances in the present case. [WIPO Overview 3.0](#), section 3.3.

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 <freeteslacharge.com> be transferred to the Complainant.

/Anna Carabelli/

Anna Carabelli

Sole Panelist

Date: January 16, 2026