

## **ADMINISTRATIVE PANEL DECISION**

Estafeta Mexicana, S.A. de C.V. v. rhrthghjft  
Case No. D2025-4929

### **1. The Parties**

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

The Respondent is rhrthghjft, Albania.

### **2. The Domain Name and Registrar**

The disputed domain name <esafetsv.top> is registered with Dominet (HK) Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 26, 2025. On November 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 28, 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 28, 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 1, 2025.

The Center verified that the Complaint together with 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on December 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 26, 2025.

The Center appointed Luca Barbero 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 courier and logistics services provider, based in Mexico City and founded in 1979.

Ever since its inception, the Complainant has been a pioneer in technology and innovative processes in Mexican logistics, introducing real-time shipment tracking in the 1980s and later proving to be one of the first to introduce electronic invoicing in the country.

The Complainant has also developed an extensive logistics infrastructure, currently employing more than 12,400 people, with a fleet of approximately 5,000 vehicles, 129 distribution centers, three logistics hubs (in San Luis Potosí, Veracruz, and Mexico City), and its own cargo airline, Estafeta Carga Aérea, which operates in both Mexico and the United States of America.

The Complainant is the owner of trademark registrations for ESTAFETA, including the following, as per trademark registration certificates submitted as annexes to the Complaint:

- Mexico trademark registration No. 546615 for ESTAFETA (figurative mark), filed on March 13, 1997, and registered on April 24, 1997, in class 39;
- Mexico trademark registration No. 548675 for ESTAFETA (figurative mark), filed on March 13, 1997, and registered on May 23, 1997, in class 38;
- Mexico trademark registration No. 2042803 for ESTAFETA (word mark), filed on May 30, 2019, and registered on September 26, 2019, in class 35;
- Mexico trademark registration No. 2042804 for ESTAFETA (word mark), filed on May 30, 2019, and registered on September 26, 2019, in class 39;
- Costa Rica trademark registration No. 105660 for ESTAFETA (word mark), filed on May 6, 1997, and registered on October 7, 1997, in class 38;
- Uruguay trademark registration No. 520697 for ESTAFETA (word mark), filed on January 15, 2021, and registered on August 3, 2022, in class 38.

The Complainant is also the owner of the domain name <estafeta.com>, registered on March 27, 1996, and is used by the Complainant to promote its services under the trademark ESTAFETA.

The disputed domain name <esafetsv.top> was registered on May 13, 2025, and is not pointed to an active website.

#### **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 the disputed domain name <esafetsv.top> is confusingly similar to the trademark ESTAFETA in which the Complainant has rights as it reproduces the trademark in a confusingly similar way and with an identical phonetic pronunciation, followed by the generic Top-Level Domain ("gTLD") ".top".

The Complainant submits that Respondent has no rights or legitimate interests in the disputed domain name since: i) the Complainant is the exclusive owner of trademark rights on ESTAFETA; ii) the Respondent has no corresponding trademark rights; and iii) the Respondent appears to have deliberately registered the disputed domain name with the sole purpose of preventing the Complainant from reflecting its mark in a corresponding domain name.

With reference to the circumstances evidencing bad faith, the Complainant indicates that the disputed domain name phonetically reproduces in an almost identical manner the Complainant's mark and its use is intended to intentionally attract, for commercial gain, Internet users to a website offering services related to the delivery and distribution of products, creating confusion among the public as to the origin, sponsorship, affiliation, or connection of that site with the Complainant.

The Complainant also contends that, although the disputed domain name is not currently listed for sale or public auction, the concerned registrar's (GoDaddy) search platform offers the option of hiring a manager to attempt to acquire it, which would show that the Respondent is open to negotiation in order to obtain financial gain from my client's trademark.

The Complainant further states that a large number of people use the delivery, courier, and parcel services provided by the Complainant on a daily basis, and it has recently been observed that the Complainant's trademark has been registered as a domain name with the aim of sending malicious messages or emails containing a link that redirects the user to sites where they are asked to provide sensitive personal information that could put the Complainant's customers at risk, as they may believe to be providing information on a website owned by the Complainant. Therefore, the Complainant requests the Panel to prevent third parties from taking control of domain names that constitute registered trademarks that have generated trust and prestige internationally in order to carry out allegedly illegal activities.

## **B. Respondent**

Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

According to paragraph 15(a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable. Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

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

### **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. Indeed, the Complainant has provided evidence of valid trademark registrations for ESTAFETA.

The Panel finds that, despite the deletion of the letters "t" and "a" from the Complainant's trademark and the addition of the letters "s" and "v", the Complainant's mark is still recognizable within the disputed domain name, and the latter can be interpreted as a typosquatted version of the Complainant's trademark. Therefore, in the Panel's views, such variations do not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.9.

Therefore, 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 there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant's trademark. Moreover, there is no indication before the Panel that the Respondent is commonly known by the disputed domain name.

Furthermore, there is no evidence showing that the Respondent made use of or preparations to use the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial use without intention to misleadingly divert consumers or to tarnish the Complainant's trademark.

Indeed, the Panel notes that at the time of the drafting of this Decision, the disputed domain name points to an inactive website. As held in *Teachers Insurance and Annuity Association of America v. Wrecks Communications Group*, WIPO Case No. [D2006-0483](#), absent some contrary evidence from the Respondent, passive holding of a domain name does not constitute "legitimate noncommercial or fair use".

Therefore, the Panel finds the second element of the Policy has also 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, the Panel finds that, considering the Complainant's prior registration and use of the ESTAFETA mark in connection with the Complainant's services, which are promoted online via the website at "www.estafeta.com", the Respondent was or could have been aware of the Complainant and its trademark. [WIPO Overview 3.0](#), section 3.2.2.

The disputed domain name does not resolve to an active website. Panels have found that the non-use of a domain name would not prevent the 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: i) the distinctiveness of the Complainant's mark; ii) the composition of the disputed domain name, which appears to be a typosquatted version of the Complainant's mark; iii) the Respondent's failure to submit a Response and to provide any explanations as to the reasons why it registered the disputed domain name; and iv) the Respondent's provision of what appears to be fake contact information in the Whois records, 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.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

### **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 <esafetsv.top> be transferred to the Complainant.

*/Luca Barbero/*

**Luca Barbero**

Sole Panelist

Date: January 20, 2026