

ADMINISTRATIVE PANEL DECISION

Estafeta Mexicana, S.A. De C.V. v. Werner Muller
Case No. D2025-4931

1. The Parties

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

The Respondent is Werner Muller, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <estafeta.shop> is registered with NameSilo, LLC (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 27, 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 / Privacy User #b4d486b3, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 2, 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 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 29, 2025.

The Center appointed Tobias Malte Müller as the sole panelist in this matter on January 9, 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

It results from the Complainant's undisputed allegations that it was founded in 1979 in Mexico City and is active in the logistics sector. It has established itself as a market leader in courier and logistics services in Mexico, handling millions of shipments per year. It 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 (San Luis Potosí, Veracruz, and Mexico City), and its own cargo airline, Estafeta Carga Aérea, which operates in both Mexico and the United States.

The Complainant is the registered owner of several trademarks for ESTAFETA in particular, the following Mexican Trademark registrations:

- No. 2042803 ESTAFETA (word) registered on September 26, 2019, for services in class 35
- No. 2042804 ESTAFETA (word) registered on September 26, 2019, for services in class 39
- No. 546615 ESTAFETA (figurative) registered on April 24, 1997, for services in class 39
- No. 548675 ESTAFETA registered on May 23, 1997 for services in class 38

The disputed domain name was registered on April 22, 2025. It resolves to an inactive 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. Notably, the Complainant contends that:

- (1) the disputed domain name is identical/confusingly similar to the Complainant's trademarks since it contains the Complainant's trademark entirely;
- (2) the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent acquired the disputed domain name in bad faith, since it is clear that, knowing the international prestige of the services provided, the Respondent used the Complainant's trademark without any authorization to do so and with the sole purpose of preventing the Complainant from acquiring the disputed domain name;
- (3) the disputed domain name was registered and is being used in bad faith. According to the Complainant, the disputed domain name reproduces in an almost identical manner the distinctive sign of the Complainant, so that 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.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “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 requires a complainant to prove each of the following three elements in order to obtain an order that each domain name be transferred or cancelled:

- (i) the 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 domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

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.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy, [WIPO Overview 3.0](#), section 1.7.

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, the Panel notes that the nature of the disputed domain name carries a high risk of implied affiliation, since the disputed domain name is identical to the Complainant's trademark. Generally speaking, previous UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation (see [WIPO Overview 3.0](#), section 2.5.1). The Panel shares this view.

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, the Panel notes that the Respondent, based on the evidence submitted by the Complainant, knew or should have known that the disputed domain name consisted of the Complainant's trademark when it registered the disputed domain name. This is underlined by the fact that the disputed domain name is identical to the registered trademark ESTAFETA.

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 1) the distinctiveness or reputation of the Complainant's trademark, 2) the composition of the disputed domain name and that Internet searches for "estafeta" bring up the Complainant's website at "www.estafeta.com" in first place, 3) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, 4) the Respondent's concealing its identity or use of false contact details (noted to be likely in breach of its registration agreement). Taking these factors into consideration, the Panel 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 <estafeta.shop> be transferred to the Complainant.

*/Tobias Malte Müller/
Tobias Malte Müller
Sole Panelist
Date: January 23, 2026*