

ADMINISTRATIVE PANEL DECISION

Estafeta Mexicana, S.A. de C.V. v. Michael Nava
Case No. D2025-4935

1. The Parties

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

The Respondent is Michael Nava, United States of America (“United States” or “U.S.”)

2. The Domain Name and Registrar

The disputed domain name <estafeta.net> is registered with Spaceship, Inc. (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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 1, 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 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 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 24, 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 7, 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 the market leader in courier and logistics services in Mexico, handling around 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 5, 2021. It resolves to the webpage of the domain marketplace GoDaddy, where it is listed for sale at USD 2,988.

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, he 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. The search carried out on GoDaddy is attached as evidence, showing the possibility of managing the acquisition of the disputed domain name.

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 disputed domain name be transferred or cancelled:

- (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 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.

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.

One of these circumstances is that the Respondent has registered or acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name to the Complainant who is the owner of the trademark or service mark or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name (paragraph 4(b)(i) of the Policy).

In the Panel's view, the Respondent has intentionally registered the disputed domain name which identically contains the Complainant's trademark ESTAFETA. By the time the disputed domain name was registered, the Panel considers it to be unlikely that the Respondent did not have knowledge of the Complainant and its marks, which is identically produced in the disputed domain name, and which have been existing by many years at the time the disputed domain name was registered.

In the present case, the Panel notes that the Respondent has registered the disputed domain name for the purpose of selling it either to the Complainant or to third persons, for consideration likely to be in excess of the documented out-of-pocket costs directly related to the disputed domain name. According to the Complainant's uncontested allegations, the Respondent has offered the disputed domain name for sale on the domain marketplace GoDaddy. The disputed domain name is listed as being for sale for USD 2,988. This Panel finds in the absence of a contrary evidence that this sum is likely in excess of any out-of-pocket costs directly related to the disputed domain name (see e.g. *Tosara Pharma Limited v. Super Privacy Service LTD c/o Dynadot / zuhal topuz*, WIPO Case No. [D2021-4062](#)).

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. On this regard, the further circumstances surrounding the disputed domain name's registration and use confirm the findings that the Respondent has registered and is using the disputed domain name in bad faith:

- (i) the nature of the disputed domain name (i.e., a domain name identical to the Complainant's mark);
- (ii) the content of the website to which the disputed domain name directs (resolving to the webpage of the domain marketplace GoDaddy, in which the disputed domain is listed as being for sale for USD 2,988);
- (iii) a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name.

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.net> be transferred to the Complainant.

/Tobias Malte Müller/

Tobias Malte Müller

Sole Panelist

Date: January 21, 2026