

ADMINISTRATIVE PANEL DECISION

Estafeta Mexicana, S.A. de C.V. v. liu deg
Case No. D2025-4938

1. The Parties

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

The Respondent is liu deg, Japan.

2. The Domain Name and Registrar

The disputed domain name <estafetad.com> 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 (Private) 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 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 José Ignacio San Martín Santamaría as the sole panelist in this matter on January 5, 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 leading Mexican company providing courier and logistics services under the ESTAFETA mark.

The Complainant is the proprietor of more than 92 trademark registrations in Mexico and other countries, among them:

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

The disputed domain name was registered on July 5, 2025, and apparently does not host any website. The GoDaddy platform offers the option of hiring a manager to attempt to acquire the disputed domain name for approximately 2,700 Mexican pesos.

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 is confusingly similar to the trademark ESTAFETA in which the Complainant has rights. The disputed domain name incorporates the Complainant's trademark in its entirety with the addition of the letter "d" to the end of the mark.
- the Respondent has no rights or legitimate interests in the disputed domain name. On the contrary, the registered trademark ESTAFETA is the sole and exclusive property of Estafeta Mexicana, S.A. de C.V.
- the disputed domain name was registered and is being used in bad faith for the purpose of attempting to 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 with the Complainant's site.

- although the disputed domain name is not currently listed for sale or public auction, the GoDaddy search platform offers the option of hiring a manager to attempt to acquire it, which shows that the Respondent is open to negotiation in order to obtain financial gain from the Complainant's trademark. This conduct constitutes a clear case of registration and use in bad faith, taking advantage of the reputation built by the ESTAFETA brand.

As a consequence, the Complainant requests that 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

Pursuant to paragraph 4(a) of the Policy and 15 of the Rules, the Panel shall grant the remedies requested if the Complainant proves that:

- (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.

Pursuant to paragraph 4(a) of the Policy and 15 of the Rules, for this purpose the Panel shall decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable, including UDRP jurisprudence as articulated in WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0").

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 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 and is recognizable. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

As stated in *Crédit Industriel et Commercial v. Manager Builder, Builder Manager*, WIPO Case No. [D2018-2230](#):

"The disputed domain name incorporates the CIC trademark in its entirety. Numerous UDRP panels have recognized that incorporating a trademark in its entirety can be sufficient to establish that the disputed domain name is at least confusingly similar to a registered trademark (see e.g., *PepsiCo, Inc. v. PEPSI, SRL (a/k/a P.E.P.S.I.) and EMS Computer Industry (a/k/a EMS)*, WIPO Case No. [D2003-0696](#)). Moreover, it has been held in many UDRP decisions and has become a consensus view among panelists (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ('WIPO Overview 3.0, section 1.8), that where the relevant trademark is recognizable within the disputed domain name, the addition of

other terms would not prevent a finding of confusing similarity under the first element of the UDRP.”

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.

It is true that “estafeta” is also a dictionary term in Spanish. However, the Panel considers that this circumstance does not grant the Respondent any rights or legitimate interests in the disputed domain name, because 1) the Respondent is located in Japan, where Spanish is not generally spoken, 2) the disputed domain name does not literally correspond to a dictionary term (the letter “d” has been added), and 3) the disputed domain name does not host any content that could rebut the *prima facie* case presented by the Complainant.

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 disputed domain name reproduces the Complainant mark, widely known in many countries, especially in Central and South America, which is indicative of bad faith. The disputed domain name appears to be a version of the Complainant’s trademark with a typographical error, as the letter “d” has been added (the letters “a” and “d” are very close together on QWERTY keyboards), meaning that it does not literally correspond to a dictionary term. Therefore, on balance of probabilities, the Panel finds that it is more likely than not that the Respondent was targeting the Complainant’s trademark, which is reproduced in the disputed domain name with a typographical error.

From the inception of the UDRP, panelists 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.

While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s concealing its identity or use of false contact

details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3. In the circumstances of this case, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith.

The Panel also notes the existence of previous cases involving the Complainant, where it obtained the transfer of domain names containing typographical errors in its trademark, for example *ESTAFETA MEXICANA, S.A. DE C.V. v. Tsang C hoi Yan*, WIPO Case No. [D2025-4610](#), <estafetac.com> and *ESTAFETA MEXICANA, S.A. DE C.V. v. Ody Leo Ody Leo* <esafeta.com>, WIPO Case No. [D2025-4621](#).

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 <estafetad.com> be transferred to the Complainant.

/José Ignacio San Martín Santamaría/
José Ignacio San Martín Santamaría
Sole Panelist
Date: January 19, 2026