

ADMINISTRATIVE PANEL DECISION

Phi Delta Kappa International, Inc. v. Andrew Lancaster, UniCurve
Case No. D2025-5150

1. The Parties

The Complainant is Phi Delta Kappa International, Inc., United States of America ("United States"), represented by Berdinis Law P.C., United States.

The Respondent is Andrew Lancaster, UniCurve, Australia, self-represented.

2. The Domain Name and Registrar

The disputed domain name <futureeducators.org> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 10, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 12, 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 (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 18, 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 18, 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 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 8, 2026. The Response was filed with the Center on December 21, 2025.

The Center appointed Steven A. Maier 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.

On January 27, 2026, the Panel issued Procedural Order No.1, to which further reference is made below. The Respondent replied to the Procedural Order on January 28, 2026, and the Complainant on February 5, 2026.

4. Factual Background

The Complainant is a not-for-profit corporation organized under the laws of the State of Indiana, United States.

The Complainant is the owner of United States trademark registration number 3351550 for the word mark FUTURE EDUCATORS ASSOCIATION, registered on December 11, 2007 in International Class 41 for “[p]roviding educational mentoring services and programs for middle school and high school students interested in the teaching profession.” The registration disclaims the word “ASSOCIATION”.

The Complainant submits that it began to use the trademark FUTURE EDUCATORS in 2005, although it does not provide any further information concerning its business under that trademark, or evidence of the public recognition or reputation of the trademark.

The disputed domain name was first registered on April 20, 2005. It appears to have been owned and operated by the Complainant until 2016 or 2017 and to have been acquired by the Respondent in July 2017.

The Complainant appears to have traded as “Educators Rising” since 2016 and currently operates a website at “www.educatorsrising.org”. The disputed domain name redirected to that website as of December 3, 2016.

The disputed domain name has, since July 2017, resolved to various iterations of a website headed “Future Educators”, featuring articles on matters related to the teaching profession. The website appears to have been periodically updated. Both of the Parties exhibit archived screenprints of the website at various times, to which further reference is made below.

5. Parties’ Contentions

A. Complainant

The Complainant submits that the disputed domain name is confusingly similar to its trademark FUTURE EDUCATORS ASSOCIATION, differing from that trademark only by the omission of the disclaimed and descriptive term “ASSOCIATION”.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It asserts that the Respondent intends no legitimate enterprise, and that its website is designed for three purposes: namely, to gather information for mailing lists, to trick users into downloading spyware, and to generate advertising revenue.

The Complainant provides evidence that, on December 2, 2025, the Respondent’s website included the following section:

"Future Educators Association

[Complainant's former logo]

The Future Educators Association (FEA) evolved into Educators Rising, but our mission continues here at Future Educators. We remain dedicated to providing practical advice for aspiring teachers and those developing their skills.

FEA played a key role in nurturing young teaching talent. This site continues that legacy. We offer resources and guidance to help you succeed in the classroom.

Explore our resources, stay updated, and connect with a community committed to education. Welcome to Future Educators, where the passion for teaching lives on."

The Complainant contends that, by the inclusion of the above content, the Respondent attempts to mislead consumers into believing that its website is in fact that of the Complainant.

The Complainant exhibits what appears to be a screenshot from an Apple Mac, including popups stating "Apple Security warning!", "MacOS_Spyware", and "Virus Alert". It states that these result from clicking a "To Continue Click Here" button included on the Respondent's website and are clearly indications of phishing. It also exhibits an advertisement for "Supplier Relationship Management Playbook" including a button to "Open", which it submits is further evidence of phishing.

The Complainant exhibits evidence of advertising on the Respondent's website, including advertisements for fire sprinklers and food safety software. It contends that this content is damaging to its reputation since, as a not-for-profit organization, the Complainant would never include commercial advertising of this nature.

The Complainant states that it does not know the identity of the Respondent and has not therefore been able to obtain information about the Respondent's ownership of any relevant trademark rights. However, it claims that it is clear from the Respondent's website that it is not a legitimate purveyor of services, and intends instead to benefit from confusion with the Complainant's trademark.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It states that it began using the FUTURE EDUCATORS mark in 2005 and that its trademark is dated 2007. It traces the history of the website content linked to the disputed domain name, noting that it was its own content until 2016 and the Respondent's from at least 2020 onwards.

The Complainant contends that, by using the disputed domain name, the Respondent is intentionally attempting to attract Internet users for commercial gain, and to create confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's website. The Complainant asserts that the Respondent cannot be using the disputed domain name in good faith when it displays website content that has the intention of deceiving Internet users into believing that the website is in fact the Complainant's.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent states that Unicurve Pty Ltd is an Australian digital publishing company, active since 2013, operating a portfolio of websites directed to the education sector. It submits that it acquired the disputed domain name in 2017, after it had lapsed, and has used it in connection with an education-focused publishing website for the past eight years. The Respondent refers to its Unicurve website at "www.unicurve.com", which includes links to six "Education Brands" including "Future Educators" and also to three "Business Brands" and three "Parenting Brands".

The Respondent contends that the term “Future Educators” is an ordinary, descriptive term, which is widely used in the education sector to refer to students and aspiring teachers. It submits that, without the additional word “Association”, which conveys a specific organizational source, the disputed domain name is not liable to be confused with the Complainant’s FUTURE EDUCATORS ASSOCIATION trademark.

The Respondent denies having acquired the disputed domain name for any reason connected with the Complainant, its brand, or its residual goodwill. It takes objection to the Complainant’s submissions on a number of grounds.

The Respondent submits that the Complainant has recklessly made serious allegations of phishing and deceptive conduct, without identifying any technical mechanism, user flow, or data capture process that would be consistent with such activity. The Respondent specifically denies that it has engaged in any phishing or deceptive conduct, or in the collection of user credentials, payment details or personal information.

The Respondent further submits that the Complainant has disregarded its status as a long-established, publicly identifiable, service provider, and has submitted altered evidence that seeks to conceal the Respondent’s related education and career publishing platforms. The Respondent refers, in particular, to the Complainant’s screenshot of the Respondent’s website dated December 2, 2025, which compares with its own archived screen capture dated June 19, 2025. The Respondent’s version includes a “sidebar”, which appears to have been deleted from the Complainant’s version, which states “Supporters – Lerna Courses, Mallory Careers” and links to related websites, the latter of which identifies Dr. Andrew Lancaster as its founder and Unicurve as its parent company.

The Respondent submits that the disputed domain name is used for an education content focused website addressing teaching careers, education pathways, and similar topics. It contends that such use corresponds directly to the ordinary meaning of the disputed domain name and with the Respondent’s wider activities. It adds that the Respondent is clearly identified as the operator of the website, which does not present itself as an “association” or otherwise claim any affiliation with the Complainant.

The Respondent denies any bad faith registration or use of the disputed domain name, which it submits the Complainant had allowed to lapse. It contends in particular that:

“The acquisition was based on standard publishing and SEO considerations, including the domain’s descriptive relevance, age and backlink profile. It was not acquired for any brand association, residual goodwill, or to target the Complainant.”

The Respondent states that the advertising on its website is delivered via Google AdSense, which is a well-known and legitimate platform. It states that the advertising content is not determined by the Respondent but by the platform’s automatic systems, which may involve the user’s prior browsing behaviour.

The Respondent submits that the Complaint should therefore be denied.

6. Procedural Order No. 1 and the Parties’ Further Submissions

On January 27, 2026, the Panel issued Procedural Order No. 1. The Procedural Order identified that the Respondent had not commented on the Complainant’s submission concerning the “Future Educators Association” section included on its website, as referred to above. The Procedural Order further noted that, in February 2018, the Respondent website had featured material including the Complainant’s more recent branding “Educators Rising” on its homepage.¹ The Respondent was invited to comment accordingly, and the Complainant to reply to the Respondent’s further submission.

¹As discussed in section 4.8 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision.

A. Respondent's Supplemental Filing

The Respondent states that he did not reply to the Complainant's relevant submission because the website wording in question was already explicit and self-explanatory, and directly contradicted the suggestion of impersonation or misrepresentation. He submits, in particular, that the wording "The Future Educators Association (FEA) evolved into Educators Rising, but our mission continues here at Future Educators" can bear no reasonable interpretation other than the Association evolved into a different entity, and that the present website is operated by Future Educators, not the Association.

The Respondent further explains the website reference as follows:

"The purpose of including this information was to orient legacy visitors. The domain continues to receive traffic via historic hyperlinks, bookmarks, and references associated with 'Future Educators' and the former Association. In addition, the site continues to receive search traffic because a large number of inbound links point to the homepage using anchor text such as 'Future Educators Association' or similar. As a result, visitors may arrive with expectations shaped by those historical references rather than by the current content of the site.

Without an explanation, such visitors would be left uncertain as to whether they had arrived at the correct destination, or what had become of the original organisation. The explanatory text was included to reduce confusion, not to create it".

The Respondent adds:

"The reference to 'our mission continues here' was included so that the explanation would not read as a dead end for readers. It reflects the observation that, although the site is not the Future Educators Association, the content may still be relevant to visitors who arrived expecting material connected to the same educational purpose. It does not suggest institutional succession, governance, or endorsement."

The Respondent states that the inclusion of the Complainant's former logo was a visual reference identifying the organization being discussed, was not used as site branding, and that its placement was in accordance with ordinary editorial practice.

The Respondent contends that the wording relied on by the Complainant directly contradicts any allegation of impersonation: the website states that the Complainant had evolved into something else, and then identifies itself as a different website.

The Respondent did not address the 2018 website material.

B. Complainant's Supplemental Filing

The Complainant disputes that the Respondent's website reference was appropriate to inform Internet users clearly and accurately of what had happened to the Complainant as the original website operator. It submits that a far more straightforward disclaimer would have read: "This website is not affiliated in any way with the Future Educators Association® or Educators Rising®".

The Complainant submits that the inclusion of its former logo, together with the Respondent's wording, creates a strong initial impression of affiliation with or ownership by the Complainant. It adds that the power of a logo is to create such an impression, without further reading.

The Complainant contends that the Respondent's wording "... our mission continues" would be understood by visitors to indicate the next evolution of the Complainant, and that the statement "This site continues that legacy..." further strengthens that impression.

7. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark 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.

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 3.0](#), section 1.7.

The Complainant has established that it is the owner of registered trademark rights in the mark FUTURE EDUCATORS ASSOCIATION, in which the term "ASSOCIATION" is disclaimed. The disputed domain name is identical to that trademark but for the omission of the term "association", which omission does not prevent the Complainant's trademark from being recognizable within the disputed domain name.

The Panel therefore finds that the first element under the Policy is established.

B. Rights or Legitimate Interests, and C. Registered and Used in Bad Faith

The Panel finds it convenient in this case to consider the second and third elements under the Policy together, since similar considerations inform its findings in respect of both elements.

The Panel notes that the drop-catching of lapsed domain name by a domain name investor is not illegitimate per se, and that every case must be decided on its individual merits. The Panel further accepts the Respondent's contention that the disputed domain name comprises a descriptive term, which is in relatively common usage in connection with the educational sector. However, while that submission may be correct, the question still arises of whether the Respondent has sought to take unfair advantage of the Complainant's trademark rights, and in particular the commercial goodwill associated with its trademark.

The Panel agrees with the Respondent's contentions that the Complainant has overstated its case and made serious allegations with limited supporting evidence. Specifically, the Panel does not consider the Complainant's evidence of supposed phishing activity to be persuasive.

Nor does the Panel consider that the inclusion of advertising on the Respondent's website is in itself an indication of bad faith.

The Panel also finds that the Respondent's overall business activities, involving a variety of other brands and sectors, would tend to support the impression of a bona fide business, as opposed to a criminal enterprise as the Complainant asserts. The Complainant's omission of the references to "Lerna Courses" and "Mallory Careers" from its relevant exhibit is notable (although the Panel accepts that the reference to these brands as "Supporters" is not conclusive of common ownership). The Complainant's implication that it has no information about the Respondent does, however, appear to the Panel to be somewhat disingenuous: for example, archived pages of the Respondent's website, some of which the Complainant has exhibited, include an "About Us" section which clearly identifies Unicurve and Dr. Andrew Lancaster as the operators of the website.

However, the fact that the Respondent may operate an established and legitimate business overall, involving a portfolio of similar websites, does not mean that he necessarily acted in good faith with regard to the disputed domain name specifically.

The Respondent submits that his acquisition of the disputed domain name "... was based on standard publishing and SEO considerations, including the domain's descriptive relevance, age and backlink profile. It was not acquired for any brand association, residual goodwill, or to target the Complainant".

However, the Respondent's reference to backlinks appears to disregard the fact that the backlinks in question were generated during the Complainant's ownership of the disputed domain name, and related to the Complainant's then website content. In the view of the Panel, to benefit from these backlinks, even if only by way of SEO enhancement, is therefore to take advantage of the commercial goodwill previously created by the Complainant. Whether the taking of such advantage is unfair, as the Policy requires, is another question, and it is certainly possible to conceive of cases where benefiting from a former owner's goodwill may not be unfair: however, the Panel finds that unfair advantage has been taken in this case.

The Respondent accepts that (in addition to the question of SEO enhancement) there will be Internet users who will continue to be directed to what is now the Respondent's website by way of the backlinks that originally related to the Complainant's website. The Respondent refers specifically to "legacy visitors", their direction by way of inbound links, and the incorrect expectations of visitors arriving at the website. Once again, however, the Respondent appears to disregard the significance of these matters so far as the Policy is concerned. In particular, where Internet users arrive at a website because they are confused into believing it is the website of a third-party trademark owner, then the current operator has gained an advantage by receiving the traffic in question. Even in a case where a full disclaimer may be provided (which is not the case here), visitors have arrived at the site, and may interact with it, including by way of revenue-generating activities, even if they are informed that it is not (or is no longer) associated with the trademark owner.

Moreover, and of particular significance to the issue of unfairness, the Panel does not find the Respondent's explanation for his inclusion on the website of references to the Complainant, and the Complainant's logo, to be persuasive. The Panel accepts the Complainant's contention that, if the Respondent's only wish was to avoid visitor confusion, then a short and straightforward disclaimer would have been considerably more effective than the Respondent's actual content. In particular, the Panel finds that the Respondent's statements such as "... our mission continues here at Future Educators", "[w]e remain dedicated..." and "[t]his site continues that legacy" are, at best, ambiguous, and certainly liable to confuse Internet users into believing that the current operator of the website is in some way affiliated with the Complainant. Moreover, the Panel finds the Respondent's apparent prior use of the Complainant's "Educators Rising" branding in 2018 and the Respondent's failure to comment on this in reply to the Panel's Procedural Order notable. The Panel also notes that maintaining references to the Complainant itself may well be a factor in preserving the website's backlink equity, depending upon the algorithms used by individual search engines.

This is not a case of purely independent or serendipitous adoption of the term "future educators", rather the Respondent was aware of the Complainant and its use of the FUTURE EDUCATORS ASSOCIATION trademark when registering and using the disputed domain name.

In all these circumstances, the Panel finds that the Respondent registered and has used the disputed domain name in an opportunistic manner, which took unfair advantage of the Complainant's goodwill attaching to its FUTURE EDUCATORS ASSOCIATION trademark. The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the disputed domain name has been registered, and is being used, in bad faith.

The second and third elements under the Policy are therefore established.

8. 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, <futureeducators.org>, be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: February 12, 2026