

ADMINISTRATIVE PANEL DECISION

Select Milk Producers, Inc. v. Name Redacted
Case No. D2025-5207

1. The Parties

Complainant is Select Milk Producers, Inc., United States of America (“United States”), represented by Jackson Walker, LLP, United States.

Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <selectmillk.com> is registered with Wild West Domains, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 12, 2025. On December 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 15, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on December 16, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on December 19, 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”).

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in these proceedings and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified 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. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on January 12, 2026.

The Center appointed Jeffrey D. Steinhardt as sole panelist in this matter on January 16, 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

Complainant is a large national dairy production and processing cooperative in the United States, focused on providing milk and dairy products from family farms.

Complainant owns the domain name <selectmilk.com> where it advertises its services under the SELECT MILK family of marks.

Complainant owns various registered service marks including: SELECT MILK PRODUCERS, INC., United States Trademark Registration No. 4921002, registered March 22, 2016, in International Class 035 with a first use in commerce date of December 31, 1995; and SMP SELECT MILK PRODUCERS, INC. SETTING A HIGHER STANDARD, United States Trademark Registration No. 4849782, registered November 10, 2015, in International Class 035 (stylized design of interlocking letters "SMP" with the words "Select Milk" above and "Producers, Inc. Setting a Higher Standard.").

The disputed domain name was registered November 28, 2025, and does not resolve to an active webpage.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant avers that, after Complainant's legal counsel received the updated name of the individual registrant from the Center (after filing the original Complaint), Complainant's counsel communicated with the individual indicated by the Registrar as registrant. The registrant (allegedly an attorney with whom Complainant's counsel was acquainted) responded to Complainant's communication stating that he had no knowledge of the disputed domain name registration, although the registrant contact address was an actual former address of his. The Complaint annexes copies of the relevant communications.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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

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.

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 Panel finds that a dominant feature of the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7 and 1.9.

Although the addition of other terms (here, the addition of the letter "l") may bear on assessment of the second and third elements, the Panel finds that this variation do not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds that the first element of Policy paragraph 4(a) 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.

The Panel accepts Complainant's unopposed allegations that Respondent is not licensed or otherwise authorized to use Complainant's marks in the confusingly similar disputed domain name and that Respondent is not commonly known by the disputed domain name.

Having reviewed the available record, the Panel finds that Complainant has established a *prima facie* case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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 finds that the second element of Policy paragraph 4(a) 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 Respondent was obviously aware of Complainant's marks. Respondent registered a disputed domain name that appears to have been a deliberate misspelling of the "SELECT MILK" portion of Complainant's marks and of Complainant's domain name <selectmilk.com> ("typosquatting"). In the Panel's view, this clearly establishes registration of the disputed domain name in bad faith.

Panels have found that the non-use of a domain name 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 the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name 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.

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.

Respondent's disputed domain name registration, falsely using a third party's name and providing false contact information likely in violation of the registration agreement and Respondent's failure to respond to the Complainant in this proceeding are additional evidence of bad faith.

The Panel finds that Complainant has established the third element of paragraph 4(a) 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 <selectmillk.com> be transferred to Complainant.

/Jeffrey D. Steinhardt/
Jeffrey D. Steinhardt
Sole Panelist
Date: January 26, 2026