

ADMINISTRATIVE PANEL DECISION

DX Network Services Limited v. Mike Rose

Case No. D2025-5350

1. The Parties

The Complainant is DX Network Services Limited, United Kingdom (“UK”), represented by Howes Percival LLP, UK.

The Respondent is Mike Rose, United States of America.

2. The Domain Name and Registrar

The disputed domain name <dxdeliveryexpress.com> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 19, 2025. On December 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 23, 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 (Registration Private/REDACTE FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 26, 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 amended Complaint on January 7, 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 5, 2026.

The Center appointed Mihaela Maravela as the sole panelist in this matter on February 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

According to information in the Complaint, the Complainant is a provider of parcel exchange and delivery services. In addition to domestic delivery services in the UK, it operates an international delivery service in partnership with other distribution and delivery companies. It has operated its services since around 2004.

The Complainant has provided evidence that it is the owner of the registered trademarks for DX and DX DELIVERY, including, but not limited to the following:

- UK trademark registration No. 00900151928 for DX (word), registered on May 25, 1999, for services in international classes 38 and 39;
- UK trademark registration No. 00912957189 for DX DELIVERY (word), registered on October 31, 2014, for goods and services in international classes 9, 38, and 39; and
- European Union trademark registration No. 011471042 for DX (logo with stylized letters in light blue and dark blue), registered on June 25, 2013, for goods and services in international classes 9, 20, 38, 39, and 40.

The Complainant operates its main website under the domain name <dxdelivery.com>, where it advertises its services. This website displays the Complainant's DX logo with stylized letters in light blue and dark blue.

The disputed domain name was registered on July 9, 2025 and it resolves to a website that hosts content that impersonates the Complainant and its official website, advertising logistics, distribution, and packaging services while displaying a prominent DX logo with stylized letters in light blue and dark blue that is virtually identical to the Complainant's logo.

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 its trademark DX is clearly recognizable within the disputed domain name, with the addition of the terms "express", which is used for quicker delivery services than usual, and the term "delivery", which is descriptive and does nothing to differentiate the disputed domain name from the Complainant's trademarks. The disputed domain name is also confusingly similar to the Complainant's DX DELIVERY mark.

As regards the second element, the Complainant submits that it has not licensed or authorized the Respondent to use the Complainant's trademarks or logo or to register the disputed domain name. Further, to the best of the Complainant's knowledge, information and belief, there is no evidence that the Respondent has been commonly known by the disputed domain name or any sign similar to the Complainant's trademarks. The Respondent is using the disputed domain name to resolve to a website offering the same type of services as the Complainant's official website, displaying the Complainant's logo, therefore the Respondent is taking advantage of the similarity between the Complainant's trademarks and logo and the disputed domain name for commercial gain.

With respect to the third element, the Complainant argues that it is a leading provider of delivery solutions and courier and logistical services, having delivered millions of items for public and private sector companies to businesses and individuals nationwide. The Complainant's trademarks have been registered for years before the registration of the disputed domain name. Therefore, the Complainant submits that it is almost impossible that the Respondent was unaware of the Complainant's business and its ownership/use of the DX and DX DELIVERY trademarks prior to the registration of the disputed domain name. The services offered from the disputed domain name include shipping and freight delivery, which are identical to the services offered by the Complainant and those covered by its trademarks. Also, the website at the disputed domain name has a similar look and feel with the Complainant's webpage at "www.dxdelivery.com", displaying the Complainant's logo on the homepage and a similar white background. Also, the Complainant has previously filed two successful UDRP complaints where the registrant of the disputed domain names appears to be the same individual as the Respondent (*DX Network Services Limited v. Mike Ross*, WIPO Case No. [D2024-1492](#) and *DX Network Services Limited v. Mike Ross*, WIPO Case No. [D2024-3014](#)), thereby engaging in a pattern of bad faith conduct.

B. Respondent

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

6. Discussion and Findings

No response has been received from the Respondent in this case. The Center has employed the required measures to achieve actual notice of the Complaint to the Respondent, in compliance with the Rules, paragraph 2(a), and the Respondent was given a fair opportunity to present its case. Accordingly, the Panel considers it can proceed to determine the Complaint based on the statements and documents submitted by the Complainant as per paragraph 15(a) of the Rules. The applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence", and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.2. Concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations in the Complaint as true. [WIPO Overview 3.0](#), section 4.3.

Even if the Respondent has not replied to the Complainant's contentions, the Complainant still bears the burden of proving that all requirements are fulfilled. To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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.

The Panel has taken note of the [WIPO Overview 3.0](#), and, where appropriate, will decide consistently with the consensus views stated therein.

A. Identical or Confusingly Similar

Under paragraph 4(a)(i) of the Policy, the Complainant must prove that it has rights to a trademark, and that the disputed domain name is identical or confusingly similar to that trademark. This first element under the Policy functions primarily as a standing requirement. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of the trademarks DX and DX DELIVERY for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

As regards the second limb of the first element, the test for confusing similarity involves a reasoned but relatively straightforward comparison between the trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7. It is well established that the generic Top-Level Domains (“gTLDs”) may be ignored when assessing the confusing similarity between the disputed domain name and the Complainant’s trademark as they are viewed as a standard registration requirement. See section 1.11.1 of the [WIPO Overview 3.0](#).

The entirety of the marks DX and DX DELIVERY are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, “delivery” and “express”, or “express”) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

The Complainant asserts that it has not granted the Respondent any license to use the disputed domain name. There is no evidence that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services or that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name. Rather, according to the unrebutted evidence put forward by the Complainant, the Respondent is using the disputed domain name for a webpage, displaying a DX logo that is virtually identical to the Complainant’s logo, mimicking the Complainant’s official website and pretending to offer similar services as those of the Complainant. Under these circumstances, the Respondent’s website cannot be considered a bona fide offering of goods or services under the Policy, as it intentionally creates confusion the Complainant, its trademarks, and business.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Also, there is no evidence that the Respondent is commonly known by the disputed domain name. The Panel notes that the Respondent's name, as provided in the Registrar verification, does not correspond to any of the terms in the disputed domain name.

By not replying to the Complainant's contentions, the Respondent has failed to invoke any circumstances which could demonstrate any rights or legitimate interests in the disputed domain name.

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.

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.

The disputed domain name was registered many years after the Complainant obtained registration of its DX and DX DELIVERY trademarks. The disputed domain name is confusingly similar to the Complainant's trademarks. The disputed domain name is used for a website impersonating the Complainant, displaying a DX logo that is virtually identical to the Complainant's logo and allegedly offering similar services to those of the Complainant. Under these circumstances, the Panel finds that the Respondent was aware of the Complainant's trademark at the registration of the disputed domain name and sought to take advantage of it.

As regards the use, according to the un rebutted evidence submitted by the Complainant, the Respondent is using the disputed domain name to resolve to a website imitating the website of the Complainant including the use of a DX logo with stylized letters in light blue and dark blue. The content of the Respondent's website, which intentionally generates confusion and targets the Complainant and its trademark for commercial gain, the complete absence of any information about the lack of relationship with the Complainant and its trademark, together with the other circumstances of this case, indicate the registration and use in bad faith of the disputed domain name.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off, or other types of fraud) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Also, there appears to be a pattern of abusive registration by the Respondent, as the un rebutted evidence in the case file shows that the Respondent was involved in at least two previous UDRP proceedings where similar facts caused the UDRP panels to decide in favor of the same Complainant (see section 5). This fact also supports a finding of bad faith under paragraph 4(b)(ii) of the Policy, referring to a respondent registering "the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct".

Therefore, having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitutes 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 <dxdeliveryexpress.com> be transferred to the Complainant.

/Mihaela Maravela/

Mihaela Maravela

Sole Panelist

Date: February 12, 2026