

ADMINISTRATIVE PANEL DECISION

Incaendum Initiative Corporation dba Sonic Fire Tech v. Name Redacted Case No. D2026-0134

1. The Parties

Complainant is Incaendum Initiative Corporation dba Sonic Fire Tech, United States of America (“United States”), internally represented.

Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <sonicfiiretech.com> (the “Disputed Domain Name”) is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 13, 2026. On January 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 16, 2026, 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 / Registration Private) and contact information in the Complaint. The Center sent an email communication to Complainant on January 19, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant did not amend its complaint.

The Center verified that 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”).

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 Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case.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. FAST-12785241 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 January 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 16, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on February 18, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on March 3, 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 relies on unregistered (common law) trademark rights in the name SONIC FIRE TECH. These common law rights arise from continuous, extensive, and public commercial use of the SONIC FIRE TECH mark as a source identifier for its fire protection services, including through its website at the domain name <sonicfiretech.com>.

The Disputed Domain Name was registered on December 5, 2025 and has been used to send fraudulent emails impersonating Complainant's employees.

5. Parties' Contentions

A. Complainant

Complainant contends that it has used the SONIC FIRE TECH mark continuously and extensively in commerce in the United States in connection with fire protection and related services for many years. Complainant further contends that the SONIC FIRE TECH Mark is used as Complainant's primary business identifier, including on its official website located at the domain name <sonicfiretech.com>, in customer communications, marketing materials, invoices, proposals, and contractual documents.

Complainant further contends that as a result of this longstanding and consistent commercial use, the SONIC FIRE TECH mark has acquired secondary meaning and distinctiveness and functions as a source identifier uniquely associated with Complainant and its services.

Complainant further contends that the Disputed Domain Name is confusingly similar to the SONIC FIRE TECH mark. The Disputed Domain Name differs from the SONIC FIRE TECH mark only by the insertion of an additional letter "i" in the word "fire", a minor typographical alteration that does not avoid confusion and constitutes classic typosquatting.

Complainant submits that Respondent is not affiliated with Complainant in any way, has not been authorized, licensed, or otherwise permitted to use the SONIC FIRE TECH mark, and is not commonly known by the Disputed Domain Name.

Complainant further submits that Respondent has not made, and is not making, any bona fide offering of goods or services under the Disputed Domain Name. Instead, Respondent has used the Disputed Domain Name solely for the purpose of impersonating Complainant in email communications.

Complainant further submits that Respondent copied Complainant's legitimate email signature format, including Complainant's business name, titles, and branding, and used this information in correspondence originating from the Disputed Domain Name in order to misrepresent itself as Complainant. Such use cannot constitute a legitimate noncommercial or fair use of the Disputed Domain Name.

Complainant alleges that, after registering the Disputed Domain Name on December 5, 2025, Respondent used the Disputed Domain Name to send impersonation emails to one of Complainant's clients.

Respondent further listed Complainant's legitimate domain name in the "Organization" field of the registration details of the Disputed Domain Name, reinforcing the false impression the Disputed Domain Name was affiliated with or authorized by Complainant.

Complainant further alleges that such conduct constitutes bad faith registration and use under paragraph 4(b)(iv) of the Policy, as Respondent intentionally attempted to attract and deceive third parties for commercial gain by creating a likelihood of confusion with the SONIC FIRE TECH mark and with Complainant's domain name as to the source, sponsorship, affiliation, or endorsement.

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name is identical or confusingly similar to the SONIC FIRE TECH mark in which Complainant has rights; and,
- ii) that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and,
- iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

Based on the un rebutted record presented, the Panel finds Complainant has established unregistered trademark rights in the SONIC FIRE TECH mark (the "SONIC FIRE TECH Mark") for the purposes of the Policy. In this respect, the Panel finds that the mark has, through use, become a distinctive identifier, which consumers associate with Complainant's goods and services through the use of its website since at least 2024. Further, the fact that Respondent is shown to have been targeting Complainant's SONIC FIRE TECH Mark based on the manner in which the mark is used in furtherance of the fraudulent email scheme, in the circumstances of this case, supports Complainant's assertion and evidence that its mark has achieved significance as a source identifier. [WIPO Overview 3.1](#), section 1.3.

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 SONIC FIRE TECH Mark and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The entirety of the SONIC FIRE TECH Mark is reproduced within the Disputed Domain Name with the addition of the extra letter “i” to the word “fire”. Accordingly, the Disputed Domain Name is confusingly similar to the SONIC FIRE TECH Mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 Respondent may demonstrate rights or legitimate interests in the Disputed Domain Name.

Paragraph 4(c) of the Policy allows three nonexclusive methods for the Panel to conclude that Respondent has rights or legitimate interests in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the SONIC FIRE TECH Mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that respondent lacks rights or legitimate interests in a Disputed Domain Name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of respondent. As such, where complainant makes out a prima facie case that respondent lacks rights or legitimate interests, the burden of production on this element shifts to respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name (although the burden of proof always remains on complainant). If respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds 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.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here a fraudulent phishing scam and passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

(i) circumstances indicating that you [Respondent] have registered or have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the SONIC FIRE TECH Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or

(ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the SONIC FIRE TECH Mark from reflecting the SONIC FIRE TECH Mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the SONIC FIRE TECH Mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

In the present case, the Panel finds that Respondent has clearly targeted Complainant when it registered the Disputed Domain Name. It has solicited Complainant's customers using confusingly similar email addresses based upon the Disputed Domain Name. The Panel further finds that Respondent has registered and uses the Disputed Domain Name in bad faith, as envisaged in paragraph 4(b)(iv) of the Policy.

Panels have further held that the use of a domain name for illegitimate activity, here claimed as a fraudulent phishing scam and passing off constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

The Panel finds that 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 <sonicfiiretech.com> be transferred to Complainant.

/Richard W. Page/

Richard W. Page

Sole Panelist

Date: March 17, 2026