

ADMINISTRATIVE PANEL DECISION

Mailosaur Ltd v. Nathaniel Waters

Case No. D2026-0237

1. The Parties

The Complainant is Mailosaur Ltd, United Kingdom, internally represented.

The Respondent is Nathaniel Waters, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <mailosaur.xyz> is registered with IONOS SE (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 21, 2026. On January 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 22, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 23, 2026, 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 January 23, 2026.

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 January 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 16, 2026. The Response was filed with the Center on February 15, 2026. The Center informed the Parties it would proceed with panel appointment on February 17, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on February 23, 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 company based in the United Kingdom which provides software and technology services. From its website at <mailosaur.com>, these appear to be mainly email, SMS and user action testing services, such as sign-up testing, password resetting and authentication.

The Complainant's business was founded in 2012. From information included in the response, the Complainant's X account has 188 followers; its Instagram account has 22 followers and its YouTube account has 114 subscribers.

In addition to <mailosaur.com>, the Complainant has over 50 other domain names based on "mailosaur". For example, <mailosaur.co.uk>, <mailosaur.email> and <mailosaur.help>. As the Respondent points out, however, at least 21 of these were registered in December 2025 and many do not resolve to an active website.

The Complainant has a registered trademark in the United Kingdom, number UK00003184493, MAILOSAUR, which has been registered with effect from September 8, 2016, in respect of "software testing; test automation; email testing; test email addresses; email quality assurance; transactional email testing" in International Class 42.

According to the Whois Report, the disputed domain name was registered on January 2, 2024.

The disputed domain name has not resolved to an active website. There is evidence, however, that an email account has been configured using the Simple Login service at "www.simplelogin.co" which is promoted as allowing users to send and receive emails anonymously. The Simple Login website promotes its service as a provider of email aliases. According to the website, the service has been recommended (amongst other things) by a *New York Times* article: Thorin Klosowski, 'How a Burner Identity Protects Your Inbox, Phone and Credit Cards' published on June 28, 2021.

5. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of a disputed domain name, the Complainant must demonstrate each of the following:

- (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.

Paragraph 15(a) of the Rules directs the Panel to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.

A. Identical or Confusingly Similar

The first element that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, the Complainant's trademark rights.

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 WIPO Panel Views on Select UDRP Questions, Third Edition, (["WIPO Overview 3.1"](#)), section 1.7.

The Complainant has proven ownership of the registered trademark identified in Section 4 for MAILOSUR.

The comparison of the disputed domain name to the Complainant's trademark simply requires a visual and aural comparison of the disputed domain name to the proven trademarks. This test is narrower than and thus different to the question of "likelihood of confusion" under trademark law. Therefore, questions such as the scope of the trademark rights, the geographical location of the respective parties, the date they were acquired and other considerations that may be relevant to an assessment of infringement under trademark law are not relevant at this stage. Such matters, if relevant, may fall for consideration under the other elements of the Policy. See e.g. [WIPO Overview 3.1](#), section 1.7.

In undertaking that comparison, it is permissible in the present circumstances to disregard the Top-Level Domain ("TLD") component as a functional aspect of the domain name system. [WIPO Overview 3.1](#), section 1.11.

Disregarding the ".xyz TLD, the disputed domain name consists only of the Complainant's registered trademark. Accordingly, the Panel finds that the Complainant has established that the disputed domain name is identical with the Complainant's trademark and the requirement under the first limb of the Policy is satisfied.

B. Registered and Used in Bad Faith

In the circumstances of this case, it is appropriate to consider the third requirement under the Policy next.

Under the third requirement of the Policy, the Complainant must establish that the disputed domain name has been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g. *Group One Holdings Pte Ltd v. Steven Hafto* WIPO Case No. [D2017-0183](#).

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

The Complainant points out that the disputed domain name was registered many years after the Complainant registered its trademark and long after the Complainant established its business and reputation. The Complainant contends that its trademark is distinctive and in "the absence of any plausible alternative meaning, it is inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant and its trademark." The Complainant also points to the way the disputed domain name has been configured using the Simple Login service which, according to the Complainant, gives rise to a serious risk of abuse including the potential for email-based impersonation or that Internet users may believe there is a false association between the Complainant and the user of the disputed domain name.

The Respondent denies knowledge of the Complainant or its trademark. According to the Respondent, the disputed domain name is a portmanteau of two common English words. Further the disputed domain name was registered as a "generic sounding, easy to verbally communicate Domain Name for personal email."

Further still, the Respondent says he has just used the disputed domain name in connection with his own private, non-commercial, email needs.

The Panel is not entirely convinced that “saur” is a common English word by itself although plainly it is part of the ordinary English word “dinosaur” and adjectival forms such as “saurian” are dictionary words.

The Panel accepts, therefore, that “mailosaur” as a combination is unusual and distinctive. There is no such thing as a “mailosaur” so far as the Panel is aware and the term, as a combination, has significance only as the Complainant’s coined term and trademark.

The Panel also accepts that the global nature of the Internet means the geographical separation of the two parties does not preclude a finding of registration and use in bad faith.

On the other hand, while the Complainant claims to have developed a substantial and valuable reputation and goodwill, the Complainant has not advanced evidence to support that. The evidence provided by the Respondent about the size of the Complainant’s social media following does not suggest the Complainant’s trademark is so well-known that it must have been copied.

Further, the Respondent likens the Simple Login service (which is a service made publicly available by a third party) as similar to the “hide my email” service offered by Apple Inc. for example. As the Simple Login website and the New York Times article point out, such services can be used legitimately to shield an email account against spam and other unwanted abuse.¹

So far as the evidence before the Panel shows, the Respondent appears to have consistently used the disputed domain name since its registration for his personal email; for example, in communications with the Registrar, an insurance company, a gas (or other energy) utility and a gym membership.

There is no evidence before the Panel that the disputed domain name has been used to misleadingly divert custom from the Complainant to the Respondent or some service provided by, or otherwise associated with, the Respondent.

In these circumstances, the Panel finds that the disputed domain name has not been used subsequent to registration in bad faith.

Accordingly, as the requirements under this limb of the Policy are conjunction the Complainant has not established the third requirement under the Policy. As a result, the Complaint must fail.

C. Rights or Legitimate Interests

As the Complaint must fail, no good purpose would be served by considering second requirement.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.1](#), section 4.16.

This case does not present itself as a case of reverse domain name hijacking. Apart from anything else, there does not appear to have been any public use of the disputed domain name known to the Complainant from which it could ascertain the purpose of the disputed domain name.

¹ See e.g. <https://support.apple.com/en-au/guide/iphone/iphcb02e76f7/ios>.

6. Decision

For the foregoing reasons, the Complaint is denied. The Panel considers, however, that the denial should be without prejudice to the Complainant's ability to reinstitute proceedings if the nature of the Respondent's use changes.

/Warwick A. Rothnie/

Warwick A. Rothnie

Sole Panelist

Date: March 9, 2026