

## **ADMINISTRATIVE PANEL DECISION**

Adaptium, Inc. v. Jason Sousa  
Case No. D2026-1038

### **1. The Parties**

Complainant is Adaptium, Inc., United States of America (“U.S.”), represented by Hawley Troxell Ennis & Hawley LLP, U.S.

Respondent is Jason Sousa, U.S.

### **2. The Domain Name and Registrar**

The disputed domain name <getcallscout.com> (the “Domain Name”) is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 11, 2026. On March 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 11, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Name Redacted for Privacy, Whois Privacy Protection Foundation) and contact information in the Complaint. The Center sent an email communication to Complainant on March 13, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on March 14, 2026, and a subsequent amendment on March 25, 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 Respondent of the Complaint, and the proceedings commenced on March 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2026. Respondent sent email communications to the Center on March 31, April 3, April 17, and April 29, 2026. The Center informed the Parties it would proceed with Panel Appointment on April 15, 2026.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on April 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.

On May 6, 2026, the Panel issued a Procedural Order No.1 requesting additional information from the Parties, including:

(1) Respondent to provide: (i) its reasons for selecting "Callscout" as the Domain Name; and (ii) the circumstances surrounding the adoption of the company name "Call Scout LLC", including its relationship with this company, and the third party that submitted the name change request; and

(2) Complainant to submit evidence of its use of the term "Callscout" predating the registration of the Domain Name.

The email submissions were received from the Parties between May 6 and May 19, 2026 in response to the Procedural Order No.1.

#### **4. Factual Background**

Complainant is an Idaho corporation that provides custom software and automation systems, including automated telephone call screening services. Complainant is the owners of U.S. registered trademark number 4817739 for the CALLSCOUT service mark, registered on September 22, 2015, with a first use date in commerce of July 21, 2003. Complainant also operates a website at "www.callscout.com".

The Domain Name was registered on September 8, 2025, and resolves to a website that promotes a multi-line AI-powered dialing and lead management platform designed for sales teams, telemarketers, and real estate agents, offering various subscription plans.

#### **5. Parties' Contentions**

##### **A. Complainant**

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

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant's service mark; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has a trademark registration for CALLSCOUT and that Respondent registered and is using the Domain Name with the intention to confuse Internet users looking for bona fide and well-known "Callscout" services.

Complainant notes that it has no affiliation with Respondent, and that Respondent redirects users to a website that offers telephone screening services that Complainant alleges, are identical to and compete with Complainant's services.

Complainant further contends that Respondent is using the Domain Name as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the Domain Name. Further, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights.

In response to the Procedural Order No.1, on May 13 and May 14, 2026 respectively, Complainant submitted a declaration, under penalty of perjury, under the laws of the U.S. and the State of Idaho from the Founder and Chief Executive Officer of Complainant, indicating the first-use date via interstate commerce was in 2003 as stated in Complainant's U.S. registered trademark number 4817739 for the CALLSCOUT service mark, with supporting evidence showing Complainant's use of Callscout prior to the registration of the Domain Name.

## **B. Respondent**

Respondent sent a couple of emails to the Center, including a name change request of Lumina Bridge LLC (formed on May 22, 2024) to Call Scout LLC on November 28, 2025, in the state of Wyoming, and an official certificate of the name change issued on December 16, 2025, but did not formally reply to Complainant's contentions.

In response to the Procedural Order No.1, Respondent sent emails to the Center on May 6 and May 16, 2026 respectively, indicating that it would remove the website at the Domain Name and the website at the Domain Name had been taken down.

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name was registered and are is being used in bad faith.

Section 4.3 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("[WIPO Overview 3.1](#)") states that a respondent's default (i.e. failure to submit a formal response) would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case, Respondent has failed to formally respond to the Complaint, and had indicated that he will relinquish the Domain Name, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

### **A. Identical or Confusingly Similar**

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.1](#), section 1.2.1.

Complainant has provided evidence of its rights in the CALLSCOUT trademark, as noted above under section 4. Complainant has therefore proven that it has the requisite rights in the CALLSCOUT trademark.

With Complainant's rights in the CALLSCOUT trademark established, the remaining question under the first element of the Policy is whether each of the Domain Names, typically disregarding the Top-Level Domain ("TLD") in which it is registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademark.

Here, the Domain Name is confusingly similar to Complainant's CALLSCOUT trademarks. The CALLSCOUT trademark is recognizable in the Domain Name. In particular, the Domain Name's inclusion of the term "get", before the CALLSCOUT mark in the Domain Name, does not prevent a finding of confusing similarity between the Domain Name and Complainant's CALLSCOUT trademark.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

## **B. Rights or Legitimate Interests**

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. Once a complainant makes out such a prima facie showing, the burden of production under this element shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP. [WIPO Overview 3.1](#), section 2.1.

From the record in this case Complainant asserts that Respondent is not authorized to promote Complainant's services and is not related to Complainant. Respondent is also not known to be associated with the CALLSCOUT trademark and there is no evidence showing that Respondent has been commonly known by the Domain Name.

At the time of filing of the Complaint, Respondent was using the Domain Name to redirect users to a website that promotes a multi-line AI-powered dialing and lead management platform designed for sales teams, telemarketers, and real estate agents, offering various subscription plans and providing services in an industry closely related to that in which Complainant operates. Moreover, the nature of the Domain Name, incorporating the entirety of Complainant's trademark CALLSCOUT with the term "get" may mislead Internet users into believing that the Domain Name is legitimately connected to Complainant and any marketing or other promotional material originated from Complainant.

Apart from the submission of an official document dated December 16, 2025, Respondent has not provided any explanation for its choice of the term "Callscout" in the Domain Name despite the Procedural Order No.1. The document provided by Respondent shows that a company changed its name from Lumina Bridge LLC to Call Scout LLC, with the name change request submitted by a third party on November 28, 2025, after the Domain Name was registered. Respondent failed to clarify its relationship with either the third party or the entity involved. Furthermore, there is no evidence on record indicating that Respondent has ever been commonly known by the Domain Name.

Having reviewed the case file, the Panel finds that Respondent's use of the Domain Name does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use and cannot under the circumstances confer on Respondent any rights or legitimate interests in the Domain Name.

Accordingly, Complainant has provided prima facie evidence supporting its claim that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

## **C. Registered and Used in Bad Faith**

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Names in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered 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; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you 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 complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided evidence to show that registration and use of the CALLSCOUT trademark predates the registration of the Domain Name by more than a decade. Complainant is also established and known in the relevant industry. Therefore, the Panel is of the view that Respondent knew or should have known of the CALLSCOUT trademarks when it registered the Domain Name. See [WIPO Overview 3.1](#), section 3.2.2.

Further, the composition of the Domain Name, which includes Complainant's CALLSCOUT trademark and an additional term “get” before the CALLSCOUT mark in the Domain Name, suggests Respondent knew or should have known of Complainant's rights in the CALLSCOUT trademarks at the time of registration of the Domain Name. In the absence of any explanation from Respondent regarding its choice of the term “Callscout” in the Domain Name, and despite Respondent's submission of a third party's company name change to Call Scout LLC postdating the registration of the Domain Name, the Panel finds that it is more likely than not that Respondent registered the Domain Name with the intention to capitalize on the reputation of Complainant's trademark.

Moreover, Respondent registered and is using the Domain Name to potentially confuse and mislead consumers. In particular, at the time of filing of the Complaint, Respondent was using the Domain Name to redirect users to a website promoting a multi-line AI-powered dialing and lead management platform designed for sales teams, telemarketers, and real estate agents, offering various subscription plans and providing services in an industry closely related to that in which Complainant operates. Internet users or consumers may assume that the Domain Name is legitimately connected to Complainant and any marketing or other promotional material originated from Complainant, and could be deceived. The Panel finds that such use of the Domain Name constitutes bad faith under paragraph 4(b)(iv) of the Policy. The use of the Domain Name may also be disruptive to Complainant's business and potentially damages Complainant's reputation and goodwill.

Accordingly, the Panel finds that Respondent registered and is using the Domain Name in bad faith and Complainant succeeds under 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 Domain Name <getcallscout.com> be transferred to Complainant.

*/Kimberley Chen Nobles/*

**Kimberley Chen Nobles**

Sole Panelist

Date: May 19, 2026