

## **ADMINISTRATIVE PANEL DECISION**

Melaleuca, Inc. v. Donald Morgan  
Case No. D2026-1103

### **1. The Parties**

The Complainant is Melaleuca, Inc., United States of America (“United States”), internally represented.

The Respondent is Donald Morgan, United States.

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

The disputed domain name <melaleucainc.com> is registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 14, 2026. On March 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 19, 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 (Unknown / Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 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 March 24, 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 March 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 16, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on April 21, 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 seller of wellness products. The Complainant has used the MELALEUCA mark in connection with its business since 1985, and provides its goods and services in countries such as the United States, Canada, and Japan. The Complainant has owned and used the domain name <melaleuca.com> for its official website since July 29, 1995. The Complainant also owns the following trademark registrations to the MELALEUCA mark, among others:

- United States Trademark Registration Number 1917518 registered on September 12, 1995;
- Canada Trademark Registration Number 1970631 registered on August 1, 2024; and
- Japan Trademark Registration Number 4242215 registered on February 19, 1999.

Based on the information provided by the Registrar, the Respondent is an individual with an address in the United States.

The disputed domain name was registered on January 22, 2026, used to send email using the Complainant's mark, logo, and address, and resolves to the Complainant's official website at <melaleuca.com>.

#### **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 the disputed domain name contains the MELALEUCA mark in its entirety, and is therefore confusingly similar to the MELALEUCA trademark in which the Complainant has rights.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect.

The Complainant further contends that the Respondent used an email address generated from the dispute domain name (e.g., [...]@melaleucainc.com) to send an email to a potential client, impersonating the Complainant and displaying the Complainant's logo and actual address. The Complainant contends that such use is not legitimate noncommercial or fair use.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant contends that the Respondent's impersonation of the Complainant and attempted phishing constitutes registration and use in bad faith.

## **B. Respondent**

The Respondent did not reply to the 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 the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms – here, "inc" – may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 that 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 3.1](#), 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.

In addition, the Respondent used the disputed domain name in furtherance of attempted fraud, specifically, by impersonating the Complainant and sending a phishing email. Panels have held that the use of a domain name for illegal activity – here, claimed phishing and impersonation/passing off – can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

### **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 the term “melaleuca” is a dictionary word meaning “any of a genus (Melaleuca) of Australian and Southeast Asian trees and shrubs of the myrtle family”. However, the Respondent did not register the dictionary term alone. Instead, the Respondent combined it with the term “inc”, a commonly used abbreviation for “incorporated”, resulting in a domain name that suggests use by, or affiliation with, a corporate entity—specifically, the Complainant.

This inference is supported by the Respondent’s conduct. The evidence shows that the Respondent sent an email to a prospective client of the Complainant while impersonating the Complainant and requesting the establishment of a credit account, a conduct consistent with a fraudulent scheme. In the Panel’s view, it is highly unlikely that the Respondent could have engaged in such impersonation without prior knowledge of the Complainant and its trademark. Rather, the record supports a finding that the Respondent was aware of the Complainant and its mark and deliberately targeted them when registering the disputed domain name, given that the Respondent used the Complainant’s mark, logo, and address in its email signature.

Panels have consistently held that the use of a domain name for illegal activity, including phishing, impersonation, or passing off, constitutes bad faith under the Policy. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record as a whole, the Panel finds that the Respondent’s registration and use of the disputed domain name were in bad faith within the meaning of the Policy.

In addition, the Respondent has redirected the disputed domain name to the Complainant’s official website, which is further evidence to support a finding that the Respondent has registered the disputed domain name to attract, for commercial gain, Internet users to an online location by creating a likelihood of confusion with the Complainant’s mark. [WIPO Overview 3.1](#), section 3.1.4. The redirect to the Complainant’s own website creates confusion among Internet users, which coupled to its use in connection with an email address, misleads them to believe that the disputed domain name is affiliated with the Complainant.

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 <melaleucainc.com> be transferred to the Complainant.

*/Kathryn Lee/*

**Kathryn Lee**

Sole Panelist

Date: April 24, 2026