ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Valero Energy Corporation, Valero Marketing and Supply Company v.
Charles William
Case No. D2026-1432

1. The Parties

Complainants are Valero Energy Corporation and Valero Marketing and Supply Company, United States of America (“United States”), represented by Fasthoff Law Firm PLLC, United States.

Respondent is charles william, United States.

2. The Domain Name and Registrar

The disputed domain name <valerousa.net> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 2, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf.) and contact information in the Complaint. The Center sent an email communication to Complainants on April 10, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainants to submit an amendment to the Complaint. Complainants filed amended Complaints on April 14 and April 17, 2026.

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 Respondent of the Complaint, and the proceedings commenced on April 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 12, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 17, 2026.

The Center appointed Jeffrey D. Steinhardt as sole panelist in this matter on June 1, 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 Valero Energy Corporation is a major business in the transportation fuels sector, with many refineries based in the United States and international operations. Complainants own many registrations for the VALERO marks including, for example, United States Trademark Registration No. 1,314,004, registered in Class 42 on January 8, 1985; United States Trademark Registration No. 3,688,322, registered in Class 40 on September 9, 2009; and United States Trademark Registration No. 2,938,790 (service mark), registered in Class 36 on April 5, 2005.

The disputed domain name was registered April 1, 2026, and does not resolve to an active webpage. The Complainants have submitted evidence that the disputed domain name was used in a fraudulent email scheme.

5. Parties' Contentions

A. Complainants

Complainants aver that Complainant Valero Marketing and Supply Company is wholly owned by Complainant Valero Energy Corporation.

Complainants contend that Respondent used the disputed domain name for a fraudulent email address which also includes the name of one of Complainants' actual employees. Complainants append to the Complaint an email from that allegedly fraudulent address that appears to communicate a request for quotation to one of Complainants' vendors. According to the Complaint, the email was "complete with Valero's corporate logo, a legitimate-looking employee signature block, accurate internal project references, and a fabricated deadline, all designed to deceive the recipient into believing they were communicating with an actual Valero employee. The ultimate objective of this scheme is likely to scam the recipient".

Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

B. Respondent

Respondent did not reply to Complainants' contentions.

6. Discussion and Findings

As an initial matter, the Panel has determined that this case may proceed through consolidation of both Complainants in this single proceeding. See Policy paragraph 10(e).

The Panel finds that Complainants have a specific common grievance against Respondent, and that Respondent has engaged in common conduct that has affected both Complainants in a similar fashion. The Panel finds that permitting this case to go forward with two Complainants favors due expedition, equity and fairness, without any resulting prejudice to Respondent. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.1.

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 a complainant's trademark and the disputed domain name. WIPO Overview 3.1, section 1.7.

Complainants have 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, "usa") may bear on assessment of the second and third elements, the Panel finds the addition of that geographic 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 that the first element of Policy paragraph 4(a) 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 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.

Complainants here have made credible, unopposed allegations describing the use of the disputed domain name to send fraudulent emails that impersonate one of Complainants' employees.

Having reviewed the available record, the Panel finds that Complainants have established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted Complainants' 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 a domain name for illegal activity (here, alleged phishing/identity theft, impersonation, passing off or other types of fraud) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Panel finds that the second element of paragraph 4(a) 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.

In the present case, the Panel notes that Respondent selected and is using the disputed domain name which is confusingly similar to Complainants' well-known VALERO marks to send allegedly fraudulent emails to third parties.

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 3.1, section 3.2.1.

Panels have held that the use of a domain name for illegal activity (here, alleged phishing/identity theft, impersonation, passing off or other types of fraud) constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds that Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Respondent's use of incomplete and false registration details (i.e., a phone number containing digits in excess of the standard 10-digits in the United States telecommunications system) and failure to respond to the Complaint in this proceeding are further indications of bad faith.

The Panel finds that the third element of paragraph 4(a) of the Policy has been established.

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 <valerousa.net> be transferred to Complainant Valero Energy Corporation. [1]

/Jeffrey D. Steinhardt/
Jeffrey D. Steinhardt
Sole Panelist
Date: June 15, 2026

[1] The Complaint did not specify which of the two Complainants should receive the disputed domain name if successful in this proceeding. Since each Complainant has multiple trademarks for VALERO and Complainants state that Valero Energy Corporation is sole owner of Complainant Valero Marketing and Supply Company, the Panel concludes that transfer to either of the companies would be appropriate.