

ADMINISTRATIVE PANEL DECISION

Team Rahal of South Hills, Inc. v. Ariel Vienna Glassman
Case No. D2026-1462

1. The Parties

The Complainant is Team Rahal of South Hills, Inc., United States of America ("United States" or "U.S."), represented by McNees Wallace & Nurick LLC, United States.

The Respondent is Ariel Vienna Glassman, United States.

2. The Domain Name and Registrar

The disputed domain name <bobbyrahalvolvocarsouthhills.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 6, 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 7, 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 (Respondent Information Currently Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 13, 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 April 14, 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 April 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 22, 2026.

The Center appointed William F. Hamilton as the sole panelist in this matter on May 28, 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 operates an automobile dealership and provides automotive maintenance and repair services. The Complainant has carried on business under the BOBBY RAHAL name since at least 1989. The Complainant is the owner of several United States trademark registrations for marks comprising or incorporating the term BOBBY RAHAL (collectively, the “Mark”), including United States Registration No. 4093724, BOBBY RAHAL (standard character mark), registered on January 31, 2012; United States Registration No. 4093672, BOBBY RAHAL and design, registered on January 31, 2012; and United States Registration No. 4111326, BOBBY RAHAL AUTOMOTIVE GROUP and design (with “AUTOMOTIVE GROUP” disclaimed), registered on March 13, 2012. Each registration covers automobile dealership services in International Class 35 and automotive maintenance and repair services in International Class 37, and each claims a date of first use in commerce of December 31, 1989. (Annexes 2 to 4).

The disputed domain name was registered on December 16, 2020. The disputed domain name resolved to a website presenting itself as a Volvo automobile dealership operating under the name “Bobby Rahal Volvo Cars South Hills”, displaying Volvo branding, dealership contact details, vehicle inventory search functions, and service promotions (Annex 5). The record further indicates that the disputed domain name does not presently resolve to an active website, the origin server returning an invalid SSL certificate error.

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.

The Complainant contends that the disputed domain name is confusingly similar to the BOBBY RAHAL trademark, which it incorporates in its entirety, and that the additional terms “volvo cars” and “south hills” are descriptive of the Complainant’s industry and geographically descriptive of the area in which it operates, respectively, and do not avoid a finding of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant states that it has not licensed or otherwise authorized the Respondent to use the Mark or to register the disputed domain name, that the Respondent is not commonly known by the disputed domain name, and that the Respondent is not making a bona fide offering of goods or services or a legitimate noncommercial or fair use, but is instead using the disputed domain name to misleadingly divert consumers by presenting the associated website as that of the Complainant.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant submits that, given the longstanding reputation of the Mark and the composition of the disputed domain name, the Respondent registered it with knowledge of and intent to target the Complainant; that the Respondent has used the disputed domain name to attract Internet users for commercial gain by creating a likelihood of confusion with the Mark as to the source, sponsorship, affiliation, or endorsement of the associated website; and that the Respondent’s conduct disrupts the Complainant’s business and diverts its customers.

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, and the Mark is clearly recognizable within it. Accordingly, the disputed domain name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The disputed domain name also contains the terms "volvo cars" and "south hills". Although these terms may bear on the assessment of the second and third elements, the Panel finds that their addition 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](#), sections 1.8 and 1.9.

The applicable generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and is disregarded for the purposes of assessing confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.11.1.

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.

The disputed domain name combines the Mark with the term “volvo cars”, identifying the brand of vehicles in which the Complainant deals, and the geographic term “south hills”, identifying the area in which the Complainant operates. A domain name so composed effectively impersonates the Complainant and carries a risk of implied affiliation, and cannot constitute fair use. [WIPO Overview 3.1](#), section 2.5.1. The Respondent has, moreover, used the disputed domain name to host a website presenting itself as that of the Complainant. Panels have held that the use of a domain name for impersonation or 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 a domain name in bad faith. These circumstances are non-exhaustive, and other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith.

The disputed domain name was registered in 2020, long after the Complainant acquired its registered rights in the Mark, and its composition, which combines the Mark with the brand of vehicles in which the Complainant deals and the geographic area in which it operates, could not plausibly have been chosen other than with the Complainant in mind. The Panel finds that the Respondent registered the disputed domain name with knowledge of, and to target, the Complainant. [WIPO Overview 3.1](#), section 3.2.1.

The Respondent has used the disputed domain name to host a website presenting itself as a Volvo dealership operating under the Complainant's name, thereby intentionally attempting to attract Internet users for commercial gain by creating a likelihood of confusion with the Mark as to the source, sponsorship, affiliation, or endorsement of that website, within the meaning of paragraph 4(b)(iv) of the Policy. Such use, amounting to impersonation and passing off, further evidences bad faith. [WIPO Overview 3.1](#), section 3.4.

The fact that the disputed domain name does not presently resolve to an active website does not alter this conclusion, considering the Respondent's prior use of the disputed domain name and the absence of any good-faith explanation or Response.

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 <bobbyrahalvolvocarssouthhills.com> be transferred to the Complainant.

/William F. Hamilton/
William F. Hamilton
Sole Panelist
Date: June 10, 2026