

## **ADMINISTRATIVE PANEL DECISION**

Carvana, LLC v. Okosa Leonard  
Case No. D2026-1492

### **1. The Parties**

The Complainant is Carvana, LLC, United States of America (“US”), internally represented.

The Respondent is Okosa Leonard, Nigeria.

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

The disputed domain name <carvanacarsusa.com> is registered with Spaceship, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 8, 2026. On April 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 10, 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 (Luxivo Luxury Cars) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 10, 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 amended Complaint on the same date.

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 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 sent email communications to the Center on April 10, 2026, and April 16, 2026.

The Center appointed Vincent Denoyelle as the sole panelist in this matter on May 13, 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 an American e-commerce platform for buying and selling used cars.

The Complainant is the owner of several CARVANA trade marks including the following:

- US Trade Mark Registration CARVANA No. 4,328,785, registered on April 30, 2013; and
- US Trade Mark Registration CARVANACARE No. 4,971,997, registered on June 7, 2016.

The disputed domain name was registered on January 26, 2026 and resolved to a website used for services in direct competition with the Complainant. The disputed domain name does not currently resolve to an active website.

#### **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 incorporates its entire CARVANA trade mark and is confusingly similar to the Complainant's CARVANA trade mark.

The Complainant asserts that the Respondent is not authorized by the Complainant to use its CARVANA trade mark and that there is no evidence suggesting that the Respondent is known under the disputed domain name. The Complainant contends that the disputed domain name serves as bait to attract customers to the Respondent's website.

The Complainant submits that its CARVANA trade mark is well-known, including by reference to previous decisions under the Policy supporting that view, and that it is inconceivable that the Respondent would not have been aware of the CARVANA trade mark when it registered the disputed domain name. The Complainant considers that the Respondent registered and is using the disputed domain name to intentionally attempt to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's CARVANA trade mark, thereby trading on and impairing Complainant's established goodwill.

##### **B. Respondent**

The Respondent did not formally reply to the Complainant's contentions but sent two informal communications to the Center, the first one on April 10 stating: "I do not understand what this is. All I did was buy a domain for someone who requested it and wanted a website because I am a developer if you want the domain just take it", and a second one stating "[l]et's explore settlement talks, how can I give you the domain?".

## 6. Discussion and Findings

### Preliminary Issue – Respondent Identity

The Respondent's informal communication indicates that the Respondent registered the disputed domain name for someone else.

The Panel notes that paragraph 1 of the Rules defines "Respondent" as "the holder of a domain-name registration against which a complaint is initiated" and that the appointed panel retains discretion to determine the respondent against which the case should proceed.

Considering the circumstances of this proceeding, in particular, the fact that the Respondent did not disclose the beneficial holder's identity and there is no evidence on the existence and nature of such relationship with a third party, the Panel finds that "Okosa Leonard" is the Respondent in this proceeding.

### 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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the CARVANA trade 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, "cars" and "usa", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the CARVANA trade 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.

The Complainant has stated that the Respondent does not own any rights in the term “carvana” or “carvanacarsusa” and that the Complainant has never licensed or authorized the Respondent to use the CARVANA trade mark. There is no evidence that the Respondent is commonly known by the disputed domain name.

The disputed domain name used to direct to a website in direct competition with the Complainant in a deliberate attempt to divert traffic and commercial interest to the Respondent, away from the Complainant. This type of use is intrinsically illegitimate and cannot be seen as a legitimate noncommercial or fair use of the disputed domain name nor can it be seen as a bona fide offering of goods or services.

The fact that the disputed domain name was allegedly registered on behalf of the Respondent’s client, without any evidence or explanation in this respect, does not change the findings of the Panel.

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.

The disputed domain name is confusingly similar to the trade mark CARVANA of the Complainant and this cannot be a coincidence given that (i) the trade mark CARVANA of the Complainant is not a descriptive or common term, (ii) the Complainant has substantiated, including by reference to previous decisions under the Policy, that the CARVANA trade mark is distinctive and well-known in its industry, (iii) the CARVANA trade mark was registered several years before the disputed domain name and (iv) the targeted choice of words added to the CARVANA trade mark in the disputed domain name as “cars” refers to the exact type of product offered on the Complainant’s e-commerce platform and “usa” to the Complainant’s primary market.

Thus, the Panel finds that the disputed domain name was registered in bad faith.

As for use of the disputed domain name in bad faith, the Panel is satisfied that it is used in bad faith.

The disputed domain name used to direct to a website in direct competition with the Complainant and the Panel thus considers that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant’s trade mark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website or of a product on the Respondent’s website. The Respondent cannot hide behind the unsubstantiated claim that it registered the disputed domain name on behalf of a client.

As for the current inactive content associated with the disputed domain name, panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant’s trade mark and the prior use of the disputed domain name, and finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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 <carvanacarsusa.com> be transferred to the Complainant.

*/Vincent Denoyelle/*

**Vincent Denoyelle**

Sole Panelist

Date: May 27, 2026