

ADMINISTRATIVE PANEL DECISION

Wastequip, LLC v. Iutfi isik and Francisco Soto
Case No. D2026-1749

1. The Parties

The Complainant is Wastequip, LLC, United States of America (“United States”), represented by Nelson Mullins Riley & Scarborough, LLP, United States.

The Respondents are Iutfi isik, Türkiye, and Francisco Soto, United States.

2. The Domain Names and Registrars

The disputed domain name <toterdumpsterrental.com> is registered with Unstoppable Domains Inc., and the disputed domain name <wastequipdumpsters.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu (together, the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 24, 2026. On April 24, 2026, the Center transmitted by email to the Registrars requests for registrar verification in connection with the disputed domain names. On April 24, 2026, the Registrars transmitted by email to the Center their verification responses, disclosing registrants and contact information for the disputed domain names which differed from the named Respondents (Whois Privacy Protection Foundation and DomainHive LTD) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 27, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file a separate complaint for the disputed domain name associated with a different underlying registrant or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on May 3, 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 the Respondents of the Complaint, and the proceedings commenced on May 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2026. The Respondents did not submit any response within the due date. Accordingly, the Center notified the Respondents' default on May 29, 2026. The Respondent Francisco Soto sent an email communication to the Center on May 29, 2026.

The Center appointed Assen Alexiev as the sole panelist in this matter on June 8, 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 was founded in 1989. It is a North American manufacturer of waste handling equipment.

The Complainant is the owner of the United States trademark WASTEQUIP with registration No. 1866004, registered on December 6, 1994 for services in International Class 40 (the "WASTEQUIP Trademark").

The Complainant is also the owner of the United States trademark TOTER with registration No. 1426599, registered on January 27, 1987 for goods in International Classes 20 and 21 (the "TOTER Trademark").

The details about the dates of registration of the disputed domain names, their Registrars, registrants, and the websites to which they resolve are the following:

| Disputed domain name | Date of registration | Registrar | Registrant | Current use |
|---------------------------|----------------------|------------------------------------------|----------------|-------------------------------------------------------------------------------------------|
| <wastequipdumpsters.com> | December 25, 2025 | Hosting Concepts B.V. d/b/a Registrar.eu | Francisco Soto | resolved to an error page at the time of filing and currently a landing page of Hostinger |
| <toterdumpsterrental.com> | February 20, 2026 | Unstoppable Domains Inc. | lutfi isik | resolves to a landing page of Hostinger |

As apparent from its email address, the Respondent Francisco Soto operates a digital marketing agency based in the United States.

5. Parties' Contentions

A. Complainant

The Complainant claims that the registrants of the two disputed domain names are in fact the same entity or are under common control, and refers to them jointly as "the Respondent".

The Complainant states that the WASTEQUIP Trademark has been used since the 1980s in connection with the marketing and provision of its waste handling equipment products and services, and that the TOTER Trademark has been used for an automated cart system for curb-side garbage collection since the 1960s.

The Complainant states that the disputed domain names are confusingly similar to its WASTEQUIP and TOTER trademarks, because they wholly incorporate these trademarks in combination with the words "dumpster" (a movable waste container) and "rental". The Complainant points out that these terms are directly associated with the Complainant's waste management products and services.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain names, because it is not commonly known by them and has not been authorised by the Complainant to use the WASTEQUIP and TOTER trademarks. The Complainant submits that the Respondent has not used the disputed domain names in connection with a bona fide offering of goods or services, but is only passively holding them.

The Complainant adds that the Respondent has associated email servers with the disputed domain name <toterdumpsterrental.com>. According to the Complainant, this shows that it is more likely than not that the Respondent has registered the disputed domain names with an intention to confuse or defraud the Complainant's employees, clients, or partners by using the disputed domain name in connection with a phishing scheme or a business email compromise (BEC) attack.

The Complainant also submits that the Respondent has engaged in a form of cyber flight, since upon receiving the cease-and-desist letter from the Complainant regarding the disputed domain name <wastequipdumpsters.com>, it registered the disputed domain name <toterdumpsterrental.com> using a different alias and with a different registrar.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. The Complainant states that it has used the WASTEQUIP and TOTER trademarks for decades, as a result of which they have become exclusively associated with it. The Complainant notes that a simple Internet search would have alerted the Respondent of the Complainant's trademarks. In the Complainant's view, there is no plausible explanation for the Respondent's registration of the disputed domain names other than to trade off the goodwill of the Complainant's trademarks or to create a false association with the Complainant. The Complainant submits in this regard that the Respondent has associated email servers to one of the disputed domain names, which indicates an intent to facilitate some form of fraudulent email based use.

The Complainant adds that it sent a cease-and-desist letter to the registrant of the disputed domain name <wastequipdumpsters.com> on February 18, 2026. According to the Complainant, the Respondent's failure to respond to this letter is evidence of its bad faith.

B. Respondents

The Respondents did not formally reply to the Complainant's contentions.

The Respondent Francisco Soto sent an informal email communication to the Center after the due date for Response had passed, whereby it stated (omitting the obscene language):

"Hello

Stop spamming my email. I will be uploading a video on my website that I am pretty sure your client will find interesting. [...]"

6. Discussion and Findings

6.1. Procedural Issue - Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or are under common control, and points out that the disputed domain names were registered within less than three months of each other and that the disputed domain name <toterdumpsterrental.com> was registered only two days after the Complainant sent its cease-and-desist letter on February 18, 2026. The Complainant also submits that the registrant details for the disputed domain name <wastequipdumpsters.com> are falsified. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's consolidation request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names follow a similar naming pattern combining one of the Complainant's trademarks with the word "dumpster(s)", which is related to the Complainant's business, and that the disputed domain name <toterdumpsterrental.com> was registered two days after the Complainant had sent a cease-and-desist letter to the registrant of the other disputed domain name <wastequipdumpsters.com>. Neither of the registrants of the disputed domain name found it necessary to object to the Complainant's consolidation request and to the arguments raised in its support, although one of them sent an informal communication to the Center. Considering this, the Panel is prepared to accept that it is more likely than not that the two disputed domain names are indeed under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2. Substantive Issues

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the WASTEQUIP and TOTER trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the WASTEQUIP Trademark is recognisable within the disputed domain name <wastequipdumpsters.com> and that the TOTER Trademark is recognisable within the disputed domain name <toterdumpsterrental.com>. Accordingly, each of the disputed domain names is confusingly similar to one of these trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "dumpster(s)" and "rental") 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 names and the WASTEQUIP and TOTER trademarks 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 recognised 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 names. 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 names such as those enumerated in the Policy or otherwise. In its only communication in the course of this proceeding, the Respondent chose not to address any of the substantive arguments of the Complainant, but made a vague statement that can be regarded as mildly threatening the Complainant.

The disputed domain names reproduce identically the distinctive WASTEQUIP and TOTER trademarks which the Complainant has used for decades. They also contain the term “dumpster(s)” which is associated with the Complainant’s waste handling business. The Respondent has not provided any plausible explanation for its choice of the disputed domain names or any details about its plans how to use them. The content of its only communication to the Center supports a conclusion that the Respondent has registered and intends to use the disputed domain names in a way that is somehow connected to the Complainant.

Considering the above, and in the absence of any evidence supporting a different conclusion, the Panel accepts that it is more likely than not that the disputed domain names have been registered targeting the Complainant and its trademarks with an intention to exploit their goodwill. Such conduct cannot give rise to rights or legitimate interests in the disputed domain names.

The Panel therefore 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.

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 found that the non-use of a domain name (including a blank or “coming soon” page) 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.

Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent’s registration agreement).

Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa.

Having reviewed the available record, the Panel notes the distinctiveness, long-term use, and reputation of the Complainant's WASTEQUIP and TOTER trademarks, notably in the United States where both Parties seem to be located (the Panel notes in this regard that one of the registrar-confirmed registrant's locations is the United States; further, the Complainant has furnished evidence showing that both disputed domain names are associated with United States IP addresses), the composition of the disputed domain names, which identically reproduce these trademarks in combination with a term closely related to the Complainant's business, and the absence of a response by the Respondent on the substance of the dispute. In light of the combination of these factors, the overall plausibility of any good faith use to which the domain names may be put appears to be low. Therefore, the Panel finds that the registration and non-use of the disputed domain names in the circumstances of this case constitutes bad faith for purposes of 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 names <toterdumpsterrental.com> and <wastequipdumpsters.com> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: June 15, 2026