ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Venture Up Inc. v. Robin Canela, Venture UP Consulting LLC
Case No. D2026-1908

1. The Parties

The Complainant is Venture Up Inc., United States of America ("United States"), represented internally.

The Respondent is Robin Canela, Venture UP Consulting LLC, United States.

2. The Domain Name and Registrar

The disputed domain name <ventureupconsulting.com> is registered with CloudFlare, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 3, 2026. On May 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 5, 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 ("REDACTED FOR PRIVACY") and contact information in the Complaint. The Center sent an email communication to the Complainant on May 5, 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 May 5, 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 May 8, 2026. On the same date, the Respondent requested suspension of the proceedings for the purpose of settlement. On May 13, 2026, the Complainant requested that the case proceed to a decision on the merits.

In accordance with the Rules, paragraph 5, the due date for Response was May 28, 2026. The Response was filed with the Center on May 13, 2026.

The Complainant filed an unsolicited supplemental filing on May 19, 2026, followed by the Respondent's unsolicited supplemental filing on the same day.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on May 27, 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, a company established in Arizona, United States, operates a business consultancy offering team-building services. It is the proprietor of United States Trademark Registration No. 4751275 for VENTURE UP (word mark), registered on June 9, 2015 for services in classes 35 and 41, claiming a date of first use in 1983. The registration disclaims exclusive rights to use of the word element "venture" apart from the mark as shown.[1]

The Complainant operates its primary business website at the domain name <ventureup.com>, for which it provides evidence of use dating to 1998.

The disputed domain name was registered on July 2, 2024. The record reflects that, prior to and at the time of the filing of the Complaint, the disputed domain name resolved to a website operated by "VentureUP Consulting" stating "Empower your business with Innovative Marketing Solutions. Unlock the potential of your business with our cutting-edge marketing strategies tailored to your unique needs and goals." The website contained minimal information aside from a blog post written by the Respondent introducing its services. At the time of this Decision, the disputed domain name did not resolve to an active website. According to the Respondent, the website was deactivated upon notification of the Complaint on May 8, 2026.

On August 19, 2024, the Respondent, a private individual located in Arizona, United States, registered as sole shareholder of an Arizona company established as "Venture UP Consulting LLC".

On March 10, 2026, the Complainant sent the Respondent a cease-and-desist letter, followed by a follow-up letter dated May 3, 2026.

As noted above, the Complaint was filed on May 3, 2026 and notified to the Respondent on May 8, 2026. On that day, the Respondent sent an email to the Complainant offering to transfer the disputed domain name to the Complainant, winding down the Venture UP Consulting LLC entity, ceasing to use the "Venture Up" name in any business activity, and removing all online content related to Venture UP Consulting LLC. The Respondent further stated that his failure to respond to the Complainant's cease-and-desist letters was because the Respondent was not actively monitoring the email address associated with the disputed domain name. As noted above, the Complainant requests a decision on the merits.

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.

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[1] Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in these proceedings. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.8.

Notably, the Complainant contends that it has been engaged in offering team-building and publishing services under the VENTURE UP mark since 1983. The disputed domain name incorporates the mark in its entirety. The addition of the generic term "consulting" does not distinguish the disputed domain name. The dominant portion of the disputed domain name is identical to the Complainant's mark and was registered decades after the Complainant established rights therein. The Respondent is not affiliated with or authorized by the Complainant and is not commonly known as "Venture Up" independent of the Complainant's mark. The disputed domain name has been used in connection with business-related content directed to corporate audiences. There is no evidence that the Respondent operated a legitimate business under the name "Venture Up Consulting" prior to adopting the disputed domain name. Given the identical nature of the disputed domain name and the overlap in services, the Respondent knew or should have known of the Complainant's mark at the time of registration. The Respondent has used the disputed domain name in connection with overlapping consulting-related services. Despite receiving cease-and-desist correspondence, the Respondent has continued to use the disputed domain name without modification or corrective action. The disputed domain name appears in search results alongside the Complainant's business for the same query, reinforcing confusion and diversion of user attention.

The Complainant requests transfer of the disputed domain name.

B. Respondent

The Respondent's contentions may be summarized as follows. The Respondent submitted a good-faith offer to settle these proceedings on May 8, 2026. The Respondent remains willing to transfer the disputed domain name upon execution of a mutual settlement agreement including a release of claims. Since receiving notice of the Complaint, the Respondent states that it has taken the following actions:

"• Removed all website content and DNS records associated with ventureupconsulting.com
• Deleted the WordPress installation hosting the site
• Removed the Google Search Console registration, Google Business Profile, and Google Analytics associated with the domain
• Terminated all email services associated with the domain
• Deleted all social media accounts associated with Venture UP Consulting
• Canceled the registered agent service for Venture UP Consulting LLC
• Initiated wind-down of Venture UP Consulting LLC with the Arizona Corporation Commission
• Confirmed no intention to use the "Venture Up" name in any business activity."

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name. Notably, the Respondent states that the disputed domain name was registered in connection with a legitimate small business venture operated by Respondent and his spouse. The disputed domain name was not registered with any intent to sell, disrupt, or trade on the Complainant's mark. The Respondent was unaware of the Complainant's trademark at the time of registration. The website associated with the disputed domain name was a nascent business presence that was never commercially active. No revenue was generated. No clients were served under the Venture UP Consulting name. The site contained placeholder content that was never fully developed. The cease-and-desist correspondence of March 10, 2026 and May 3, 2026, was directed to an email address that Respondent was not actively monitoring. The Respondent did not see either letter until becoming aware of the UDRP proceeding. Upon becoming aware, the Respondent took immediate remedial action and initiated settlement discussions.

C. The Complainant's Supplemental Filing

On May 19, 2026, the Complainant provided an unsolicited supplemental filing comprising the following:

- Screenshots dated by the Complainant as March 12, 2026 and May 19, 2026 indicate that the user has been blocked from accessing Internet archive images of the website associated with the disputed domain name;

- A third-party shipping service request indicating that the Complainant's previous counsel had directed a shipment to the Respondent on March 20, 2026;
- A video, dated May 12, 2026, of the archived version of the Respondent's website on August 27, 2024;
- Screenshots, dated by the Complainant as May 19, 2026, of the Respondent's VentureUP Consulting accounts on X.com and LinkedIn. In both cases, the accounts displayed the disputed domain name, had a sole follower, and had made no posts;
- Google search results dated May 12, 2026 for the search term "Venture Up Consulting site:ventureupconsulting.com" returning results related to the Respondent's website;
- Google Maps search results for the search term "Venture Up Consulting" dated by the Complainant as April 8, 2026. The search returned two results, namely "Venture Up Consulting" (with a telephone number different from the Respondent contact information provided by the Registrar) and "VENTURE UP Team building - Phoenix" which appears to be the Complainant.

D. The Respondent's Supplemental Filing

The Respondent's supplemental filing of May 19, 2026, comprises the following:

- A screenshot, dated by the Respondent as May 19, 2026, indicating that auto-renewal has been disabled for the registration of the disputed domain name registration, which is due to expire on July 1, 2026;

- A series of screenshots, dated by the Respondent as May 19, 2026, indicating the following:

- LinkedIn company page deleted
- Registrar DNS zone empty notification
- Google Search URL removal request
- Google Maps result showing no active Venture Up Consulting listing
- A Google search for the disputed domain name returning no results
- Internet archive searches showing the Registrar's bot protection block for the date February 23, 2025, and indicating the Respondent's website is offline and inactive as of May 19, 2026
- Deletion of Respondent's X.com account
- Deletion of Respondent's Instagram account
- Deletion of Respondent's Facebook account
- Emails dated May 8, 2026 stating that agent service for Venture UP Consulting LLC entity in Arizona has been discontinued

6. Discussion and Findings

6.1. Procedural Matters: Supplemental Filings

Paragraph 10 of the UDRP Rules vests the panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and also to conduct the proceedings with due expedition.

Paragraph 12 of the UDRP Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case.

Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. See WIPO Overview 3.1, section 4.6.

The Panel has reviewed the Parties' unsolicited Supplemental Filings of May 19, 2026 and finds that they contain information and evidence relevant for the disposition of this case. Under these circumstances, the admission of these Supplemental Filings would not unduly hamper procedural efficiency. Therefore, the Panel admits both Supplemental Filings, while noting that some of the Complainant's materials predate the filing of the Complaint and would not, therefore, ordinarily be admitted. In light of the findings below,

however, the Panel elects to admit all Supplemental Filings but does not consider it necessary to request any additional information from the Parties.

6.2. Substantive Issues

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
(iii) the Respondent has registered and is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

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 Complainant's VENTURE UP 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, "consulting") may bear on assessment of the second and third elements, the Panel finds the addition of such term[s] 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

In light of the finding under the third element, the Panel does not address this element.

C. Registered and Used in Bad Faith

The evidence in the case file as presented does not indicate that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainant's trademark.

The Panel notes that the Complainant's rights in the VENTURE UP mark predate the registration of the disputed domain name by several years. The disputed domain name contains the Complainant's mark in its entirety, followed by the descriptive element "consulting." The Panel further notes that both Parties are located in Arizona, United States which may imply awarenees of each other; on the other hand, the services offered by the Complainant and purported ot be offered by the Respondent are different. For reasons which will be discussed, however, the Panel does not find the available evidence supports a finding that the Respondent registered and used the disputed domain name in bad faith.

The Panel notes that the Complainant's rights to the dominant element of the Complainant's VENTURE UP mark, namely, "venture," have been disclaimed. There is no evidence available to support a finding that the mark, which consists of ordinary words in common use, has sufficient reputation so as to support a finding of bad faith on the part of the Respondent. The Complainant has not provided any evidence that its mark has developed a reputation, for instance, through its promotional activities, recognition in the field or visibility on social media. A Google search by the Panel of the terms "venture up" and "venture up consulting", using a server located in the United States, returned numerous results related to neither Party.

The Policy requires the Complainant to provide evidence that, on balance of probabilities, the Respondent has targeted the Complainant. The record does not contain any facts or circumstances connecting the Respondent to the Complainant's VENTURE UP mark, and the Panel does not believe that the available evidence provides a basis for inferring that such a link exists. There is nothing in the record to indicate that the registration, and future-proposed abandonment, of the disputed domain name was related to the Complainant's mark. The Respondent's website and social media profiles contain neither direct nor indirect reference to the Complainant, its VENTURE UP mark, or its activities. The record does not indicate that the Respondent has sought compensation from the Complainant, nor that it used the disputed domain name to divert Internet users seeking information about the Respondent or otherwise demonstrated bad faith.

The Panel further notes that the Respondent has indicated readiness to transfer the disputed domain name to the Complainant and has provided evidence that it deleted social media profiles and ceased business activities related to the disputed domain name, and has indicated it will not renew the registration of the disputed domain name when it lapses next month. The Respondent's stated condition was that the Complainant agree not to pursue legal claims against it. While Respondent's demonstration of good faith subsequent to the Complaint does not necessarily speak to its intentions at the time of registration, the Complainant's refusal to accept these terms indicates a potential broader grievance.

On the available record, the Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Ingrīda Kariņa-Bērziņa/
Ingrīda Kariņa-Bērziņa
Sole Panelist
Date: June 10, 2026