ARBITRATION
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MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

# ADMINISTRATIVE PANEL DECISION
EDPUZZLE, INC. v. Aliya McGee
Case No. D2026-2023

## 1. The Parties

Complainant is EDPUZZLE, INC., United States of America ("United States"), represented by Ingenias Creaciones, Signos e Invenciones, S.L., Spain.

Respondent is Aliya McGee, United States.

## 2. The Domain Name and Registrar

The disputed domain name <edpuzzle-inc.com> is registered with Wild West Domains, LLC ("Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center ("Center") on May 11, 2026. On May 12, 2026, the Center transmitted by email to Registrar a request for registrar verification in connection with the disputed domain name. On May 12, 2026, Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from that in the Complaint (the Complaint named "Registration Private, Domains By Proxy, LLC"). The Center sent an email communication to Complainant on May 13, 2026, providing the registrant and contact information disclosed by Registrar and inviting Complainant to amend the Complaint. Complainant on May 21, 2026, requested that the Complaint be amended by adding "Aliya McGee" as Respondent.

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 ("Policy"), the Rules for Uniform Domain Name Dispute Resolution Policy ("Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy ("Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on May 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 17, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 30, 2026.

The Center appointed Debra J. Stanek as the sole panelist in this matter on July 2, 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 is a United States corporation that owns several trademark registrations for the mark EDPUZZLE for, among other things educational software, and other software tools related to education, audiovisual content, and managing student information, including:

- European Union Registration No. 018336706, registered on May 5, 2021;

- United States Registration No. 6,178,098, registered on October 20, 2020; and

- United Kingdom Registration No. UK00003584074, registered on June 18, 2021.

The disputed domain name was registered on April 5, 2025.

Both at the time the Complaint was filed and at the time of this Decision, it resolves to a parked page with pay-per-click links. According to the Complaint, Respondent has used the disputed domain name in an email address used to send messages purporting to be from one of its employees.

## 5. Parties' Contentions

### A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

In particular:

- The disputed domain name consists of the EDPUZZLE mark followed by the term "-inc," which simply reinforces a connection with Complainant, which is a corporate entity.

- Respondent is using the disputed domain name to impersonate Complainant. Respondent created an email address using the disputed domain name. That email address was used in email exchanges with customers of Complainant purporting to provide new banking information for payment of Complainant's invoices. The signature block of the email message identifies the individual by name and the title "Edpuzzle Finance AR" above a stylized version of Complainant's mark.

### B. Respondent

Respondent did not reply to Complainant's contentions.

## 6. Discussion and Findings

To prevail under the Policy a complainant must prove, as to the domain name at issue, that: (a) it is identical or confusingly similar to a mark in which the complainant has rights; (b) respondent has no rights or legitimate interests in respect to it; and (c) it has been registered and is being used in bad faith. Policy, paragraph 4(a). A respondent's failure to respond does not automatically result in a finding for the complainant; the complainant continues to have the burden of establishing each element. Rules, Rules, paragraphs 5(f) and 14(a); see also WIPO Overview of WIPO Panel Views on Select UDRP Questions

("WIPO Overview 3.1"), section 4.3. The Panel may, however, draw appropriate inferences from the default. See Rules, paragraph 14(b).

The Panel determines that "Aliya McGee", the registrant disclosed by the Registrar, is the appropriate Respondent. See WIPO Overview 3.1, section 4.4.5 (in cases involving a privacy service, Panel has discretion to determine appropriate respondent).

**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 Complainant's trademark and the disputed domain name. WIPO Overview 3.1, section 1.7.

Complainant has shown rights in respect of its EDPUZZLE mark for purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name is not identical to Complainant's mark; however, it consists of "edpuzzle" followed by the term "-inc". The EDPUZZLE mark is readily recognizable. While the addition of "-inc" may bear on assessment of the second and third elements, the Panel finds its 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, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in proceedings under the Policy is on the complainant, panels have recognized that proving 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 remains on the complainant). If the respondent fails to come forward with relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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. Further, Complainant's evidence is that Respondent used the disputed domain name to pass itself off as an employee of Complainant, apparently in an attempt to divert payments intended for Complainant. Consistent with determinations by other panels, the Panel finds that this use of the disputed domain name cannot confer rights or legitimate interests on 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. The list in paragraph 4(b) is not

exhaustive; 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.

Complainant's evidence shows: Complainant's rights in its EDPUZZLE mark predate registration of the disputed domain name. The disputed domain name combines the EDPUZZLE mark in its entirety followed by the term "-inc," which reinforces a connection with Complainant. More importantly, Respondent's knowledge of Complainant's mark is demonstrated by Respondent's use of the mark in messages purporting to be from an employee of Complainant. Respondent used the disputed domain name intending that Complainant's customer believe Respondent's email communication was from Complainant as part of a deceptive email scheme. The Panel also takes into account Respondent's use of a privacy service and failure to respond in these proceedings. Under these circumstances, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds the third element 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 <edpuzzle-inc.com> be transferred to Complainant.

*/Debra J. Stanek/*
**Debra J. Stanek**
Sole Panelist
Date: July 15, 2026