

ADMINISTRATIVE PANEL DECISION

Traffix Group Inc. v. Andrew Martin
Case No. D2026-2727

1. The Parties

The Complainant is Traffix Group Inc., Canada, represented by ZeroFox, United States of America.

The Respondent is Andrew Martin, United States of America.

2. The Domain Name and Registrar

The disputed domain name <traffixglobal.org> is registered with Sollutium EU sp. z o.o (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 23, 2026. On June 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 25, 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 June 29, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not file any amendment to the Complaint.

The Center verified that 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 July 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 12, 2026.

The Center appointed Clive Duncan Thorne as the sole panelist in this matter on August 14, 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, which was founded in 1979, is a logistics company which operates throughout North America, offering networking, shipping and hauling services. It has 750 employees, over 45 years of trading experience in its field and a network spanning multiple countries. It has invested heavily in time and resources into cultivating a reputation as one of the leading companies within its industry.

The Complainant has registered rights in the trade mark TRAFFIX in multiple jurisdictions. It refers specifically to Canadian trade mark registration TMA1099487 filed on January 23, 2018 and registered on May 4, 2021 in classes 39 and 40.

The Complainant asserts that TRAFFIX is a distinctive coined term with no descriptive meaning independent of the Complainant's business. The mark has been used by the Complainant continuously in commerce for over 45 years in connection with its business of logistics, freight brokerage, and transportation services. As a result, it has accumulated substantial trading goodwill and brand recognition in the mark TRAFFIX.

The Complainant maintains its primary web presence at <traffix.com> which was first registered as a domain name in 1996.

The Respondent registered the disputed domain name <traffixglobal.org> on May 14, 2026. This is after the date of registration of the Canadian trade mark relied upon by the Complainant. The disputed domain name does not currently resolve to an active website. However the Respondent has used it to operate a website which prominently displayed the mark TRAFFIX using a stylized TRAFFIX logo. The Internet user of the website was directed to the Respondent's services by navigation through activity headings including: "Home", "Tracking", "Services", "About" and "Contact". A yellow haulage lorry was depicted as background.

This is evidenced by a screenshot of the Respondent's website which is exhibited at Annex 3 to the Complaint.

The Complainant points out that the Respondent is not affiliated with the Complainant in any way and is not an authorized agent, distributor, or representative of the Complainant.

In the absence of a Response and evidence from the Respondent, the Panel accepts the evidence submitted by the Complainant to be true and determines the Complaint on the basis of the Complainant's evidence.

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:

- i. The disputed domain name <traffixglobal.org> is confusingly similar to the Complainant's trade mark TRAFFIX;
- ii. On the evidence, the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- iii. On the evidence, the disputed domain name was registered and is being used in bad faith.

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. 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, the descriptive term "global", may bear on assessment of the second and third elements, the Panel finds the addition of such term 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 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.

Panels have held that the use of a domain name for illegal activity here, claimed as applicable to this case: copycat sites, passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. In this case, the Panel takes into account the evidence at Annex 3 to the Complaint of the Respondent's screenshot and its use of the Complainant's trade mark TRAFFIX. [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.

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 held that the use of a domain name for illegal activity here, claimed copycat sites, passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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.

In the present case, the Panel notes from the evidence of the Respondent's screenshot that the Respondent would have been aware of the Complainant's use of its trade mark TRAFFIX, the trading goodwill that it had accumulated through long use of the trade mark TRAFFIX for its logistics services and the distinctive nature of the trade mark TRAFFIX. The website established by the Respondent and accessed using the disputed domain name displayed the Complainant's TRAFFIX mark and logo. As the Complainant submits there can be no other plausible basis for the Respondent's decision to register the disputed domain name for use in a similar sphere of trading activity.

The Panel finds that the Respondent's use of the disputed domain name falls within paragraph 4(b)(iv) which identifies evidence of bad faith conduct when the domain name is used to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the complainant's mark. The Panel agrees with the Complainant's submission that this is the position established by the evidence submitted. The Respondent chose to operate a website using the disputed domain name incorporating the trade mark TRAFFIX and which displayed the Complainant's mark TRAFFIX and logo, holding itself out as a freight and logistics operation which is the same sphere of activity as that of the Complainant.

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 <traffixglobal.org> be transferred to the Complainant.

/Clive Duncan Thorne/

Clive Duncan Thorne

Sole Panelist

Date: August 24, 2026