

ADMINISTRATIVE PANEL DECISION

Bardón y Rufo 67, S.L. v. Hans Lempka
Case No. D2026-2875

1. The Parties

Complainant is Bardón y Rufo 67, S.L., Spain, represented by Trebia Abogados, Spain.

Respondent is Hans Lempka, Guernsey, represented by Cylaw Solutions, India.

2. The Domain Name and Registrar

The disputed domain name <malagacars.com> (the “Disputed Domain Name”) is registered with Unstoppable Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 1, 2026. On July 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 2, 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 (Unstoppable Privacy Service LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on July 6, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on July 7, 2026, which is referred to hereafter as the “Complaint”, unless the context indicates otherwise.

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 Respondent of the Complaint, and the proceedings commenced on July 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 28, 2026. Respondent sent email communications to the Center on July 21, 23, and 27, 2026, regarding an extension of time to submit a response. Complainant sent an email communication on July 23, 2026, opposing Respondent’s request for an additional 10-day extension to file the Response.

On July 27, 2026, the Center granted the automatic four calendar-day extension for response under paragraph 5(b) of the Rules and further granted an extension of six days under paragraph 5(e) of the Rules. Therefore, the new due date was August 7, 2026. The Response was filed with the Center on August 7, 2026.

The Center appointed Douglas M. Isenberg, José Carlos Erdozain, and Nick J. Gardner as panelists in this matter on September 2, 2026. The Panel finds that it was properly constituted. Each member of 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 states that it “has continuously and notoriously used the trademark MALAGACAR in the Spanish market for more than 20 years, and is the legitimate holder of the principal domain name www.malagacar.com (registered prior to the disputed domain name), through which it markets its vehicle rental services”, that it “has operated under the trade name and distinctive sign ‘Malaga Car’ for an extended period, generating substantial goodwill and a high level of brand recognition in the vehicle rental market of the Málaga area”; and that “it is a widely recognized company with more than 7,600 reviews”. The website using Complainant’s domain name malagacar.com contains the headline, “CAR HIRE MALAGA AIRPORT”, and has a contact address in the city of Malaga, Spain.¹

Complainant also states, and provides documentation in support thereof, that it is the owner of a trademark registration in Spain (No. 2,492,788) for the mark MALAGACAR.COM, which was registered on July 18, 2002, for use in connection with “car rental without driver” (Panel’s unofficial translation from Spanish). This registration is referred to herein as the “MALAGACAR.COM Trademark”.

The Disputed Domain Name was registered on August 22, 2018, and redirects to a website at “<https://www.localrent.com/en/spain/malaga/>”, which contains the headline, “Car rental in Malaga.”

Respondent states that he is “a professional domain name investor based in Castel, Guernsey” who “trades under the name Alpha Domains (alphadomains.com) and has been active in the domain investment industry since at least 2008, with a specific focus on the travel and tourism sector since 2011”; that he “identifies geographic combinations of real place names with travel service descriptors, acquires them through backorder services, and monetises them through affiliate programmes including Travelpayouts, a mainstream and widely-used travel affiliate network”. In support thereof, Respondent provided lists of 24 domain names in his “travel domain portfolio” that he claims “demonstrate[] the entirely systematic and non-targeted nature of his acquisition strategy”; and that “[e]very domain in this portfolio follows the identical formula: a genuine geographic place name combined with a generic travel descriptor”.

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. Notably, Complainant contends, in relevant part, that:

¹ Complainant did not provide a screenshot of its website, but the Panel viewed it pursuant to its authority under paragraph 10 of the Rules, as “it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision”. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.8.

- The Disputed Domain Name is identical or confusingly similar to the MALAGACAR.COM Trademark because it “incorporates the Complainant’s trademark in its entirety and without alteration, with the sole addition of the letter ‘s’ at the end of the name, which, under settled UDRP panel jurisprudence, is irrelevant for purposes of the identity or confusing similarity analysis” and “[t]he transposition of letters in a trademark or the addition of adjacent letters constitutes a textbook case of typosquatting”.
- Respondent has no rights or legitimate interests in the Disputed Domain Name because “Complainant has not granted the Respondent any license, authorization, or permission to use the MALAGACAR.COM trademark or to register any domain name incorporating that sign”; “[t]he Respondent is not, and has never been, associated or affiliated with the Complainant”; “Respondent has not used the domain name in connection with a bona fide offering of goods or services prior to receiving notice of this dispute” because “[o]n the contrary, after acquiring the domain name, the Respondent configured the redirection of Internet traffic from <malagacars.com> to the competing vehicle rental platform <https://www.localrent.com/en/spain/malaga/>, operated by Local Rent, thereby exploiting the Complainant’s goodwill and trademark recognition to divert customers to a competing service”; “Respondent is not commonly known by the domain name ‘malagacars’ and has not acquired any trademark rights in that designation”; “[t]he term ‘malagacars’ has no descriptive or generic meaning in relation to the Respondent’s actual business activity”; and “Respondent makes no legitimate noncommercial or fair use of the domain name” because “[t]he redirection to a competing commercial website demonstrates an unequivocally commercial purpose, wholly inconsistent with any bona fide use”.
- The Disputed Domain Name was registered and is being used in bad faith because “[t]he term ‘malagacars’ is a distinctive combination with no independent generic or descriptive meaning: it refers specifically and exclusively to the Complainant’s trademark and business”; “[g]iven the Complainant’s well-established presence in the Málaga vehicle rental market, it is inconceivable that the original registrant could have registered or acquired <malagacars.com> without knowledge of the Complainant’s prior trademark rights”; “[t]he domain name’s history reveals that it remained inactive for a significant period after its original registration, a pattern characteristic of cybersquatting”; “the disputed domain name was configured to redirect traffic to <https://www.localrent.com/en/spain/malaga/>, an online vehicle rental portal that operates in direct competition with the Complainant in the Málaga market”, which “constitutes a paradigmatic example of bad faith use within the meaning of Paragraph 4(b)(iv) of the Policy”; and “consumer confusion is especially high” because “[t]he Complainant’s own customers habitually refer to its business as ‘malagacars.com’ in their online reviews and ratings, which demonstrates that the domain name functions as an identifier of the Complainant to consumers, as shown in the images submitted”, “[t]he website to which the domain name currently resolves offers vehicle rental services in Málaga without the operator’s name being clearly and immediately visible or identifiable to the average consumer, such that a user accessing <malagacars.com> expecting to find the Complainant’s website may, without realizing it, be dealing with an entirely different company and making a booking through a competing platform” and “[t]here is a high likelihood that actual bookings have been made through the website to which the Respondent’s domain name redirects by consumers who mistakenly believed they were dealing with the Complainant”.

B. Respondent

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the Disputed Domain Name. Notably, Respondent contends, in relevant part, that:

- “The Respondent acknowledges for purposes of paragraph 4(a)(i) only that <malagacars.com> is confusingly similar to the Complainant’s registered trademark MALAGACAR.COM (Spanish Trademark No. M2492788, Class 39).”
- Respondent has rights or legitimate interests in the Disputed Domain Name because “[t]he disputed domain name consists of two elements: ‘Málaga’, a geographic name, and ‘Cars’, the generic English noun for motor vehicles”, which was “registered and used by the Respondent as a descriptive geographic travel domain consistent with his established global portfolio strategy”; redirecting the Disputed Domain Name to “a mainstream car rental booking platform [...] constitutes a bona fide offering of goods or services in

connection with the domain name's descriptive geographic meaning, well before any notice of this dispute"; "investing in domain names consisting of generic or descriptive terms, including geographic terms, can constitute a legitimate interest under paragraph 4(c)(i) of the Policy"; and a previous panel found that the registrant of a nearly identical domain name, <malaga-cars.com>, had rights or legitimate interests because "[t]he descriptive or generic use of 'Malaga cars' is not illegitimate, as it is a common English name for motor vehicles offered for rent in the Malaga area" (Respondent's translation). *Bardón y Rufo 67, S.L. v. ColDen Communications, Nova Hosting / Dragon Group, Tina Cross*, WIPO Case No. [D2012-0941](#).

- Respondent did not register or use the Disputed Domain Name in bad faith because "[a]s confirmed in the Respondent's (Notarized) Declaration [...], he had no knowledge of the Complainant or its trademark at the time of registration in August 2018"; and "[t]he redirect of <malagacars.com> to Localrent.com through the Travelpayouts affiliate account is the Respondent's standard monetisation mechanism applied across his travel portfolio - not a scheme specific to this domain or directed at the Complainant".

Respondent requests that the Panel enter a finding of Reverse Domain Name Hijacking ("RDNH") because, in relevant part:

"The Complainant and Trebia Abogados brought WIPO-[D2012-0941](#) against <malaga-cars.com> and lost on the ground that 'Malaga cars' is a descriptive/generic expression. The same legal firm now brings this Complaint against <malagacars.com>, a domain indistinguishable in its descriptive character. The Complainant has been on notice since 22 July 2012, (fourteen years) that a WIPO panel found 'Malaga cars' to be a legitimate geographic descriptor [...]."

"The Complainant also failed to disclose prior UDRP WIPO-[D2012-0941](#) in its Complaint, despite that proceeding being directly precedent on the central legal question in this case".

6. Discussion and Findings

A. Identical or Confusingly Similar

Based upon the trademark registration cited by the Complainant, it is apparent that the Complainant has rights in and to the MALAGACAR.COM Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the MALAGACAR.COM Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., "malagacars") because "[t]he applicable Top-Level Domain ('TLD') in a domain name (e.g., '.com', '.club', '.nyc') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test". [WIPO Overview 3.1](#), section 1.11.1. However, the Panel is also mindful of this language from [WIPO Overview 3.1](#), section 1.11.1: "Where the applicable TLD and the second-level portion of the domain name in combination contain the relevant trademark, panels may consider the domain name in its entirety for purposes of assessing confusing similarity (e.g., for a hypothetical TLD '.mark' and a mark 'TRADEMARK', the domain name <trade.mark> would be confusingly similar for UDRP standing purposes)." This latter quotation refers generally to situations in which a disputed domain name's top-level domain name forms a part of the trademark (as in <b.mw>, which was found to be confusingly similar to the trademark BMW in *Bayerische Motoren Werke AG v. Masakazu/Living By Blue Co., Ltd.*, WIPO Case No. [DMW2015-0001](#)). Here, however, the issue is not whether to consider the top-level portion of the Disputed Domain Name, but whether to disregard the top-level domain that appears in the relevant trademark. It's an unusual but not difficult issue, for the reasons set forth below.

As set forth in section 1.7 of [WIPO Overview 3.1](#): The test for confusing similarity "typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name [...]. Although each case is judged on its own merits, in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be

considered confusingly similar to that mark". Here, regardless of whether the Panel considers the top-level domain in the Disputed Domain Name when comparing the Disputed Domain Name to the MALAGACAR.COM Trademark, it is apparent that the MALAGACAR.COM Trademark is recognizable in the Disputed Domain Name and that a dominant feature of the MALAGACAR.COM Trademark is recognizable in the Disputed Domain Name. Further, Respondent agrees that the Disputed Domain Name is confusingly similar to the MALAGACAR.COM Trademark.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Complainant has argued that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, "Complainant has not granted the Respondent any license, authorization, or permission to use the MALAGACAR.COM trademark or to register any domain name incorporating that sign"; "[t]he Respondent is not, and has never been, associated or affiliated with the Complainant"; "Respondent has not used the domain name in connection with a bona fide offering of goods or services prior to receiving notice of this dispute" because "[o]n the contrary, after acquiring the domain name, the Respondent configured the redirection of Internet traffic from <malagacars.com> to the competing vehicle rental platform <https://www.localrent.com/en/spain/malaga/>, operated by Local Rent, thereby exploiting the Complainant's goodwill and trademark recognition to divert customers to a competing service"; "Respondent is not commonly known by the domain name 'malagacars' and has not acquired any trademark rights in that designation"; "[t]he term 'malagacars' has no descriptive or generic meaning in relation to the Respondent's actual business activity"; and "Respondent makes no legitimate noncommercial or fair use of the domain name" because "[t]he redirection to a competing commercial website demonstrates an unequivocally commercial purpose, wholly inconsistent with any bona fide use."

[WIPO Overview 3.1](#), section 2.1, states: "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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element."

The Panel finds that the Complainant has established its prima facie case. Accordingly, the Panel considers whether Respondent has presented relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name. Specifically, the Panel considers whether Respondent's use of the Disputed Domain Name is "in connection with a bona fide offering of goods or services" (Policy, para. 4(c)(i)) and/or whether Respondent is "making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue" (Policy, para. 4(c)(iii)).

In many circumstances, using a disputed domain name that is confusingly similar to a complainant's trademark in connection with the same goods or services associated with that trademark is not considered bona fide or fair. However, the facts of this proceeding are atypical because, despite Complainant's registration of the MALAGACAR.COM Trademark, Respondent is using the Disputed Domain Name for its descriptive meaning. Further, while Complainant refers to the "renown" of the MALAGACAR.COM Trademark, Complainant has provided no evidence to support this statement or otherwise demonstrate that the trademark is well-known.

In a decision cited by Respondent, a three-member panel denied transfer of the domain name <guaranteedremoval.com> to the owner of what the panel considered to be a relevant trademark registration for GUARANTEED REMOVALS because the respondent provided documentation that it had used the domain name "to exploit its descriptive connotations and not to exploit any alleged trademark rights of

Complainant". *Erase Technologies, LLC v. Web Presence LLC, NetReputation.com*, WIPO Case No. [D2022-3797](#). And, in another decision cited by Respondent, a three-member panel denied transfer of the domain name <holidaysinspain.travel> to the owner of the Spanish trademark HOLIDAYSINSPAIN.COM (among others) because "[i]n the United Kingdom, where the Respondent is domiciled, the phrase 'holidays in Spain' is merely descriptive". *Viajes Holidaysinspain.com, S.A. v. NORTAQ, Ltd.*, WIPO Case No. [D2006-1480](#).

This Panel considers the *Erase Technologies* and *Viajes Holidaysinspain.com* decisions directly relevant here. By using the Disputed Domain Name in connection with the descriptive meaning of the words that comprise it – that is, by redirecting a domain name containing the word "malaga" and "cars" to a website that offers car rental services in Malaga – Respondent has done nothing more than exploit the descriptive meaning of the Disputed Domain Name. This is both bona fide and fair.

Furthermore, the Panel agrees with Respondent that a previous UDRP decision in a case also filed by Complainant – which Complainant did not cite and, therefore, did not attempt to distinguish from the instant case – is especially relevant here. That case involved the domain name <malaga-cars.com>, which is the same as the Disputed Domain Name here other than the inclusion of a hyphen. The panel there wrote that "use of 'Malaga cars' in a descriptive or generic sense is not illegitimate, since it is a common name in English for the motor vehicles offered for rent in the Malaga area, the language in which the website is written under the disputed domain name" (unofficial translation). *Bardón y Rufo 67, S.L. v. ColDen Communications, Nova Hosting / Dragon Group, Tina Cross*, WIPO Case. No. [D2012-0941](#).

The Panel finds the second element of the Policy has not been established.

C. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the registrant's website or location or of a product or service on the registrant's website or location. Policy, paragraph 4(b).

Here, Complainant argues that bad faith exists pursuant to paragraph 4(b)(iv) as a result of what it calls "a paradigmatic example of bad faith use" based on Respondent's redirection of the Disputed Domain Name to the Local Rent website. As in the Panel's discussion above with respect to rights or legitimate interests, the Panel acknowledges that registering a domain name containing a complainant's trademark and then using it in connection with the same goods or services associated with the trademark will often create a likelihood of confusion and, therefore, bad faith. However, again, the facts here are not typical. In addition to the descriptive nature of the Disputed Domain Name, Respondent has provided a signed declaration in which he says: "The Domain Name was acquired because it represented a natural and commercially valuable combination of a major European tourist city, Malaga, Spain, with the English word 'cars', a generic descriptor for motor vehicle hire services. This combination fits precisely within my established portfolio strategy of registering geographic city names combined with generic travel service terms. At the time of registration in August 2018, I had no knowledge of the complainant's identity, business, or Spanish trademark, and I was not aware of any operator using the 'MalagaCar.com'.com as a brand identifier."

Given the streamlined nature of proceedings under the Policy, the Panel is not in a position to question the veracity of Respondent's declaration. Moreover, given the descriptive nature of the words that comprise the Disputed Domain Name, Respondent's practice of registering tourism-related domain names that consist of a city name plus an activity, and Complainant's registration of a single relevant trademark in a country other than where Respondent is located, Respondent's declaration is credible. While the Panel recognizes that "domainers" such as Respondent may be required to exercise a higher duty of care, "the nature of the domain name" is especially relevant here. [WIPO Overview 3.1](#), section 3.2.2.

As in its evaluation above of rights or legitimate interests, the Panel here is also persuaded by decisions cited by Respondent with respect to bad faith, including *We Buy Cars (Pty) Limited v. Ray Thompson*, WIPO Case No. [D2026-1231](#) (finding no bad faith where respondent used disputed domain name <webuycarscashfast.com>, despite complainant's WEBUYCARS trademark, because, among other things, "[t]he phrase 'we buy cars' is a straightforward description of a car-buying business and is the kind of expression that a person in the United States setting up such a business might naturally register, entirely independently and without any knowledge of a South African company using the same phrase in South Africa").

The Panel finds that the Complainant has not established the third element of the Policy.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at RDNH or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. As set forth in [WIPO Overview 3.1](#), section 4.16:

Reasons articulated by panels for finding RDNH include: (i) facts which demonstrate that the complainant knew it could not succeed as to any of the required three elements – such as the complainant's lack of relevant trademark rights, clear knowledge of respondent rights or legitimate interests, or clear knowledge of a lack of respondent bad faith... such as registration of the disputed domain name well before the complainant acquired trademark rights, (ii) facts which demonstrate that the complainant clearly ought to have known it could not succeed under any fair interpretation of facts reasonably available prior to the filing of the complaint, including relevant facts on the website at the disputed domain name or readily available public sources such as the WhoIs [RDAP] database, (iii) unreasonably ignoring established Policy precedent notably as captured in this WIPO Overview – except in limited circumstances which prima facie justify advancing an alternative legal argument, (iv) the provision of false evidence, or otherwise attempting to mislead the panel, (v) the provision of intentionally incomplete material evidence – often clarified by the respondent, (vi) the complainant's failure to disclose that a case is a UDRP refile, (vii) filing the complaint after an unsuccessful attempt to acquire the disputed domain name from the respondent without a plausible legal basis, (viii) basing a complaint on only the barest of allegations without any supporting evidence.

As stated twice above, this is an unusual case given that, at first glance, it appears appropriate for the Policy in light of the facts that Complainant owns a trademark registration, the Disputed Domain Name is nearly identical to the trademark and Respondent uses the Disputed Domain Name in connection with the same goods or services associated with the trademark. But, of course, the descriptive nature of the Disputed Domain Name means that it is a very weak trademark, and Complainant presented no evidence that Respondent knew, or should have known, of the trademark when it registered the Disputed Domain Name. Complainant provided no documentation regarding the strength of the trademark or any action by Respondent regarding its awareness of the trademark.

Further, Complainant knew – and did not disclose – that it had lost a previous proceeding under the Policy involving an almost identical domain name and facts. *Bardón y Rufo 67, S.L. v. ColDen Communications, Nova Hosting / Dragon Group, Tina Cross*, WIPO Case No. [D2012-0941](#). While Complainant was not obligated to disclose this decision in its Complaint, it should have done so and attempted to argue why it might be distinguishable from the instant proceeding.

Despite the foregoing, the Panel recognizes that many decisions evaluating the applicability of RDNH have concluded that it is applicable where it is apparent that the complaint should not have been filed in the first instance because it was obvious that there was no likelihood of success. See, e.g., *Philip Savino v. Cykon Technology Limited*, WIPO Case No. [D2020-1156](#) (“the Complaint should never have been filed” because of “the long period of several years between the registration of the disputed domain name and subsequent commencement of use of the trademark by the Complainant”); *Energysquare v. Management Team, Easy Property*, WIPO Case No. [D2021-1219](#) (“[t]he Complaint should never have been filed” where “by the time the Respondent was the registrant of the disputed domain name the Complainant was not even founded”); and *Majid Al Futtaim Properties LLC v. Ayman Bajnaid*, WIPO Case No. [D2022-4130](#) (finding RDNH where the complaint contained “feeble arguments”, “seriously overstates its case in many respects” and contained a statement that was “completely false and is not supported by and is contrary to all the evidence”).

Here, despite the weaknesses in the Complaint and the Panel’s decision in this case, the Panel does not conclude that the Complainant should not have been filed. As a result, the Panel does not find that the Complaint has been brought in bad faith in an attempt at RDNH.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Douglas M. Isenberg/
Douglas M. Isenberg
Presiding Panelist

/José Carlos Erdozain/
José Carlos Erdozain
Panelist

/Nick J. Gardner/
Nick J. Gardner
Panelist
Date: September 10, 2026