

ADMINISTRATIVE PANEL DECISION

Associated Newspapers v. Sakata AGENT, dailymailuk
Case No. D2026-2892

1. The Parties

The Complainant is Associated Newspapers, United Kingdom ("UK"), represented by Adlex Solicitors, UK.

The Respondent is Sakata AGENT, dailymailuk, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <dailymailuk.online> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 2, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 3, 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 July 6, 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 July 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 28, 2026.

The Center appointed Rebecca Slater as the sole panelist in this matter on August 3, 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 is an English private limited company incorporated in the UK on April 1, 1905. The Complainant is the management company and publisher of a range of publications in the UK, including two national newspapers, The Daily Mail and The Mail on Sunday. The first edition of The Daily Mail was published in 1896.

The Daily Mail's average UK newspaper readership from July 2019 to June 2021 was over 2 million per issue. The Daily Mail also had the second-highest UK newspaper circulation in December 2025. The Complainant's website at the <dailymail.co.uk> domain name (also known as "MailOnline" and "Daily Mail Online") is among the most-visited websites in the world. The Daily Mail was also reported as the most-read online UK newspaper brand in 2021.

The Complainant owns a number of registered trade marks for DAILY MAIL, including UK Trade Mark Registration No. UK00001207666 for the DAILY MAIL word mark (registered November 22, 1983) and UK Trade Mark Registration No. UK00001355361 for the DAILY MAIL figurative mark (registered August 30, 1991) (the "Trade Mark").

The Respondent did not submit a response, and consequently, little information is known about the Respondent.

The disputed domain name was registered on April 5, 2026. As of the date of the Complaint, the disputed domain name resolved to a Zoho holding page with no substantive content. Mail exchange ("MX") records have been configured for the disputed domain name, indicating it is capable of being used for email communication.

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:

- The disputed domain name is confusingly similar to the Complainant's registered and unregistered trade marks. The disputed domain name wholly incorporates the Trade Mark and differs only by the addition of the term "uk".
- The Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has no association with the Respondent and has never authorized or licensed the Respondent to use the Trade Mark. There is no evidence that the Respondent has: (a) used the disputed domain name for an active website, let alone for a bona fide offering of goods or services; (b) been commonly known by the name comprised in the disputed domain name; or (c) used the disputed domain name for a legitimate noncommercial or fair use, given it has not used the disputed domain name at all.
- The disputed domain name was registered and is being used in bad faith. The totality of the circumstances is indicative of passive holding in bad faith, including: (a) the distinctiveness and fame of the Trade Mark, such that the use of the Trade Mark, a household name in the UK, in conjunction with "uk" can only have been intended to denote the Complainant; (b) the Respondent's failure to submit a response or to provide any evidence of actual or contemplated good faith use; (c) the Respondent's taking of active steps to conceal its identity; and (d) the implausibility, in light of the listed factors, of any potential good faith use to which the disputed domain name may be put. Further, the evidence points to registration and use of the

disputed domain name for fraudulent purposes, particularly given MX records have been configured for the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name has been registered and is being used in bad faith.

The onus of proving these elements is on the Complainant.

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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "uk") may bear on assessment of the second and third elements, the Panel finds the addition of this 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.

The Complainant has not authorized the Respondent to use the Trade Mark and although the Respondent's name contains "dailymailuk", there is no evidence that the Respondent is commonly known by "dailymailuk" or by the disputed domain name. Further, the disputed domain name is simply parked at the Zoho holding page with no substantive content.

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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Panels have found that the non-use of a domain name 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. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Trade Mark, the composition of the disputed domain name (incorporating the prior used and registered Trade Mark, together with a term "UK" closely related to the Complainant), and the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good faith use, and finds that in the circumstances of this case, the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Further, the configuration of MX records associated with the disputed domain name reinforces the inference of bad faith given the risk of fraudulent email activity.

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 <dailymailuk.online> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: August 6, 2026