

ADMINISTRATIVE PANEL DECISION

Comvita New Zealand Limited and Comvita Limited v. Dynadot Privacy Service

Case No. D2026-3213

1. The Parties

The Complainant is Comvita New Zealand Limited and Comvita Limited, New Zealand, represented by AJ Park Law Limited, New Zealand.

The Respondent is Dynadot Privacy Service, United States of America.

2. The Domain Name and Registrar

The disputed domain name <comvitacom.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 21, 2026. On July 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 23, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on July 28, 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 amended Complaint on July 30, 2026.

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 the Respondent of the Complaint, and the proceedings commenced on August 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 2, 2026. On August 13, 2026, the Center received an email communication from a third party denying any involvement with the disputed domain name and the website connected to it. The Respondent did not submit any response. On September 3, 2026, the Center informed the Parties that it would proceed to Panel appointment.

The Center appointed Mehmet Polat Kalafatoglu as the sole panelist in this matter on September 21, 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 was formed in New Zealand in 1974 by Claude Stratford and Alan Bougen. The Complainant states that it has grown to become an internationally renowned natural health products company committed to the development of innovative natural health and wellbeing products, backed by credible scientific research. A key natural ingredient for the Complainant is Manuka Honey. It is noted that the Complainant sells its products in more than 50 countries and has over 550 staff in eight countries.

The Complainant submits that it is the owner of trademark registrations for or including the trademark COMVITA across various jurisdictions, including the following:

- The New Zealand trademark registration No. 279155 for COMVITA, registered on July 3, 1998;
- The European Union trademark registration No. 003933331 for COMVITA, registered on September 21, 2005; and
- The United States of America trademark registration No. 3742708 for COMVITA, registered on January 26, 2010.

The Complainant submits that it owns a number of domain names including its COMVITA trademark, including <comvita.com>, <comvita.co.nz>, and <comvita.net>.

The disputed domain name was registered on March 31, 2026. At the time of filing the Complaint and this Decision, it resolves to an active website that appears to be an official website of the Complainant. The website displays the COMVITA trademark with a design element, provides information about the Complainant under the “Our Story” and “Our Journey” tabs, presents Manuka Honey and Olive leaf extract products, displays the Complainant’s physical address and an email address connected to the Complainant’s <comvita.com> domain name as its contact details, and includes a copyright notice in these terms: “© 2026 Comvita Official. All Rights Reserved.” The Complainant also notes that prior to the filing of the Complaint, it tried to ascertain the name of the Respondent by following a link on the said website. This link redirected the Complainant to Amazon listing pages.

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. The Complainant’s contentions are summarized below.

First, the Complainant submits that there is no question that the disputed domain name is visually, phonetically, and conceptually identical to the Complainant's known trademark COMVITA and to its company names.

Second, the Complainant contends that the Respondent has no rights or legitimate interest in respect of the disputed domain name. In this regard, the Complainant notes that the Respondent is not affiliated with or related to the Complainant in any way, or licensed or otherwise authorized to use the COMVITA trademark in connection with a website or for any other purpose. The Respondent is using the disputed domain name to redirect Internet users to its website. This website closely mimics the Complainant's own website, including copyrighted imagery, the Complainant's trademarks, and wording closely mimicking wording from the Complainant's website. In addition, the Complainant notes that the "Our Story" and "Our Journey" tabs on the said website directly reference the Complainant's founders, and the contact details provide the Complainant's legitimate address. The Complainant also notes the disclaimer at the bottom of the website.

Third, the Complainant submits that 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. However, on August 13, 2026, the Center received an email communication from a third party claiming to be one of the sellers offering products through the shared Amazon listing page mentioned above and denying any involvement with the disputed domain name and the website connected to it.

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, "com", 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. By failing to submit a Response, 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.

In this regard, the Panel notes the Complainant's assertions that the Respondent is not affiliated with or related to the Complainant in any way, or licensed or otherwise authorized to use the Complainant's trademark in connection with a website or for any other purpose. In addition, nothing in the available record suggests that the Respondent is commonly known by the disputed domain name. Moreover, the Panel considers that the composition of the disputed domain name, which reproduces the COMVITA trademark with the addition of the term "com", can easily confuse Internet users seeking the Complainant as it creates confusing similarity with the Complainant's trademark and its domain names, particularly <comvita.com>. In the Panel's view, this composition, together with the content of the Respondent's website, signals a typosquatting intent.

Lastly, the Panel notes that the Respondent's website displays the COMVITA trademark with a design element, copies information and content from the Complainant's official website, the information on the "Our Story" and "Our Journey" tabs directly refers to the founders of the Complainant, and the contact details copies the Complainant's legitimate address and includes an email address connected to the Complainant's domain name. This indicates that the disputed domain name has been used for impersonation or passing off purposes. Therefore, the Panel follows previous UDRP panels and finds that such use of the disputed domain name can never confer rights or legitimate interests on a respondent under the Policy. [WIPO Overview 3.1](#), section 2.13.1.

Based on the available record, 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.

In the present case, the Panel notes the registration dates of the Complainant's trademarks and the disputed domain name; the composition and use of the disputed domain name; and, particularly, the content of the website at the disputed domain name described above. Accordingly, the Panel finds that the Respondent registered the disputed domain name with the intention of targeting the Complainant and its trademarks.

Panels have held that the use of a domain name for illegitimate activity here, claimed passing off or impersonation, 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.

Under the circumstances of the case, the Panel considers the Respondent's failure to submit a Response as a further element supporting the determination of bad faith registration and use.

Based on the available record, 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 <comvitacom.com> be transferred to the Complainant.

/Mehmet Polat Kalafatoglu/

Mehmet Polat Kalafatoglu

Sole Panelist

Date: October 5, 2026