ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Goya Foods, Inc. v. Steven Wilson
Case No. D2026-3607

1. The Parties

Complainant is Goya Foods, Inc., United States of America ("United States"), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

Respondent is Steven Wilson, United States.

2. The Domain Name and Registrar

The disputed domain name <goya-corp.com> is registered with Hostinger Operations, UAB ("Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center ("Center") on August 13, 2026. On August 13, 2026, the Center transmitted by email to Registrar a request for registrar verification in connection with the disputed domain name. On August 14, 2026, Registrar transmitted by email to the Center its response disclosing registrant and contact information for the disputed domain name that differed from that in the Complaint (e.g., the Complaint was filed against an unknown Respondent). The Center sent an email communication to Complainant on August 17, 2026, providing the registrant and contact information disclosed by Registrar and inviting Complainant to submit an amendment to the Complaint. Complainant amended the Complaint on August 17, 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 ("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 August 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on September 9, 2026.

The Center appointed Debra J. Stanek as the sole panelist in this matter on September 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

Complainant is a well-known United States-based food company founded in 1936. It sells a variety of GOYA food items throughout the world. Complainant owns registrations for the GOYA mark, including:

- United States Reg. No. 764,033 (registered January 28, 1964) for coffee and edible olive oil.
- United States Reg. No. 962,193 (registered June 26, 1973) for, among other things, beef stew, Vienna sausage, canned fruit juices, cereal, and corn meal.
- European Union Reg. No. 982166 (registered October 10, 2008) for, among other things, fruit nectars and juices; vegetable juice, and soft drinks.

Complainant owns and operates a website at the <goya.com> domain name, which it created in 1995.

The disputed domain name was created on June 1, 2026. Both at the time the Complaint was filed and at the time of this Decision, it does not resolve to a website. The Complaint indicates that Respondent has used the disputed domain name in email addresses used to send messages purporting to be from Complainant.

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. Of note:

- The disputed domain name consists of the well-known GOYA mark followed by the term "-corp," an abbreviation for "corporation."
- Complainant has not authorized Respondent to register or use its mark and Complainant does not believe Respondent has been known by, or has any rights in, the disputed domain name.
- Respondent has used the disputed domain name to impersonate Complainant and one of its employees. Respondent sent messages from a "[…] @goya-corp.com" email address seeking to place an order in excess of USD300,000.00 with one of Complainant's vendors. The message included an attached "Purchase Order" bearing the GOYA mark and purported to be sent by one of Complainant's employees with purchasing responsibilities.
- At least one security vendor has reported that the disputed domain name is connected with malicious activity.

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, 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 "Steven Wilson" is the appropriate Respondent. See WIPO Overview 3.1, section 4.4.5 (in cases involving a privacy service, the 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 a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name is not identical to Complainant's mark; however, the entire GOYA mark, followed by "-corp," is contained in the disputed domain name. The GOYA mark is readily recognizable. While the addition of "-corp" may bear on assessment of the second and third elements, the Panel finds that it 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 evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. Further, Complainant has provided credible evidence that Respondent used the disputed domain name to pass himself off as an employee of Complainant, apparently in a scheme to fraudulently procure goods and services from a third party. Consistent with determinations by other panels, the Panel finds that this use of the disputed domain name does not 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

Paragraph 4(b) of the Policy sets out a list of circumstances that may indicate that a domain name was registered and used in bad faith for purposes of paragraph 4(a)(iii) of the Policy. The list is not exhaustive; other circumstances may be relevant. WIPO Overview 3.1, section 3.2.1.

Complainant's evidence shows: Complainant's rights in its GOYA mark long predate registration of the disputed domain name. The disputed domain name combines the GOYA mark with "-corp," which would be understood as an abbreviation for "corporation" — referring to a corporate entity, reinforcing a connection with Complainant. Respondent clearly knew of Complainant and Complainant's mark. Respondent used an email address incorporating the disputed domain name for messages purporting to be from one of Complainant's employees as part of a scheme to defraud. Respondent intended that the third party believe Respondent's email communications were from Complainant. 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 <goya-corp.com> be transferred to Complainant.

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