

ADMINISTRATIVE PANEL DECISION

Venus Aerospace Corp. v. Robert Gray
Case No. D2026-3873

1. The Parties

Complainant is Venus Aerospace Corp., United States of America (“United States”), represented by Fredrikson & Byron, P.A., United States.

Respondent is Robert Gray, United States.

2. The Domain Names and Registrar

The disputed domain names <venusaerospace.info>, <venusaerospace.net>, and <venusaerospace.org> (the “Domain Names”) are registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 28, 2026. On August 31, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On August 31, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to Complainant on September 1, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on September 9, 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 Respondent of the Complaint, and the proceedings commenced on September 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 30, 2026.

The Center appointed John C. McElwaine as the sole panelist in this matter on October 7, 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 Delaware corporation headquartered in Houston, Texas, United States, that develops high-efficiency rocket engines and hypersonic propulsion systems for space, defense, and commercial high-speed flight. Complainant was founded in 2020.

Complainant owns United States Patent and Trademark Office (“USPTO”) Trademark Registration No. 7,058,827 for the standard character mark VENUS AEROSPACE, registered on the Principal Register on May 23, 2023, in International Class 39 for “providing transportation information; providing a website featuring information in the field of transportation”, and claiming a date of first use in commerce of May 31, 2020 (the “VENUS AEROSPACE Mark”). Complainant operates under the name Venus Aerospace and owns the domain name <venusaero.com>, which it registered on July 13, 2019.

The Domain Names <venusaerospace.org> and <venusaerospace.net> were registered on May 1, 2026, and the Domain Name <venusaerospace.info> was registered on July 28, 2026, each through a privacy service. Respondent has used email addresses associated with the Domain Names to send fraudulent emails that impersonate Complainant’s CEO and solicit the services of accounting firms.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Complainant states as background that it is an aerospace company based in Houston, Texas, United States, and asserts that it has developed breakthrough propulsion technology, and that it has operated under the Venus Aerospace name since its founding in 2020. Complainant states that it has never authorized Respondent to use its trademarks or to provide or solicit services on its behalf, and that Respondent is using the Domain Names to perpetrate an imposter scam targeting third parties.

With respect to the first element of the Policy, Complainant contends that the Domain Names are identical or confusingly similar to the VENUS AEROSPACE Mark, in which it holds registered and common law rights. Complainant asserts that each Domain Name incorporates the entirety of the VENUS AEROSPACE Mark, and that the only difference between the Domain Names and the mark is the generic Top-Level Domain (“.info”, “.net”, or “.org”), which is disregarded under the first element.

With respect to the second element of the Policy, Complainant contends that Respondent has no rights or legitimate interests in respect of the Domain Names. Complainant asserts that Respondent registered the Domain Names more than six years after Complainant first established rights in the VENUS AEROSPACE name, and that Respondent is not using the Domain Names for a bona fide offering of goods or services. Instead, Complainant alleges, Respondent is using the Domain Names to send emails in which Respondent impersonates Complainant’s CEO, and solicits accounting services from CPA firms. Complainant states that several CPA firms alerted Complainant to these phishing attempts, and contends that such use can never confer rights or legitimate interests on a respondent.

With respect to the third element of the Policy, Complainant contends that the Domain Names were registered and are being used in bad faith. Complainant asserts that Respondent uses the VENUS AEROSPACE Mark as the principal identifier of its email addresses in order to trade off Complainant's reputation and to lend legitimacy to its illegal phishing activities, and that use of a domain name for per se illegitimate activity such as phishing is manifestly considered evidence of bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted and failed to file a Response, paragraph 4(a) of the Policy requires Complainant to support its assertions with evidence and thus prove each of the following elements:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of each Domain Name; and
- (iii) the Domain Names have been registered and are being used in bad faith.

Because of Respondent's default, the Panel may accept as true Complainant's reasonable factual allegations and draw appropriate inferences in Complainant's favor, provided the Panel is satisfied that such allegations are supported by evidence. See *St. Tropez Acquisition Co. Limited v. AnonymousSpeech LLC and Global House Inc.*, WIPO Case No. [D2009-1779](#); *Bjorn Kassoe Andersen v. Direction International*, WIPO Case No. [D2007-0605](#); see also Rules, paragraph 5(f) ("If a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint"). Having reviewed the Complaint, the amendment to the Complaint, and the supporting evidence, and in light of the Policy, the Rules, the Supplemental Rules, and applicable principles of law, the Panel's findings on each of the required elements are set forth below.

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 Domain Names. [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 by virtue of its United States registration for the VENUS AEROSPACE Mark on the USPTO Principal Register. [WIPO Overview 3.1](#), section 1.2.1.

Each of the Domain Names reproduces the VENUS AEROSPACE Mark in its entirety, without any addition or alteration, and the mark is plainly recognizable within each Domain Name. The generic Top-Level Domains ".info", ".net", and ".org" are standard registration requirements and are typically disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1. Accordingly, the Domain Names are identical to the mark for the purposes of the Policy.

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

B. Rights or Legitimate Interests

Complainant must make a prima facie case that Respondent lacks rights or legitimate interests in the Domain Names, after which the burden of production shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests. See [WIPO Overview 3.1](#), section 2.1. Here, Complainant has stated that it has not licensed or otherwise authorized Respondent to use its VENUS AEROSPACE Mark or to register domain names incorporating the mark, or to provide or solicit services on Complainant's behalf. There is no evidence that Respondent has been commonly known by the Domain Names or that Respondent has acquired any trademark rights in the term "venusaerospace". The registrant of record is "Robert Gray", a name that bears no relationship to the Domain Names. Respondent has not come forward with an explanation for choosing the Domain Names, which consist solely of Complainant's VENUS AEROSPACE Mark. Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Names. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names such as those enumerated in the Policy¹ or otherwise.

To the contrary, the record affirmatively demonstrates that Respondent has used the Domain Names for an illegitimate purpose. The evidence shows that on May 4, 2026, only three days after the Domain Name <venusaerospace.org> was registered, Respondent sent emails from this Domain Name to multiple accounting firms. In those emails, Respondent held itself out as Complainant's CEO, signed as "Director, VENUS AEROSPACE", and requested to be engaged as a new client for assistance with "complex financial matters", including prior tax filings, business structure, and "certain financial transactions", while inviting the recipients to schedule a consultation. Respondent subsequently used addresses connected with the Domain Names <venusaerospace.info> and <venusaerospace.net> in materially identical solicitations, including using one Domain Name as the sending address and another as the reply address. Several recipients, recognizing the communications as suspicious, contacted Complainant through its website contact form and through LinkedIn to verify whether the emails were genuine.

This is not use in connection with a bona fide offering of goods or services, nor is it a legitimate noncommercial or fair use. Respondent's use of the Domain Names to impersonate Complainant and its CEO in order to deceive third parties is inherently illegitimate. Fundamentally, a respondent's use of a domain name will not be considered fair if it falsely suggests affiliation with the trademark owner, and domain names identical to a complainant's trademark carry a high risk of implied affiliation. [WIPO Overview 3.1](#), sections 2.5 and 2.5.1. Panels have categorically held that the use of a domain name for illegal activity, here phishing, impersonation, and other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1; See also *Startup Group v. Whois Agent, Domain Protection Services, Inc. / Dominique Geffroy*, WIPO Case No. [D2020-3303](#) (finding an employment offer scam to be an example of use of a domain name for the illegitimate purpose of impersonating the complainant in the furtherance of a fraudulent scheme).

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

¹ The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a contested domain name: "(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are 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."

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, Complainant must show that Respondent has registered and is using the Domain Names in bad faith. A non-exhaustive list of factors constituting bad faith registration and use is set out in paragraph 4(b) of the Policy. Paragraph 4(b) is not exhaustive, and 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. The essence of the inquiry is whether a respondent has sought to take unfair advantage of, abuse, or otherwise engage in behavior detrimental to a complainant's trademark. [WIPO Overview 3.1](#), section 3.1.

The Panel first finds that Respondent registered the Domain Names with Complainant and its VENUS AEROSPACE Mark specifically in mind. Complainant's VENUS AEROSPACE Mark was registered in 2023 and has been used since 2020, years before Respondent registered the Domain Names in May and July, 2026. The Domain Names reproduce the full VENUS AEROSPACE Mark across three separate generic Top-Level Domains. More tellingly, within three days of registering <venusaerospace.org>, Respondent was sending emails in the name of Complainant's co-founder and CEO and identifying them with "VENUS AEROSPACE". Respondent could only have engaged in this conduct with detailed knowledge of Complainant and of the identity of its chief executive. There is no plausible explanation for Respondent's registration of the Domain Names other than to impersonate Complainant, and the Panel finds that the Domain Names were registered with the deliberate intent of exploiting Complainant's name, mark, and reputation. [WIPO Overview 3.1](#), section 3.2.2.

The Panel further finds that Respondent has used the Domain Names in bad faith. Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith, and "use" can include sending email, phishing, and identity theft, frequently involving deceptive emails designed to obtain sensitive information or solicit payments from unsuspecting recipients. [WIPO Overview 3.1](#), section 3.4. Panels have also held that the use of a domain name for per se illegitimate activity such as phishing is manifestly considered evidence of bad faith. [WIPO Overview 3.1](#), and 3.1.4.

Respondent's impersonation of Complainant's CEO is a particularly aggravating circumstance. By appropriating not only Complainant's trademark but also the personal name and title of its chief executive, Respondent sought to lend its fraudulent communications an air of authenticity that the Domain Names alone might not provide, and in doing so exposed both Complainant and its CEO to reputational harm and exposed third parties to the risk of fraud. The fact that a number of recipients identified the emails as suspicious and alerted Complainant does not diminish Respondent's bad faith; an attempt to cause confusion for a respondent's benefit supports a finding of bad faith even where it is unsuccessful. [WIPO Overview 3.1](#), section 3.1.4.

The Panel also draws an adverse inference from Respondent's failure to respond to the Complaint. Respondent was duly notified of these proceedings and given a full opportunity to explain its registration and use of the Domain Names. Respondent has offered no explanation whatsoever for its selection of Domain Names reproducing Complainant's mark, for its creation of email addresses bearing the name of Complainant's CEO, or for its use of those addresses to solicit third parties while posing as Complainant's CEO. Panels have been prepared to draw inferences where an explanation by a respondent is called for but is not forthcoming, or where no other plausible conclusion is apparent. [WIPO Overview 3.1](#), section 4.2. Both conditions are present here. In the face of documentary evidence of impersonation and phishing, Respondent's silence leaves the Panel with no conceivable good faith use to which the Domain Names could be put, and the Panel infers that no legitimate explanation exists.

Considering the totality of the circumstances, and in particular Respondent's use of the Domain Names to impersonate Complainant and its CEO in a phishing scheme directed at third parties, Respondent's failure to offer any explanation for that conduct, the Panel finds that Respondent registered and is using the Domain Names in bad faith under paragraph 4(a)(iii) of the Policy.

The Panel finds that 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 Domain Names, <venusaerospace.info>, <venusaerospace.net>, and <venusaerospace.org>, be transferred to Complainant.

/John C McElwaine/

John C McElwaine

Sole Panelist

Date: October 21, 2026