ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
TELUS Corporation v. Oliver Peter, Clickout Media Limited
Case No. D2026-4030

1. The Parties

The Complainant is TELUS Corporation, Canada, represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States of America.

The Respondent is Oliver Peter, Clickout Media Limited, Malta.

2. The Domain Name and Registrar

The disputed domain name <voxprogroup.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 8, 2026. On September 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 10, 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 (Registration Private / Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 11, 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 September 11, 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 September 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 8, 2026.

The Center appointed Tobias Zuberbühler as the sole panelist in this matter on October 15, 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 a Canadian communications technology company operating in more than 45 countries and generating over USD 20 billion in annual revenue with more than 21 million customer connections through a suite of broadband services for consumers, businesses and the public sector. The Complainant acquired an Irish business process outsourcing company known as "Voxpro" in 2017. Following the acquisition, Voxpro began operating as "Voxpro – powered by TELUS International."

The Complainant asserts common law trademark rights in VOXPRO in connection with customer experience, technical support and sales operations solutions, based on its use since at least 2013. In support of this, the Complainant has submitted evidence of the use of the VOXPRO mark on its historical website and in email signatures, job applications, presentation materials, LinkedIn, and brand guidelines, together with articles referring to VOXPRO and reports of awards received by the business operating under the mark.

The Complainant, via Voxpro, was the original registrant of the disputed domain name, which was created on June 26, 2013, and was maintained by the Complainant until it was unable to renew the disputed domain name due to a lack of cooperation from the registrar in 2026.

The disputed domain name was registered by the Respondent on or about August 8, 2026, after the Complainant's failure to renew the disputed domain name. At the time of filing of the Complaint, it resolved to a website purporting to mirror the Complainant's legacy website.

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.

In particular, the Complainant asserts that, through Voxpro, it was the original registrant of the disputed domain name and maintained it until it was unable to renew it in 2026 due to a lack of cooperation from the registrar. The disputed domain name resolved to Voxpro's website from 2013 until late 2020, when the Complainant ceased publishing a website at the disputed domain name. The Complainant further asserts that, after the Respondent acquired the disputed domain name on or about August 8, 2026, the Respondent uploaded a copy of the Complainant's legacy website, apparently obtained from the Internet Archive's Wayback Machine.

The Complainant further asserts that the Respondent appears to be a repeat cybersquatter who has registered at least two domain names, including <microsof365setup.com>, that are confusingly similar to well-known trademarks.

B. Respondent

The Respondent has not submitted any response to the Complainant's contentions.

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.

Under paragraph 4(a)(i) of the Policy, a complainant must demonstrate rights in the mark to which it asserts the disputed domain name is identical or confusingly similar. Here the Complainant is not relying on a registered mark, rather it asserts unregistered or common law trademark rights in VOXPRO. It is well settled that the term "trademark or service mark" as used in paragraph 4(a)(i) of the Policy encompasses both registered and unregistered marks. WIPO Overview 3.1, section 1.1.1.

To establish unregistered or common law rights as a trademark in VOXPRO, the Complainant must show it acquired secondary meaning, i.e., that the public associates the asserted mark with the Complainant's goods and/or services. See WIPO Overview 3.1, section 1.3, and *Money Tree Software, Ltd. v. Javier Martinez, Money Tree Software, LLC,* WIPO Case No. D2014-1078.

By virtue of the evidence the Complainant has presented, the Panel finds that the Complainant has demonstrated acquired distinctiveness sufficient to establish unregistered or common law trademark rights in VOXPRO for purposes of the Policy.

The trademark VOXPRO 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 "group") may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 that 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 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 that 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 Panel finds that the composition of the disputed domain name incorporating the Complainant's trademark together with the term "group", coupled with the use of the disputed domain name to resolve to a website purporting to mirror the Complainant's legacy website using the Complainant's mark, does not amount to a bona fide offering of goods or services as it effectively impersonates or suggests sponsorship or endorsement by the Complainant.

The Panel finds that 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 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.

Under the circumstances of this case, in particular, given that the Respondent acquired the disputed domain name on or around August 8, 2026, after the Complainant's failure to renew the disputed domain name due to a lack of cooperation from the registrar, and subsequently uploaded a website mirroring the Complainant's legacy website, that the disputed domain name is composed of the Complainant's VOXPRO mark in its entirety together with the additional term "group", and that no Response was filed, it can be inferred that the Respondent was aware of the Complainant's mark when registering the disputed domain name.

Having reviewed the available record and noting the composition of the disputed domain name and the use made thereof, the Panel finds, under the circumstances of this case, that the use of the disputed domain name creates a likelihood of confusion with the Complainant's trademark under paragraph 4(b)(iv) of the Policy. In particular, the Respondent's use of the disputed domain name to purportedly mirror the Complainant's legacy website demonstrates an intention to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark. Therefore, the disputed domain name was registered and is being used in bad faith.

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 <voxprogroup.com> be transferred to the Complainant.

/Tobias Zuberbühler/
Tobias Zuberbühler
Sole Panelist
Date: October 29, 2026