

ADMINISTRATIVE PANEL DECISION

The Port Authority of New York and New Jersey v. Name Redacted
Case No. D2026-4033

1. The Parties

Complainant is The Port Authority of New York and New Jersey, United States of America ("United States" or "U.S."), represented by DLA Piper US LLP, United States.

Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <ez-passct.com> (the "Domain Name") is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 9, 2026. On September 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 10, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Privacy service provided by WITHHELD FOR PRIVACY LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on September 17, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on September 17, 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

¹ Respondent appears to have used the name of an unrelated third party individual when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted Respondent's name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 11, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on October 12, 2026.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on October 22, 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, through its licensees and authorized users, has used the mark and name E-ZPASS, and variations thereof, in connection with tolling collection services in the United States and elsewhere. The E-ZPASS mark was first used in connection with an electronic system of collecting tolls in connection with seven bridges and two tunnels in and around New York City. Over time, the services and geographic area in which the E-ZPASS marks are used have expanded, and now the E-ZPASS marks are used in connection with an electronic toll collection system in over 20 states in the United States. The E-ZPASS mark is a recognized brand in the toll collection industry with more than 64 million E-ZPASS devices in circulation and over 4.8 billion toll transactions occurring in 2024 alone.

The E-ZPASS services are licensed to and offered through an organization named E-ZPass Interagency Group, also known as the E-ZPass Group, which is comprised of various state and regional tolling and highway agencies. Complainant owns numerous registered trademarks for the E-ZPASS mark, including:

- United States registered trademark number 1861460 for the E-ZPASS word mark, registered on November 1, 1994;
- United States registered trademark number 1863329 for the E-ZPASS word and figurative mark, registered on November 15, 1994; and
- Canadian registered trademark number TMA562223 for the E-ZPASS word mark, registered on May 21, 2002.

The Domain Name was registered on September 30, 2025, and resolves to a website claiming to provide information regarding the “EZ PASS CT” system and login information for the E-ZPASS services in the state of Connecticut. The website associated with the Domain Name also incorporates a number of links to third parties, including a link that states “Call or Chat With an Expert. A Specialist Will Answer Your Question In Minutes. Chat Now” and other links to third parties, seemingly for collecting PPC transactions for such links.

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 Name.

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant’s trademark; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations and rights for E-ZPASS and that Respondent registered and is using the Domain Name, which fully incorporates the E-ZPASS mark with the addition of the letters “CT” (generally known to be an abbreviation of the state of Connecticut) to form the Domain Name <ez-passct.com>, with the intention to confuse Internet users looking for bona fide and well-known E-ZPASS goods and services.

Complainant notes that it has no affiliation with Respondent, nor authorized Respondent to register or use a domain name which includes Complainant’s trademark, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name. Rather, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent knew or should have known of Complainant’s rights. Specifically, Complainant argues that Respondent used the Domain Name in furtherance of an illegal scheme to impersonate Complainant and to defraud Internet users looking for Complainant’s legitimate products and services.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Name is 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 the Domain Name; and
- (iii) the Domain Name was registered and is being used in bad faith.

Section 4.3 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”) states that failure to respond to the complainant’s contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent’s default is not necessarily an admission that the complainant’s claims are true.

Thus, although in this case Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Complainant has provided evidence of its rights in the E-ZPASS trademark, as noted above. Complainant has therefore proven that it has the requisite rights in the E-ZPASS trademark.

With Complainant’s rights in the E-ZPASS trademark established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain (“TLD”) in which it was registered (in this case, “.com”), is identical or confusingly similar to Complainant’s trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainant’s E-ZPASS trademark. The E-ZPASS trademark is recognizable in the Domain Name.

The different placement of the hyphen “-” and the letter “z” and the addition of the term “ct” following the trademark E-ZPASS in the Domain Name does not prevent a finding of confusing similarity between the Domain Name and the E-ZPASS trademark. See sections 1.8 and 1.9 of the [WIPO Overview 3.1](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP. [WIPO Overview 3.1](#), section 2.1

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its E-ZPASS trademark and does not have any rights or legitimate interests in the Domain Name. Complainant has confirmed that Respondent is not affiliated with Complainant, or otherwise authorized or licensed to use the E-ZPASS trademark or to seek registration of any domain name incorporating this trademark. Respondent is also not known to be associated with the E-ZPASS trademark and there is no evidence showing that Respondent has been commonly known by the Domain Name.

The Panel that the composition of the Domain Name is intended to confuse Internet users into believing the Domain Name belongs to Complainant.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the Domain Name resolves to a website claiming to provide information about the “EZ PASS CT” system and login information for the E-ZPASS mark services in the state of Connecticut. The website associated with the Domain Name also incorporates a number of links to third parties, including a link that states “Call or Chat With an Expert. A Specialist Will Answer Your Question In Minutes. Chat Now.”, indicating that Respondent was likely generating revenue off such links and the Panel finds that these circumstances do not support a finding of rights or legitimate interests on behalf of Respondent.

The Panel further notes the potential use of the Domain Name for phishing purposes as it contains links for users to “log in” and to likely provide personal data. In this regard, UDRP panels have consistently held that use of a domain name for illegal activity — such as fraud, impersonation, or passing off — can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Furthermore, Respondent seems to have used the name of an unrelated third party as the underlying contact information to register the Domain Name. In particular, Respondent seems to have fraudulently used an unrelated individual’s name to register the Domain Name. The named individual confirmed by email to Complainant that it did not register and is not associated with the Domain Name. The Panel finds that such use of a third party’s name and contact information of the third-party individual, further prevents a finding of rights or legitimate interests on Respondent. ²

Accordingly, Complainant has provided evidence supporting its prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name. Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

²Complainant submitted evidence verified that the third-party individual was not involved in registering the Domain Name and has no knowledge regarding the registration, and that there is no connection between the third party individual and the contact information that Respondent used to register the Domain Name.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a respondent, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the E-ZPASS trademark long predate the registration of the Domain Name. Complainant is also well established and known; indeed, the record shows that Complainant's E-ZPASS trademark and related services are widely known and recognized for purposes of the Policy. Therefore, and also noting the use analysis below, Respondent was clearly aware of the E-ZPASS trademark when it registered the Domain Name.

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the Domain Name resolves to a website claiming to provide information about the EZ PASS CT system and login information for the E-ZPASS mark services in the state of Connecticut. The Domain Name was not merely used for information purposes about Complainant's E-ZPASS marks, as it also contained links to third party's websites, likely to generate revenue.

The record also shows that Domain Name is used to host links to third parties, seemingly for collecting PPC transactions for such links, further supporting the bad faith use and registration of the Domain Name. The Panel further notes that there is a risk that the Domain Name is being used to perpetrate phishing scams, particularly because the website at the Domain Name claims to offer support services for log ins and account services for Complainant's E-ZPASS marks services.

In any case, the Panel considers that the registration and use of the Domain Name targeted Complainant's mark. UDRP panels have consistently held that a respondent's use of a domain name to trade off goodwill in a complainant's well-known trademark and impersonate complainant, as here, constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#).

As noted above, the record shows that Respondent had used the Domain Name to intentionally attempt to attract Internet users for commercial gain in view of the likelihood of confusion with Complainant's mark, and to potentially engage in illegal activity. The record also indicates that Respondent fraudulently used an unrelated individual's name to register the Domain Name. The named individual confirmed by email to Complainant that he did not register and is not associated with the Domain Name and such conduct also supports a finding of bad faith in the case.

Finally, the Panel also notes the failure of Respondent to submit a response, and Respondent's use of an unrelated third party's contact information to register the Domain Name. The Panel thus considers such factors as further evidence that Respondent's registration and use were in bad faith. In the present circumstances, considering the reputation of the E-ZPASS trademark, and the use described above of the Domain Name, the Panel finds that Respondent registered and is using the Domain Name in bad faith.

Therefore, the Panel finds that Complainant succeeds under the third element of paragraph 4(a)(iii) 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 Name <ez-passct.com> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: October 28, 2026