

ADMINISTRATIVE PANEL DECISION

PlaneSense, Inc. v. Khadi Merim
Case No. DAI2026-0016

1. The Parties

1.1 The Complainant is PlaneSense, Inc., United States of America (“United States” or “US”), represented by Hayes Soloway, P.C., United States.

1.2 The Respondent is Khadi Merim, Algeria.

2. The Domain Name and Registrar

2.1 The disputed domain name <planesense.ai> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 4, 2026. At that time, publicly available Whois details did not identify the underlying registrant of the Domain Name.

3.2 On March 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 6, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name. The Center sent an email communication to the Complainant on March 6, 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 March 6, 2026.

3.3 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”).

3.4 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 31, 2026.

3.5 The Center appointed Matthew S. Harris as the sole panelist in this matter on April 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.

3.6 On April 14, 2026, the Center received an email from an address that the Complainant contended had previously been used to send correspondence about the Domain Name. The April 14, 2026 email contained the following statement:

"I have received notification of the Panel Appointment in this matter dated April 7, 2026. However, I wish to bring to the Center's urgent attention that I am not, and have never been, the registrant of the domain name. I have no association with this domain whatsoever.

I believe I may have been incorrectly identified as the Respondent in this proceeding, possibly due to a technical error or administrative mix-up at the registrar level. I am involved in domain investing and marketing activities related to other domain names, and it is possible that my contact information was erroneously associated with during those unrelated activities."

3.7 The sender of the email then made a number of requests including that the Center:

"Bring this communication to the attention of the Panel so they are aware of the potential misidentification before rendering a decision[and a]dvice me on any further steps I should take to formally remove myself from this proceeding."

4. Factual Background

4.1 The Complainant is a company based in the United States. It has since at least September 1995 used the name "PlaneSense" in connection with its business as a brokerage, and as management for time sharing interests and fractional interests in aircraft.

4.2 The Complainant operates a website from the domain name <planesense.com> that promotes the business. Exactly when it started to use the <planesense.com> domain name in this manner is not clear, but the Internet Archive records show such use since at least January 2015.

4.3 The Complainant has also benefited from some press coverage in respect of its activities, including in Forbes Life in August and September 2024.

4.4 The Complainant is the owner of United States registered trade mark no. 2886480 for PLANESENSE as a standard character mark in class 36, with a filing date of June 18, 2003 and a registration date of September 21, 2004.

4.5 A domain name identical to the Domain Name was initially registered on November 16, 2023. On February 2, 2026, the Complainant made enquiries through its then registrar GoDaddy.com, LLC regarding the transfer of that domain name, and at that time it was available for sale through GoDaddy.com, LLC for USD 2,000. On February 4, 2026, the Complainant was contacted by email from an individual identifying himself as "Bram Moss", who stated as follows:

"I own the domain planesense.ai and am reaching out to see if you or your team would be interested in acquiring it."

4.6 Shortly thereafter the Domain Name was deleted. The Domain Name was then re-registered on February 11, 2026. It has been used since registration for a webpage that states that it is for sale, can be bought for USD 50,000, and invites persons interested in acquiring the Domain Name to make an offer. That webpage remains in operation as at the date of this Decision.

5. Parties' Contentions

A. Complainant

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

5.2 The Complainant refers to its business, US trade mark and the way in which the Domain Name has been used and not used both prior and subsequent to its current registration. It contends that its PLANESENSE mark is not a dictionary word nor a common phrase and that "[i]t is not possible to believe that Respondent would have chosen its Domain Name without Complainant's marks and commercial activities in mind." It further contends that the use that has been made of the Domain Name shows that the intention of the registrant was to sell the Domain Name to the Complainant for more than the registrant's out-of-pocket costs.

5.3 The Complainant also contends that the use in this case of a Whois privacy service is further evidence of bad faith.

B. Respondent

5.4 The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Procedural Matters

6.1 Before addressing the substance of this case, it is necessary to address a procedural issue arising from the email received by the Center on April 14, 2026, and identified in the Procedural History section of this decision. The email, although unsigned, appears to have come from the same address as an earlier email sent by a Mr Moss to the Complainant, enquiring whether the Complainant was interested in acquiring the Domain Name. In the April 14, 2026 email Mr Moss claims to be unconnected to the Domain Name and states he may have been incorrectly identified as the Respondent "possibly due to a technical error or administrative mix-up at the registrar level". He also requests that his email be brought to the Panel's attention, and that he be removed from these proceedings.

6.2 This email has, of course, been brought to the Panel's attention, but what exactly Mr Moss is asking for in terms of being removed from the proceedings is not entirely clear. He is not currently the formal Respondent in these proceedings. The formal Respondent is "Khadi Merim", who (if the Whois information provided is accurate) is located in Algeria. Nevertheless, the Complainant does contend that Mr Moss "may be the name or an alias of Respondent". The Panel, therefore, assumes that this is a request that Mr Moss not be identified as the Respondent in the proceedings, or perhaps that any references to him are redacted.

6.3 The starting point under the Policy is that decisions of panels are published, and published in full. Paragraph 4(j) of the Policy states as follows:

"All decisions under this Policy will be published in full over the Internet, except when an Administrative Panel determines in an exceptional case to redact portions of its decision."

6.4 Further, paragraph 16(b) of the Rules states:

“Except if the Panel determines otherwise (see Paragraph 4(j) of the Policy), the Provider shall publish the full decision and the date of its implementation on a publicly accessible web site. In any event, the portion of any decision determining a complaint to have been brought in bad faith (see Paragraph 15(e) of these Rules) shall be published.”

6.5 That this is the starting point under the Policy is understandable, particularly bearing in mind the approach adopted in the case of court decisions in many jurisdictions. Full publication ensures decisions of panels and the UDRP process are open and subject to public scrutiny. There is also a broader interest in the claims of parties engaged in UDRP proceedings being made public. A complainant’s conduct or claims in one case may be relevant in another. Similarly, a respondent’s conduct or claims in relation to one domain name will often throw light on its conduct in relation to another (see, for example, paragraph 4(b)(ii) of the Policy).

6.6 Nevertheless, panels also recognise that the use of false names and addresses by respondents is not uncommon, and the identification of an innocent person as having acted in bad faith can of itself cause unwarranted harm. The same is potentially true of the public disclosure of private information brought to a panel’s attention. There are a number of ways that a panel can deal with these issues. They include simply making it clear that information may be false or inaccurate, avoiding referring to certain information if it is not necessary to make the decision intelligible, and in exceptional cases redacting parts of the decision, and if necessary even the name of the respondent. In this respect see the different approaches adopted in *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#), *Syngenta Crop Protection AG v. NAME REDACTED, Syngenta*, WIPO Case No. [D2025-0256](#), and *Lincoln Global, Inc., The Lincoln Electric Company v. sajeel ataf, [Organization Redacted]*, WIPO Case No. [D2024-3269](#).

6.7 In the present case, the Panel is not persuaded that Mr Moss has been so obviously wrongly identified that it would be appropriate not to mention the Complainant’s allegations or to redact Mr Moss’s name from this decision. There is clear evidence before the Panel that Mr Moss’s email has been used in connection with the Domain Name. The allegation is clearly advanced in the Complaint and Mr Moss clearly has had the Complaint for some time. Further, the claims of “technical error or administrative mix-up at the registrar level” do not really explain why he would have sent an email asking whether the Complainant was interested in acquiring the Domain Name.

6.8 As will be apparent from the rest of this decision, ultimately the Panel has not needed to make any determination as to the extent of Mr Moss involvement either with the initial registration of the Domain Name or the re-registration of the Domain Name in reaching its decision in this case. However, it considers it is still appropriate to record the Complainant’s allegations in this decision. It is always open to Mr Moss to address these points further, should they be raised against him again in some future case.

B. Identical or Confusingly Similar

6.9 It is generally 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 trade mark and the Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

6.10 The Complainant has shown that it has rights in a registered trade mark for PLANESENSE. [WIPO Overview 3.1](#), section 1.2.1.

6.11 The Domain Name comprises the term “planesense” and the “.ai” country code Top-Level Domain (“ccTLD”). Accordingly, the entirety of the Complainant’s mark is reproduced within the Domain Name and as a consequence that mark is clearly recognisable in the Domain Name.

6.12 It follows that the Domain Name is at least confusingly similar to the Complainant's mark for the purposes of the Policy. The Panel, therefore, finds the first element of the Policy has been established. [WIPO Overview 3.1](#), section 1.7.

C. Rights or Legitimate Interests, and Bad Faith Registration and Use

6.13 It is usual for panels under the Policy to consider the issues of rights or legitimate interests, and registration and use in bad faith, in turn. However, in this case it is more convenient to consider those issues together (see [WIPO Overview 3.1](#), section 2.15).

6.14 The reason for this is that the Complainant contends that the Domain Name has been registered and held not because of any generic or descriptive meaning of the words in the Domain Name, but for the purpose of sale to the Complainant for more than the Respondent's out-of-pocket costs. If this is true, not only would this likely lead to a finding of bad faith registration and use, but it is likely to be evidence of a lack of rights or legitimate interests.

6.15 The Panel is satisfied that ultimately the Complainant's allegations are correct. First, there is the form of the Domain Name itself. The most sensible reading of the Domain Name is as the words "plane" and "sense", in combination with the ".ai" ccTLD. These are both ordinary English words. Further, "plane" is obviously a homophone for the word "plain", and the phrase "plain sense" has an ordinary descriptive meaning. Nevertheless, the words "plane" and "sense" are not a common combination and absent any further argument or evidence, the Panel accepts that it is more likely than not that this combination has been chosen because of its association with the Complainant. This is particularly so in circumstances where the Complainant has used the domain name <planesense.com> for a number of years and it is implausible, absent evidence or argument to the contrary, that the Respondent was not aware of the Complainant and its domain name at the time that the ".ai" equivalent was registered.

6.16 As to the motives for that registration, the Panel also accepts that the subsequent offer for sale of the Domain Name for USD 50,000 suggests that the Domain Name was registered for the purposes of sale to the Complainant or to a competitor of the Complainant for valuable consideration in excess of the Respondent's out-of-pocket costs. It follows that the Respondent's activities fall within the scope of the circumstances evidencing registration and use in bad faith set out in paragraph 4(b)(i) of the Policy.

6.17 As has already been recorded earlier in this decision, there is a dispute as to whether Mr Moss is or is connected to the individual who is responsible for the current registration. However, ultimately whether he is or is not does not matter. The Domain Name was re-registered on February 11, 2026. This was a fresh registration for the purposes of the Policy and it is at that date that the issue of bad faith registration needs to be addressed. The Panel is satisfied for the reasons set out above, that whoever was responsible for the re-registration at that time, that registration was in bad faith.

6.18 The Panel finds the third element of the Policy has been established.

7. Decision

7.1 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 <planesense.ai> be transferred to the Complainant.

/Matthew S. Harris/

Matthew S. Harris

Sole Panelist

Date: April 15, 2026