

## **ADMINISTRATIVE PANEL DECISION**

**ESTAFETA MEXICANA, S.A. DE C.V. v. Lucia Herrera Roncao**  
**Case No. DCC2025-0020**

### **1. The Parties**

The Complainant is ESTAFETA MEXICANA, S.A. DE C.V., Mexico, represented by Calderon & De La Sierra, Mexico.

The Respondent is Lucia Herrera Roncao, Indonesia.

### **2. The Domain Name and Registrar**

The disputed domain name <eatefatagov.cc> is registered with Dominet (HK) Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 25, 2025. On October 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 28, 2025, 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 (THE INFORMATION IS PRIVATE, Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 31, 2025, 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 November 3, 2025.

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 November 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 27, 2025.

The Center appointed Reyes Campello Estebaranz as the sole panelist in this matter on December 4, 2025. 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 Mexican company established in 1979, specializing in courier and logistics services. It operates both in Mexico and internationally, employing more than 12,400 people and maintaining a fleet of approximately 5,000 vehicles, 129 distribution centers, three logistics hubs, and a dedicated cargo airline serving Mexico and the United States of America.

The Complainant operates under the mark ESTAFETA and owns multiple trademark registrations for this mark in Mexico and other jurisdictions, including:

- Mexican Trademark Registration No. 2042803, ESTAFETA (word mark), registered on September 26, 2019, in Class 35;
- Mexican Trademark Registration No. 2042805, ESTAFETA (word mark), registered on September 26, 2019, in Class 42;
- Mexican Trademark Registration No. 546615, ESTAFETA (figurative mark), registered on April 24, 1997, in Class 39, with the following graphic representation:



- Mexican Trademark Registration No. 2486106, E (figurative mark), registered on December 7, 2022, in Class 9, with the following graphic representation:



- Costa Rican Trademark Registration No. 105660, ESTAFETA (word mark), registered on February 3, 1998, in Class 38; and
- Uruguayan Trademark Registration No. 520697, ESTAFETA (word mark), registered on August 3, 2022, in Class 38.

These trademarks are hereinafter collectively referred to as the "ESTAFETA mark" and the "E mark", respectively.

The Complainant further owns the domain name <estafeta.com> (registered on March 27, 1996), which resolves to its official corporate website.

The disputed domain name was registered on September 24, 2025, and currently appears to be inactive or inaccessible, resolving to a warning message indicating that it may be potentially dangerous or associated with fraudulent activity. Based on the evidence submitted by the Complainant, the disputed domain name has been used to impersonate the Complainant by sending text messages to the mobile phones of customers or potential customers as part of a phishing scheme.

#### 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.

Notably, the Complainant contends that the disputed domain name incorporates a similar version of its trademark, rendering it confusingly similar to the ESTAFETA mark, and that it has been used to mislead customers through a phishing scheme. Internet searches for the disputed domain name return results referring to the Complainant and its business, which underscores the risk of association and the likelihood of confusion.

The Complainant further asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent holds no rights in the ESTAFETA mark and has no authorization to use it. The Respondent registered the disputed domain name in bad faith to conduct illegal activity and to prevent the Complainant from registering a domain name corresponding to its trademark.

The Complainant additionally contends that the disputed domain name was registered and is being used in bad faith to exploit the reputation and international recognition of the ESTAFETA mark as part of a phishing scam. The disputed domain name has been used to send malicious text messages reproducing the ESTAFETA mark in a similar stylized form, impersonating the Complainant in an effort to obtain sensitive personal information from its customers. These communications imitate the Complainant's logo, consisting of a stylized lowercase red "e". This conduct constitutes cybersquatting, typosquatting, phishing, and profit-driven fraud.

## **B. Respondent**

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

## **6. Discussion and Findings**

The Complainant has submitted all relevant assertions under the Policy, and the dispute properly falls within its scope. The Panel has the authority to decide the dispute by examining the three elements set forth in paragraph 4(a) of the Policy, taking into account all relevant evidence, annexed materials, and submissions. The Panel may also conduct limited independent research pursuant to its general powers, as provided, *inter alia*, in paragraph 10 of the Rules.

### **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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy, namely the ESTAFETA mark and the E mark. [WIPO Overview 3.0](#), section 1.2.1.

The Panel notes that the disputed domain name reproduces a variation of the ESTAFETA mark by altering certain letters ("eatefata" instead of "estafeta"), followed by the term "gov". The Panel finds that the disputed domain name constitutes a common, obvious, or intentional misspelling of the ESTAFETA mark and retains sufficient recognizable elements of the mark. Accordingly, the disputed domain name is confusingly similar to the ESTAFETA mark for purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.9. In specific limited instances, while not a replacement as such for the typical side-by-side comparison, where a panel would benefit from affirmation as to confusing similarity with the complainant's mark, the broader case context may support a finding of confusing similarity. In this case, the fact that the Respondent is shown to have been targeting the Complainant's mark, based on the manner in which the disputed domain name has been used, supports the finding of confusing similarity. [WIPO Overview 3.0](#), section 1.7.

While the inclusion of the term “gov” may be relevant to the assessment of the second and third elements, it does not prevent a finding of confusing similarity between the disputed domain name and the ESTAFETA mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Consequently, 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 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 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds 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 nothing in the record to indicate that the Respondent has any rights or legitimate interests with respect to the disputed domain name. The Respondent’s name bears no similarity to the disputed domain name, and the disputed domain name has not been used in connection with any bona fide offering of goods or services or for any other legitimate purpose.

Panels have held that using a domain name for illegitimate or illegal purposes - including phishing, impersonation, passing off, or other types of fraud - cannot confer rights or legitimate interests on a respondent. See [WIPO Overview 3.0](#), section 2.13.1. The evidence submitted by the Complainant demonstrates that the disputed domain name has been used to impersonate the Complainant in a phishing scheme, for sending malicious text messages to potential customers in order to obtain their sensitive personal information.

Accordingly, the Panel finds 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 establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

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 3.0](#), section 3.2.1.

In the present case, the Panel notes that the ESTAFETA mark has been in continuous use for more than 40 years and is notorious and distinctive in its sector both in Mexico and internationally. Prior decisions under the Policy have recognized the renown of this trademark, with which the Panel concurs. See, e.g., *Estafeta*

*Mexicana, S.A. de C.V. v. He Yunfei*, WIPO Case No. [D2025-4176](#); *Estafeta Mexicana, S.A. de C.V. v. Akazio Laurent*, WIPO Case No. [DMX2023-0055](#); and *Estafeta Mexicana, S.A. de C.V. v. Peter Sharapov, ShopfansRU*, WIPO Case No. [DIO2025-0031](#).

The Panel further finds that the Respondent's improper use of the disputed domain name corroborates bad faith under the Policy. Panels have held that using a domain name for illegitimate or illegal purposes constitutes bad faith. See [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy. The Panel notes in particular: (i) the distinctiveness and notoriety of the Complainant's trademark; (ii) the composition of the disputed domain name, including a common, obvious, or intentional misspelling of the ESTAFETA mark; (iii) the fraudulent use of the disputed domain name for sending malicious text messages impersonating the Complainant and incorporating a similar version of its stylized E mark, for the purpose of phishing sensitive personal information from its customers; and (iv) the Respondent's failure to respond to the Complaint.

Therefore, 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 <eatefatagov.cc> be transferred to the Complainant.

*/Reyes Campello Estebaranz/*

**Reyes Campello Estebaranz**

Sole Panelist

Date: December 15, 2025