

ADMINISTRATIVE PANEL DECISION

Civitas Resources, Inc. v. James Aki
Case No. DCO2025-0057

1. The Parties

Complainant is Civitas Resources, Inc., United States of America (“United States”), represented by Davis Graham & Stubbs LLP, United States.

Respondent is James Aki, United States.

2. The Domain Name and Registrar

The disputed domain name <civiresources.co> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 16, 2025. On July 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 17, 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 (Name Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 18, 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 July 18, 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 Respondent of the Complaint, and the proceedings commenced on July 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 13, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on August 17, 2025.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on August 22, 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

Complainant is a company based in the United States. Since at least 2021, Complainant, together with its affiliates (collectively, "Complainant"), has offered services regarding energy production and exploration under the marks CIVITAS and CIVITAS RESOURCES. In this regard, the Complainant owns a trademark registration for the mark CIVITAS, United States Registration No. 6,926,406 (registered December 13, 2022). Complainant claims common law rights to the CIVITAS and CIVITAS RESOURCES marks through years of substantial and continuous use of such marks to promote its business and associated services. Complainant also provides information regarding services offered under its CIVITAS and CIVITAS RESOURCES marks via a website located at <civitasresources.com>.

The disputed domain name was registered on June 22, 2025. The disputed domain name is not currently linked to an active website. Respondent has no affiliation with Complainant, nor any license to use its marks. Respondent has made its location unavailable for contact, providing an undeliverable address to the Registrar.

5. Parties' Contentions

A. Complainant

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant's trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it owns and has built related common law rights to the CIVITAS and CIVITAS RESOURCES marks, through which Complainant offers its services as a "leading energy producer" in various areas of the United States. Complainant contends that Respondent has incorporated the dominant portion of Complainant's CIVITAS and CIVITAS RESOURCES mark into the disputed domain name, reflecting a variation on Complainant's own domain names, <civitasresources.com> and <civiresources.com>, and reflecting Complainant's four-letter moniker on the New York Stock Exchange, CIVI.

Complainant contends that Respondent lacks rights or legitimate interests in the disputed domain name, and rather has registered and is using it in bad faith, having simply acquired the disputed domain name to cause confusion with Complainant's customers. Complainant was alerted to the existence of the disputed domain name when it received a notice from a cybersecurity team warning that it could be at risk for email impersonation.

B. Respondent

Respondent did not reply to 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 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. Complainant has shown rights in respect of a trademark or service mark, CIVITAS, for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The Panel finds Complainant's trademark is recognizable within the disputed domain name. Although the addition of other terms (here, "resources") may bear on assessment of the second and third elements, the Panel finds that the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and Complainant's mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which 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.

Complainant has established rights to the mark recognized in the disputed domain name, and Respondent has not responded with any valid claim to use those terms. In addition, the disputed domain name is identical to a domain name registered to Complainant and merely uses a different domain extension (".co" as compared to ".com"). The disputed domain name also uses an abbreviation of the first part of Complainant's registered trademark, which corresponds to Complainant's Stock Exchange abbreviated name (CIVI). The Panel finds that Complainant has provided sufficient evidence of Respondent's lack of "rights or legitimate interests" in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

C. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. As noted in Section 4 of this Panel's decision, the disputed domain name is not currently linked to an active website. It is nevertheless well established that having a passive website does not necessarily shield a respondent from a finding of bad faith. See [WIPO Overview 3.0](#), section 3.3, which notes that the "non-use of a domain name" does not necessarily negate a finding of bad faith.

Rather, a panel must examine "the totality of the circumstances", including, for example, whether a complainant has a well-known trademark, and whether a respondent conceals his/her identity and/or replies to the Complaint. Complainant has established prior rights in the CIVITAS and CIVITAS RESOURCES mark, which it uses in its capacity as a publicly-traded company offering various energy services.

Respondent used a privacy service and did not respond to the Complainant's allegations in this proceeding. Furthermore, Respondent has made its location unavailable for contact, providing an undeliverable address to the Registrar.

The Panel finds sufficient evidence that Respondent registered and used the disputed domain name in bad faith for purposes 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 disputed domain name <civiresources.co> be transferred to Complainant.

/Lorelei Ritchie/

Lorelei Ritchie

Sole Panelist

Date: September 5, 2025