

FCA US LLC v. STAN STEELE/STEELE SERVICES

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2025 WL 3110959 (UDRP-ARB Dec.)

FCA US LLC
STAN STEELE/STEELE SERVICES

THE NATIONAL ARBITRATION FORUM

PO BOX 50191

MINNEAPOLIS, MINNESOTA 55405 USA

DECISION

FCA US LLC
vs.
STAN STEELE/STEELE SERVICES

Claim Number: FA2509002178855

*1 Domain Name: dodgeram.com

Case Type: Domain Name

Award Amount: Equitable

***11 Award Date: October 22, 2025**

Arbitrator: Douglas M. Isenberg, Panelist

PARTIES

Complainant is FCA US LLC ('Complainant'), represented by [David K. Caplan](#) of Kilpatrick, Townsend & Stockton LLP, California, USA. Respondent is Stan Steele/Steele Services ('Respondent'), Texas, USA.

REGISTRAR AND DISPUTED DOMAIN NAME

The domain name at issue is <dodgeram.com> (the 'Disputed Domain Name'), registered with Network Solutions, LLC.

PANEL

The undersigned certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as Panelist in this proceeding.

Douglas M. Isenberg as Panelist.

PROCEDURAL HISTORY

Complainant submitted a Complaint to Forum electronically on September 24, 2025; Forum received payment on September 24, 2025.

On September 24, 2025, Network Solutions, LLC confirmed by e-mail to Forum that the <dodgeram.com> domain name is registered with Network Solutions, LLC and that Respondent is the current registrant of the name. Network Solutions, LLC has verified that Respondent is bound by the Network Solutions, LLC registration agreement and has thereby agreed to resolve domain disputes brought by third parties in accordance with ICANN's Uniform Domain Name Dispute Resolution Policy (the 'Policy'). On September 26, 2025, in response to Forum's deficiency letter, Complainant submitted an amended complaint (hereafter, the 'Complaint').

On September 26, 2025, Forum served the Complaint and all Annexes, including a Written Notice of the Complaint, setting a deadline of October 16, 2025 by which Respondent could file a Response to the Complaint, via e-mail to all entities and persons listed on Respondent's registration as technical, administrative, and billing contacts, and to postmaster@dodgeram.com. Also on September 26, 2025, the Written Notice of the Complaint, notifying Respondent of the e-mail addresses served and the deadline for a Response, was transmitted to Respondent via post and fax, to all entities and persons listed on Respondent's registration as technical, administrative and billing contacts.

On October 14, 2025, Respondent requested an extension of time to submit its Response, pursuant to Rule 5(b), which Forum granted on the same date, giving Respondent until October 20, 2025, to submit its response.

A timely Response was received and determined to be complete on October 20, 2025.

On October 22, 2025, pursuant to Complainant's request to have the dispute decided by a single-member Panel, Forum appointed Douglas M. Isenberg Panelist.

Having reviewed the communications records, the Administrative Panel (the Panel) finds that Forum has discharged its responsibility under Paragraph 2(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules) to employ reasonably available means calculated to achieve actual notice to Respondent through submission of Electronic and Written Notices, as defined in Rule 1 and Rule 2.

RELIEF SOUGHT

***2** Complainant requests that the Disputed Domain Name be transferred from Respondent to Complainant.

PARTIES' CONTENTIONS

A. Complainant

Complainant states that it is 'one of the world's leading manufacturers of cars and trucks, including the famous DODGE, RAM, JEEP, and CHRYSLER brand vehicles'; that 'Complainant and/or its predecessors or assignors have manufactured and sold automotive vehicles under the DODGE brand name since 1914, and under the RAM brand since 1979'; that '[f]or more than 100 years, the DODGE brand has offered a lineup of vehicles that delivers unrivaled performance in each of the segments in which the brand competes'; that 'Complainant's first RAM brand vehicles were introduced in 1980 as part of Complainant's DODGE branded line of trucks'; that '[i]n 2009, Complainant launched its RAM Trucks brand as a stand-alone division, which has become an industry leader with a full lineup of award-winning trucks known for their strength and durability'; and that it 'has spent hundreds of millions of dollars on television, radio, Internet, and print advertising and sponsorship events that prominently feature' the DODGE Trademark and/or RAM Trademark (as defined below).

Complainant states that it owns registrations for marks consisting of or incorporating 'DODGE' in more than 150 countries, and for marks consisting of or incorporating 'RAM' in more than 105 countries (respectively, the 'DODGE Trademark' and the 'RAM Trademark'), including the following in the United States, each of which is used in connection with automobiles, trucks or motor vehicles:

U.S. Reg. No. 364,669 for DODGE (registered February 7, 1939)

U.S. Reg. No. 569,431 for DODGE (registered January 20, 1953)

U.S. Reg. No. 1,189,233 for DODGE (registered February 9, 1982)

U.S. Reg. No. 3,806,969 for RAM (registered June 22, 2010)

Complainant states that the Disputed Domain Name was registered on February 23, 1996 S%ol 'years after Complainant's [DODGE Trademark and RAM Trademark] were first used and registered as trademarks, and after the [DODGE Trademark and RAM Trademark] became famous in the United States and other countries around the world.'

Complainant states that the Disputed Domain Name 'currently resolves to a parked website' that, as shown in a screenshot provided by Complainant, contains links labeled, among other things, 'Dodge Cars,' 'Dodge Ram' and 'Dodge Pickup Truck.' Complainant further states, and provides historical screenshots in support thereof, that the Disputed Domain Name was previously used in connection with a website that 'prominently displays Complainant's [DODGE Trademark and RAM Trademark] without authorization, as well as an image of one of Complainant's RAM brand vehicles' and 'for a site using Complainant's [DODGE Trademark and RAM Trademark] and monetized with ads.'

Complainant states that 'a representative for Complainant contacted Respondent' on March 10, 2025, offering to purchase the Disputed Domain Name for \$2,000. Complainant adds that 'Complainant's representative then followed up with Respondent on March 13, increasing the offer to \$8,000. Respondent rejected the offer on March 19, stating in part, 'need to add some more money.' When Complainant's representative asked Respondent for his price, Respondent answered 'Just make your best offer.' Complainant's representative made a best and final offer of \$10,000. Respondent did not accept, despite a follow up by Complainant's representative.'

***3** Complainant contends that the Disputed Domain Name is identical or confusingly similar to the DODGE Trademark and the RAM Trademark because, inter alia, the Disputed Domain Name 'fully incorporates' those trademarks.

Complainant contends that Respondent lacks rights or legitimate interests in the Disputed Domain Name because, inter alia, 'Respondent has no right to own or use any domain name incorporating Complainant's DODGE and RAM Marks, and nothing in Respondent's Whois information or the record suggests Respondent is commonly known by the Disputed Domain Name'; '[t]here is no relationship between Complainant and Respondent giving rise to any license, permission, or other right by which Respondent could own or use any domain name incorporating Complainant's [DODGE Trademark or RAM Trademark], nor has Complainant given Respondent permission to use Complainant's [DODGE Trademark or RAM Trademark], or any combination or variation thereof'; using the Disputed Domain Name in connection with a 'parked website' and 'to resolve to websites prominently displaying Complainant's [DODGE Trademark and RAM Trademark] without authorization and including linked advertisements through which Respondent derived click-through revenue' is not a bona offering of goods or services, nor is it a legitimate noncommercial or fair use of the Disputed Domain Name; and '[t]he combination of

a confusingly similar domain name and offering the domain name for sale shows Respondent's lack of legitimate interest.'

Complainant contends that Respondent registered and is using the Disputed Domain Name in bad faith because, inter alia, 'the Disputed Domain Name incorporates Complainant's entire [DODGE Trademark and RAM Trademark] and the Disputed Domain Name was registered by Respondent several years after the [DODGE Trademark and RAM Trademark] were first used by Complainant'; '[a]fter seeing Complainant's famous [DODGE Trademark and RAM Trademark] in the Disputed Domain Name, consumers will initially be confused as to the site's association with or sponsorship by Complainant' because of 'initial confusion'; '[u]se of the domain to resolve to a parked website is sufficient to establish Respondent's bad faith'; 'Respondent's willingness to sell the Disputed Domain Name at an amount that is far greater than Respondent's out-of-pocket costs, even if that amount is unspecified, is evidence of bad faith'; and 'Respondent's prior use of Complainant's DODGE Trademark and RAM Trademark] on the website at the Disputed Domain Name demonstrates that Respondent had actual knowledge of Complainant and its rights prior to Respondent's registration and use of the Disputed Domain Name.'

B. Respondent

Respondent describes himself as follows:

Respondent Stan Steele is a rancher in Blanco, Texas, where his family has operated a ranch for generations. Respondent has worked this land his entire life, raising goats and other livestock. Respondent has used Dodge Ram trucks in his ranching operation since the mid-1990s and has custom-ordered three Dodge Ram trucks over the past 29 years. Respondent currently owns and uses two of these trucksS%omthe original 1996 custom-built truck he ordered when he registered dodgeram.com, and a 2011 custom-built truckS%omboth actively used in his ranching operation.

***4** By way of 'introduction,' Respondent states as follows:

This case presents a textbook example of overreach and selective enforcement. Complainant seeks to transfer a domain that: (i) Was registered on February 23, 1996S%omthree years before the UDRP existed and thirteen years before RAM became a separate brand; (ii) Was registered by a rancher who was contemporaneously custom-ordering a Dodge Ram truck for use in his ranching operation, as proven by the original title document he still possesses; (iii) Is protected by a trademark Complainant cancelled in 2016S%omComplainant has not held registered rights in the combined DODGE RAM mark for nearly ten years; (iv) Was used for non-commercial enthusiast content virtually identical to dodgeram.org, which Complainant tolerated for over 12 years (2001-2013+), as evidenced by 347 archived snapshots; (v) Has been completely inactive for 13 years (2012-2025); (vi) Respondent has held peacefully for 29 years without any direct contact or objection from Complainant; and (vii) Complainant only challenged after Respondent declined purchase offers made by an undisclosed broker whom Complainant employed to conceal its identity and acquire the Domain below market value.

At no point over the course of twenty-nine years did Complainant ever directly contact Respondent. Instead, FCA used Simon Briand of Gandi Corporate Services, who concealed FCA's identity throughout their conversations. Respondent did not learn he was dealing with FCA until receiving this ComplaintS%omsix months after the offer. FCA's use of deceptive tactics followed by UDRP filing demonstrates this Complaint is about domain acquisition, not trademark protection.

Complainant's 29-year delay, combined with concealed-identity negotiation tactics and selective enforcement, demonstrates this Complaint lacks merit and should be denied.

Respondent provides significant additional background about his registration and use of the Disputed Domain Name, the relevant details of which can be summarized as follows: Respondent registered the Disputed Domain Name on February 23, 1996, the same year in which he 'custom-ordered his first Dodge Ram truck,' because '[h]e thought it would be interesting to have a domain related to trucks he used and appreciated' as an 'enthusiast registration common in the early internet,' and the registration 'was not a business plan or speculation' and 'was not motivated by intent to exploit [Complainant's] trademarks or profit.' Through the years, Respondent states that the Disputed Domain Name was used from 1997 to 2000 by a company called IBG Technologies 'for Ram truck enthusiast content with disclaimers stating 'not affiliated with Chrysler Corp or Cummins Engine Company"; from 2000 to 2007 it was 'completely inactive'; and '[s]ince around 2013 (12 years), the Domain has been completely inactive except for registrar-generated parking pages Respondent does not control.'

Respondent contends that the Disputed Domain Name is not identical or confusingly similar to the DODGE Trademark and the RAM Trademark because, inter alia, 'Complainant's 'DODGE RAM' trademark (U.S. Reg. No. 1,169,189) was cancelled March 18, 2016, for failure to file maintenance documents' and 'Complainant has not held 'DODGE RAM' rights for nearly ten years'; and "'dodge' and 'ram' are common English words with non-trademark meanings.'

***5** Respondent contends that he has rights or legitimate interests in the Disputed Domain Name because, inter alia, he 'is not a domain speculator' but instead 'is a lifelong rancher with genuine need for Ram trucks'; Respondent registered the Disputed Domain Name before the Policy was created; '[t]hroughout 29 years, Respondent used the Domain solely for non-commercial enthusiast purposes or left it inactive'; Respondent has never sold a domain in his life' and rejected Complainant's offer of \$10,000 'because the Domain has personal meaning related to genuine Ram truck use'; '[o]ver 29 years, this Domain generated zero dollars for Respondent' and '[t]o the extent limited advertising ever appeared during the years when third-party forum content was hosted, it was incidental and designed only to offset hosting costs'; and '[b]y remaining silent nearly three decades while Respondent maintained the Domain, FCA implicitly recognized legitimate interest.'

Respondent contends that he did not register and is not using the Disputed Domain Name in bad faith because, inter alia, '[i]t is legally impossible for Respondent to have registered in 'bad faith' under a policy that did not exist'; Respondent's purchase of a Dodge Ram truck in the same year that he registered the Disputed Domain Name 'proves motivation was genuine interest as a customer, not intent to exploit marks'; 'RAM Trucks was not established as a separate brand until 2009S% thirteen years after registration'; Complainant 'cannot claim Respondent registered or used in bad faith to exploit a mark [Complainant] itself abandoned' (that is, the DODGE RAM trademark); Complainant's '29-year delay constitutes laches and acquiescence'; Respondent's refusal to sell the Disputed Domain Name to Complainant (via a representative who did not identify itself as representing Complainant) 'is powerful evidence of legitimate interest and noncommercial motivation'; and Respondent 'is not engaged in any pattern of registering domains to exploit trademarks.'

Finally, Respondent requests that the Panel issue of finding of Reverse Domain Name Hijacking ('RDNH') because, inter alia, Complainant 'knew or should have known: (a) pre-UDRP registration nearly always defeats bad faith; (b) [Complainant] cancelled 'DODGE RAM' in 2016, undermining its rights; (c) [Complainant] tolerated dodgeram.org 12+ years, proving [Complainant] recognized such use as permissible; (d) 29-year delay raises laches; [and] (e) [Complainant] acted only after Respondent declined to sell, proving acquisition motive.' Further, Complainant 'approached Respondent through an undisclosed representative concealing [Complainant's] identity.'

C. Additional Submissions

In its additional submission, Complainant raises multiple issues, the most relevant of which are as follows: '[b]eing a fan of Complainant does not confer any rights to Respondent to use [the DODGE Trademark and RAM Trademark] in a domain name and is not a legitimate non-commercial or fair use'; '[r]egardless of whether the advertisements on the website generated any revenue for Respondent, their existence is proof of Respondent's commercial use of the Disputed Domain Name'; a screenshot from 1997 shows that 'Respondent offered to sell email addresses using the Disputed Domain Name,' which 'is also evidence of commercial use'; a screenshot from 1998 'states 'At this time, there are no commercial promotions or sales from this site. That may change if Stan decides to return the site to it's [sic] original intent (and pay the bills),' suggesting Respondent's original intent was commercial'; '[a] disclaimer does nothing to dispel the initial interest confusion created by Respondent's use of a domain name which is confusingly similar to [the DODGE Trademark and RAM Trademark]'; '[i]t has been consistently held that the doctrine of laches does not apply as a defense in UDRP proceedings' and '[e]ven if the Panel considered the doctrine of laches S%ol which it should not S%ol that doctrine does not apply in this case because Respondent has not built up any legitimate rights in the Disputed Domain Name since its registration, and Respondent is using the Disputed Domain Name in bad faith'; although 'Respondent argues that the UDRP does not apply to the Disputed Domain Name because it was registered prior to the adoption of the UDRP Respondent voluntarily subjected himself to the ICANN Rules, including the UDRP, as a contractual obligation when he registered and maintained the Disputed Domain Name'; and Respondent's citation of two decisions under the Policy, in support of Respondent's argument that Respondent is not subject to the Policy, contain 'quotes [that] do[] not appear anywhere in the decision[s].'

FINDINGS

***6** For the reasons set out below, the Panel finds for Complainant and orders transfer of the Disputed Domain Name.

DISCUSSION

Paragraph 15(a) of the Rules instructs this Panel to decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.

Paragraph 4(a) of the Policy requires that Complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- (1) the domain name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (2) Respondent has no rights or legitimate interests in respect of the domain name; and
- (3) the domain name has been registered and is being used in bad faith.

Identical and/or Confusingly Similar

Based upon the trademark registrations cited by Complainant, it is apparent that Complainant has rights in and to both the DODGE Trademark and the RAM Trademark.

Although Complainant has not cited any registrations for marks that consist of both 'DODGE' and 'RAM' S%l and, for that matter, Respondent has cited a cancelled registration that Complainant previously owned by 'DODGE RAM' S%l the Policy requires only that a complainant prove that a disputed domain name be confusingly similar to 'a trademark or service mark in which the complainant has rights.' (Emphasis added.) In other words, in this case, it is sufficient for Complainant to prove that the Disputed Domain Name is confusingly similar to either the DODGE Trademark or the RAM Trademark.

The relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., 'dodgeram') because '[t]he applicable Top-Level Domain ('TLD') in a domain name (e.g., '.com', '.club', '.nyc') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test'. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ('WIPO Overview 3.0'), section 1.11.1.

As set forth in section 1.7 of WIPO Overview 3.0: 'in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.' Here, clearly, the Disputed Domain Name contains both the DODGE Trademark and the RAM Trademark. Accordingly, the Disputed Domain Name is confusingly similar to each of these marks. See, e.g., *Nutramax Laboratories, Inc. v. yan qing hua*, FA 2176831 (Forum, Oct. 10, 2025) (disputed domain name containing two of complainant's trademarks 'is confusingly similar to each of Complainant's [trademarks]'); *Revlon Consumer Products Corporation v. PrivacyProtect.org/Naga Prasad*, WIPO Case No. D2010-1339 ('the combination of two trademarks owned by the Complainant as placed in the disputed domain name does not prevent confusion in the minds of Internet visitors and as the Complainant submits, such a domain name must be found to be confusingly similar to the Complainant's trademarks'); and *Accor v. SANGHO HEO/Contact Privacy Inc.*, WIPO Case No. D2014-1471 ('[w]hile the disputed domain name is not identical to either [of two trademarks], it does reproduce both Trademarks entirely' and '[a]s a result, the Panel finds the disputed domain name to be confusingly similar to both Trademarks').

***7** The Panel finds the first element of the Policy has been established.

Rights or Legitimate Interests

As set forth in section 2.1 of WIPO Overview 3.0: 'While 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 often impossible 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.'

Here, through its arguments, citation to relevant authority and support from appropriate documentation, Complainant has made out a prima facie case that Respondent lacks rights or legitimate interests, shifting the burden of production to Respondent to come forward with 'relevant evidence demonstrating rights or legitimate interests in the domain name.'

Under paragraph 4(c)(i) of the Policy, Respondent could establish rights or legitimate interests by proving that 'before any notice to [Respondent] of the dispute,' Respondent used, or made 'demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services.' Although Respondent seems to indicate that he allowed the Disputed Domain Name to be used at one time 'for Ram truck enthusiast content,' Respondent has not provided any documentation of such usage, so

the Panel is unable to evaluate whether such usage was in fact 'bona fide.' On the other hand, Complainant has provided screenshots showing the Disputed Domain Name being used in connection with pay-per-click ('PPC') links related to Complainant's trademarks and a site that said it would be used as 'your future source for truck parts and local dealers.' Such uses are not bona fide.

Under paragraph 4(c)(ii) of the Policy, Respondent could establish rights or legitimate interests by proving that he has 'been commonly known by the domain name.' Here, Respondent is apparently known as 'Stan Steele' and has not set forth any facts or arguments that he is commonly known as 'Dodge Ram.'

Under paragraph 4(c)(iii) of the Policy, Respondent could establish rights or legitimate interests by proving that he is 'making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.' Although Respondent has made clear that he is a fan of Complainant's products, he has not used the Disputed Domain Name as a fan site and, the record shows that the Disputed Domain Name has been used over the years for various commercial purposes by containing PPC links and even by being offered (for a fee) for use in connection with email addresses. Further, as set forth in section 2.7.1 of WIPO Overview 3.0, 'for purposes of assessing fair use under UDRP paragraph 4(c)(iii), a respondent's fan site must be active, genuinely noncommercial, and clearly distinct from any official complainant site.' Respondent's use of the Disputed Domain Name does not satisfy these requirements.

***8** The Panel finds the second element of the Policy has been established.

Registration and Use in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or 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 the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has 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 the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's 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 the registrant's website or location or of a product or service on the registrant's website or location. Policy, paragraph 4(b).

As an initial matter, the Panel addresses Respondent's arguments that he could not have acted in bad faith because he registered the Disputed Domain Name before the Policy became effective (after it was adopted by ICANN on August 26, 1999). First, there is a subtle distinction to be made between whether Respondent could have acted in bad faith if he registered the Disputed Domain Name before the Policy's adoption (as Respondent has argued) and whether he agreed to be bound by the Policy (something that Respondent has not directly argued). However, the Panel considers these two issues together and rejects them both. While the Disputed Domain Name may have been created on February 23, 1996, it has necessarily been renewed since that time. As a previous panel that addressed this issue wrote:

Before considering the substantive questions presented by the evidence, we must first address a preliminary matter raised by Respondent. This is its contention that there is no jurisdiction over this matter under the Policy because the disputed domain name was initially registered in 1998, prior to the 1999 effective date of the Policy. This

question has been raised in other panel decisions, including that in the matter of Furrytails Ltd. v. Mitchell, D2001-0857 (WIPO Sep. 6, 2001). There the presiding panel found the controversy before it to be within the jurisdiction of the Policy notwithstanding a similar objection. We agree with that panel and others that have ruled to the same effect. See R&A Bailey & Co. v. WYSIWYG, D2000-0375 (WIPO Jul. 4, 2000). Our conclusion in this regard is buttressed in the instant case by the undisputed fact that Respondent's registration was renewed as recently as February of 2006, in connection with which Respondent expressly committed to be bound by the terms of the Policy by virtue of its domain registrar's domain registration agreement. That being so, we need not dwell further on this issue.

*9 The City of San Diego v. NA c/o Dr. Barry Lotz, FA 0836577 (Forum, Dec. 28, 2006).

Furthermore, in its verification to Forum on September 24, 2025, the Registrar unequivocally stated: 'the UDRP applies to the domain.'

As to the substantive issue of bad faith, the Panel focuses primarily on paragraph 4(b)(iv), regarding a likelihood of confusion, because the Panel considers the other paragraphs within 4(b) inapplicable here. There is no question that Respondent was well aware of the DODGE Trademark and the RAM Trademark when he registered the Disputed Domain Name; indeed, Respondent makes clear that he registered the Disputed Domain Name because it contained both of those trademarks. Although Respondent makes abundantly clear his enthusiasm for Dodge Ram trucks, it is also clear that he has used the Disputed Domain Name through the years in various ways that would create confusion S%ol at least under the doctrine of 'initial interest' confusion, 'which occurs when a member of the public sees the disputed domain name and thinks that it may lead to a website associated with the Complainant.' CBS Broadcasting Inc., f/k/a CBS Inc v. Nabil Z. aghloul, WIPO Case No. D2004-0988. This doctrine does not excuse confusion simply because such 'confusion may be dispelled, and replaced by annoyance or disgust once the nature of the site is revealed.' Ticketmaster Corporation v. Iskra Service, WIPO Case No. D2002-0165.

In addition, panels repeatedly find bad faith based on a likelihood of confusion in cases where, as here, a respondent has used a disputed domain name in connection with a PPC website, especially one that contains links related to the trademark(s) at issue. As the panel stated in Columbia Pictures Industries, Inc. v. North West Enterprise, Inc., WIPO Case No. D2006-0951:

Web pages of the type used by the Respondent in connection with the Domain Names S%ol sometimes known as an 'online domain monetization system', a 'monetized parking page' or a 'paid link farm service' S%ol have become an 'increasingly popular way for domain name registrants to profit from their activity with little effort'. Wal-Mart Stores, Inc. v. Whois Privacy, Inc., WIPO Case No. D2005-0850. [G]iven the commercial use of other trademarks associated with Complainant on the websites used in connection with the Domain Names and the lack of any indication that the websites are not associated with Complainant, it is likely that a website visitor would be led to such website, or make decisions once he or she has arrived at such website, based on a mistaken belief that Complainant is the source of the website or that Complainant has sponsored, is affiliated with or has endorsed the website S %ol a result that constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Although Respondent claims that the Disputed Domain Name 'generated zero dollars for Respondent,' this claim is immediately contradicted by Respondent's own statement that '[t]o the extent limited advertising ever appeared during the years when third-party forum content was hosted, it was incidental and designed only to offset hosting costs.' In any event, the issue is not whether, or how much, Respondent may have profited, but whether consumers are likely to be confused. Indeed, as set forth in section 3.5 of WIPO Overview 3.0:

***10** Particularly with respect to 'automatically' generated pay-per-click links, panels have held that a respondent cannot disclaim responsibility for content appearing on the website associated with its domain name (nor would such links ipso facto vest the respondent with rights or legitimate interests).

Neither the fact that such links are generated by a third party such as a registrar or auction platform (or their affiliate), nor the fact that the respondent itself may not have directly profited, would by itself prevent a finding of bad faith.

While Respondent understandably refers to the 29-year delay between registration of the Disputed Domain Name and the filing of the Complaint, it is clear that the doctrine of laches does not apply to these proceedings. As set forth in section 4.17 of WIPO Overview 3.0:

Panels have widely recognized that mere delay between the registration of a domain name and the filing of a complaint neither bars a complainant from filing such case, nor from potentially prevailing on the merits.

Panels have noted that the UDRP remedy is injunctive rather than compensatory, and that a principal concern is to halt ongoing or avoid future abuse/damage, not to provide equitable relief. Panels have furthermore noted that trademark owners cannot reasonably be expected to permanently monitor for every instance of potential trademark abuse, nor to instantaneously enforce each such instance they may become aware of, particularly when cybersquatters face almost no (financial or practical) barriers to undertaking (multiple) domain name registrations.

Panels have therefore declined to specifically adopt concepts such as laches or its equivalent in UDRP cases.

Panels have however noted that in specific cases, certain delays in filing a UDRP complaint may make it more difficult for a complainant to establish its case on the merits, particularly where the respondent can show detrimental reliance on the delay.

Here, Respondent has not presented evidence of detrimental reliance S%ol nor would any arguments on the issue be credible, given Respondent's own repeated references about how long the Disputed Domain Name has been inactive.

Finally, the Panel wishes to address Respondent's citation of two decisions under the Policy that, as Complainant correctly noted, do not contain quotations set forth in the Response. Respondent has failed to explain this matter, so the Panel has no way of knowing whether the blatant errors were purposeful, the result of an inexperienced pro se respondent, or perhaps even attributable to a foolish reliance on research conducted using artificial intelligence tools S%ol something that has plagued other legal proceedings.¹ Fortunately, the Panel was immediately suspicious of the fake quotes and, furthermore, Complainant brought the issue to the Panel's attention. Unfortunately, the Panel has no authority to address this matter other than by discussing it here, which the Panel hopes will serve as a warning to future parties and panels.

REVERSE DOMAIN NAME HIJACKING

Because the Panel is issuing a decision in favor of Complainant, the Panel need not consider Respondent's request for a finding of RDNH and, accordingly, declines to issue such a finding.

DECISION

Having established all three elements required under the ICANN Policy, the Panel concludes that relief shall be GRANTED.

Accordingly, it is Ordered that the <dodgeram.com> domain name be TRANSFERRED from Respondent to Complainant.

Dated: October 22, 2025

Arbitrator: Douglas M. Isenberg, Panelist

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Footnotes

- 1 For example, see 'England's High Court Warns Lawyers to Stop Citing Fake A.I.-Generated Cases,' The New York Times(June 6, 2025), < <https://www.nytimes.com/2025/06/06/world/europe/england-high-court-ai.html>> (accessed November 3, 2025); 'Gordon Rees Admits AI Misuse in Hospital Bankruptcy, Repays Fees,' Bloomberg Law(October 24, 2025), < <https://news.bloomberglaw.com/bankruptcy-law/gordon-rees-admits-ai-misuse-in-hospital-bankruptcy-repays-fees>> (accessed November 3, 2025); and 'Judge Fines Lawyers for MyPillow Founder for Error-Filled Court Filing,' The New York Times(July 8, 2025), < <https://www.nytimes.com/2025/07/08/us/judge-fines-lawyers-mypillow-ai.html>> (accessed November 3, 2025)

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