



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE ADMINISTRATIVE PANEL DECISION

CIIDRC case number:	27474-CDRP	Decision date: August 24, 2026
Domain Name:	openlaneautotransport.ca (the “Domain Name”)	
Panel:	James Plotkin, Q.Arb	
Complainant:	OPENLANE, Inc.	
Complainant's representative:	Joseph Viviani	
Registrant:	Jaspreet Gill	

1. PROCEDURAL HISTORY

This matter is conducted pursuant to the Canadian Dispute Resolution Policy (the “**CDRP**”) and the Canadian Dispute Resolution Rules (the “**CDRP Rules**”) of the Canadian Internet Registry Authority (“**CIRA**”).

The procedural history was set out in a letter from the Canadian International Internet Dispute Resolution Centre (“**CIIDRC**”) to the Panel. In summary:

1. On July 2, 2026, Joseph Viviani of CSC Digital Brand Services Group AB, acting as the Complainant's representative, filed a Complaint pursuant to the CDRP and the CDRP Rules. The Complainant paid the commencement fee the same day and the CIIDRC confirmed that the Complaint was in administrative compliance with CDRP Rule 3.2.
2. Also on July 2, 2026, CIRA was notified of this proceeding. It transmitted by email to the CIIDRC its verification response advising that Jaspreet Gill was the Domain Name's Registrant. CIRA also confirmed that the Domain Name was placed on a Registrar LOCK, and that the Domain Name was registered on November 11, 2025.
3. Pursuant to Rule 4.4 of the CDRP Rules, CIIDRC formally notified the Registrant of this administrative proceeding on July 8, 2026, and transmitted to the Registrant a Notice of Complaint together with a copy of the Complaint.

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4. In accordance with the Resolution Rules, the Registrant's deadline to submit a Response was July 28, 2026. The CIIDRC has advised that the Registrant has not filed a Response.
5. The Complainant has elected for a Panel consisting of a single member. I was appointed as the Panel on August 12, 2026.

2. THE PARTIES' CONTENTIONS

A. Complainant

6. In summary, the Complainant's evidence and submissions are as follows:

The Complainant

- a. The Complainant operates a digital marketplace where users can resell used vehicles. It provided a "fact sheet" stating that, in the 12 months preceding February 2026, it operated more than 90 locations in approximately 40 countries, had over 4,500 employees and earned \$1.9 billion in revenue.¹ The Panel notes that the Complainant has not identified the source of this information and there is no sworn or affirmed evidence that the figures in the "fact sheet" are true. Accordingly, the Panel cannot give more than minimal weight to this evidence.
- b. The Complainant's primary website is hosted at <openlane.com>. It also operates a website at <openlane.ca>. Those domain names were created in 1999 and 2007, respectively. The Complainant says it has owned <openlane.com> since 2008. There is no evidence on the record directly demonstrating this. However, the Panel is prepared to infer that this is the case on the basis that the Complainant is the current registrant of that domain name, which was created before 2008.

Canadian Presence Requirement (CPR)

- c. To satisfy the CPR, the Complainant relies on CPR paragraph 2(q) and its Canadian trademark registration TMA757102 for OPENLANE (the "**Canadian Trademark Registration**"). The wordmark secured by the Canadian Trademark Registration, OPENLANE (the "**Mark**") is contained in the Domain Name such that CPR paragraph 2(q)'s requirements are met.

Confusing similarity between the Domain Name and the Mark

- d. The Complainant points to various trademark registrations, the Canadian Trademark Registration and foreign registration, for the Mark. The Canadian Trademark Registration was registered on January 15, 2010, whereas the Domain Name was registered on November 28, 2025.
- e. With respect to confusing similarity, the Complainant submits that the second level of the Domain Name captures the Complainant's Mark in its entirety and simply added the

¹ The Panel notes that the Complaint erroneously says these figures are "as of February 2025", which is incorrect if the note at the bottom of the fact sheet is accurate.

generic term "auto transport" to the end of the Domain Name. this addition, which the Complainant says "closely relate" to its business, is insufficient to prevent confusion since the generic term "auto transport" relates to the Complainant's goods and services.

Legitimate interest²

- f. The Complainant asserts that the Registrant lacks any legitimate interest in the Domain Name. It argues that its trademark registrations for the OPENLANE trademark are *prima facie* evidence of the validity of the OPENLANE mark, the Complainant's ownership of the mark, and its exclusive right to use it as a trademark in commerce on or in connection with the goods and/or services.
- g. The Complainant says the Registrant is not sponsored by or affiliated with the Complainant in any way. The Complainant has not given the Registrant the license, authorization or permission to use the Mark in any manner, including in domain names.
- h. The Complainant submits it had already established goodwill and reputation on the OPENLANE trademark by the time the Registrant registered the Domain Name on November 28, 2025. This was long after the Complainant registered its Mark in various jurisdictions. The Domain Name also post-dates the Complainant's .com and .ca websites by many years. As a result, the Registrant's registration of the Domain Name, which incorporates the Complainant's Mark in full, and only adds related generic words, suggests an affiliation with, or authorization by, the Complainant that does not exist. This, the Complainant says, cannot be considered fair use.
- i. The Registrant is not commonly known by the Domain Name. The Registrant is "Jaspreet Gill" and there is no obvious connection between this person and the Mark or the Domain Name.
- j. The Registrant's website displays content suggesting an intent to pirate the Complainant's goodwill and reputation. The Complainant provided a screenshot of a landing page that purports to offer "vehicle shipping & auto transportation across Canada" with an image of vehicles loaded onto transport trucks. The Complainant submits that the "...Domain Name's website was purposely designed to deceive internet users into believing that the [Domain Name] and its website were associated or affiliated with Complainant".
- k. The Complainant submits that "while no evidence has been found that the Disputed Domain Name was actively used as part of a fraud, the presence of MX records on the domain name, coupled with its use to promote a business that creates an association with Complainant and its OPENLANE trademark, while offering directly competing services, strongly implies that the Disputed Domain Name could be used as part of an email phishing scheme in the future." The Complainant references *Alain Afflelou Franchiseur v. Lihongbo, Lihongbo*, D2020-2075 (WIPO Oct. 14, 2020) as support for this proposition.

² Some of the Complainant's submissions were pre-emptive responses to arguments it anticipated the Registrant might advance. However, since the Registrant did not respond, those arguments need not be summarized or addressed in these reasons.

Bad faith registration

- l. The Complainant asserts that its business and Mark have been known internationally since 2008. The fact that the Registrant registered a domain name including the exact Mark several years later provides some basis that the Registrant was familiar with the Complainant's brand and business. This is further supported by the fact that the Registrant has targeted other brands under the Complainant's group of companies, including the ADESA mark that was at issue in another CDRP dispute (<adesautotransport.ca> case no. 26820-CDRP).³
- m. The Domain Name, which is confusingly similar to the Complainant's Mark, is used in connection with a business associated with the Complainant. It is argued that this shows the Registrant intentionally attempted to attract, for commercial gain, internet users to the Registrant's website 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 [**CDRP subsection 3.5(4)**].
- n. The impression given by the Domain Name and its website could cause consumers to believe the Registrant is somehow associated with Complainant, which is false.
- o. The Registrant is using the Domain Name to disrupt the Complainant's business.
- p. The Complainant says the Respondent has registered three domain names that each infringe upon the Complainant's trademarks. This is sufficient to demonstrate that Respondent is engaging in a pattern of cybersquatting, which is evidence of bad faith registration and use. The Panel notes that the record reveals only two registrations related to the Complainant's marks, the Domain Name and the domain name at issue in 26820-CDRP.
- q. The Complainant claims that the Registrant has refused its attempt to resolve this dispute. It provides a screenshot of CIRA's message delivery service showing that a message was sent to the Registrant. The email to whom the CIRA confirmation was sent is listed as "dnrecovery". There is no domain shown to identify the email address. From this evidence, the Panel is unable to confirm that it was the Complainant or its representative who sent the message. There is also no evidence of what the message said. The Panel is unable to ascribe any weight to this evidence.

B. Registrant

7. As noted, the Registrant failed to respond by the deadline in the CDRP Rules. He or she did not seek an extension of time.

³ By coincidence, I was appointed as the Panel in that dispute.

C. Remedy Sought

8. The Complainant seeks an order to have the Domain Name transferred.

3. DISCUSSION AND FINDINGS

9. Although the Registrant did not respond to the Complaint, the Complainant must still establish eligibility under the CPR, and meet the three-part test set out in CDRP paragraph 3.1.
10. The Complainant meets the CPR. It has also made out all three prongs of the test set out in CDRP paragraph 3.1. As such, the Complaint will be allowed. The Panel will address the CPR and each of the CDRP paragraph 3.1 requirements in turn.
11. A final preliminary comment is in order. The Panel has commented above on the quality of some of the Complainant's evidence. Those comments are intended to provide guidance to future Complainants on the sort of evidence a Panel may not be inclined to accept. In particular, providing screenshots or printouts without identifying their origin or providing some other attestation as to their truth and accuracy is of very limited assistance to CDRP panels. As the analysis below shows, these defects in the Complainant's evidence did not affect the outcome in this case. However, that will not always be so.

A. Eligibility

12. The Complainant meets the CPR.
13. The CPR enumerates several grounds upon which a complainant may establish standing. The Complainant relies on CPR paragraph 2(q): a trademark registered under the *Trademarks Act*, R.S.C. 1985, c.T-13, which applies where the Domain Name consists of or includes the exact word component of that registered trademark.
14. The Complainant has proven that it owns the Canadian Trademark Registration. The Mark is included in the Domain Name. Accordingly, the Complainant has standing to bring its Complaint.

B. CDRP Requirements

15. In accordance with CDRP paragraph 3.1, the Complainant must show:
 - a. The Domain Name is Confusingly Similar to a trademark or service mark in which the Complainant has rights predating the Domain Name's registration, and that it continues to have such rights;
 - b. The Registrant has no legitimate interest in the Domain Name; and
 - c. The Domain Name was registered in bad faith.
16. The Complainant bears the onus of proving that the Domain Name is confusingly similar and was registered in bad faith. It must also provide "some evidence" that the Registrant lacks a

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legitimate interest in the Domain Name [CDRP paragraph 4.1]. The onus then shifts to the Registrant to prove a legitimate interest [*Ibid.*].

C. Analysis

1. The Domain Name is Confusingly Similar to a Mark in which the Complainant has Rights

17. On the first limb of the analysis, the Complainant must establish two things: 1) that it has active rights to a “Mark” preceding the Domain Name’s registration; and 2) that the Domain Name is confusingly similar to that “Mark”.

18. CDRP paragraph 3.2 defines “Mark”, *inter alia*, as follows:

(a) a trade-mark, including the word elements of a design mark, or a trade name that has been used in Canada by a person, or the person’s predecessor in title, for the purpose of distinguishing the wares, services or business of that person or predecessor or a licensor of that person or predecessor from the wares, services or business of another person;

...

(c) a trade-mark, including the word elements of a design mark, that is registered in CIPO.

19. CDRP paragraph 3.3 states that in determining whether a domain name is “confusingly similar” to a Mark, the Panel shall only consider whether the domain name “so nearly resembles the Mark in appearance, sound or the ideas suggested by the Mark as to be likely to be mistaken for the Mark.”

20. CDRP paragraph 1.2 clarifies that the “.ca” suffix is excluded from the confusion analysis. That the Complainant does not possess trademark registrations or common law trademark rights including “.ca” is therefore irrelevant to the analysis.

21. The Complainant meets the first prong.

22. The evidence shows that the Complainant’s rights in the Mark long pre-date the Domain Name.

23. The Domain Name is also confusingly similar to the Mark. For one, OPENLANE is not a dictionary term and, as the Complainant points out, is the first and dominant part of the Domain Name. Adding generic terms does nothing to alleviate the confusion. In fact, the generic terms at issue “auto transport” arguably exacerbate the confusion since those terms are loosely associated with the Complainant’s business. I find support for this reasoning in [15224-CDRP \(enterpriserent.ca\)](#), a case in which the Panel held that addition of the word “rent” worsened the confusion since that term bore a connection with the Complainant’s business (car rental services). That same reasoning applies here.

24. In light of the foregoing, the Panel is satisfied that the Complainant has met the threshold under CDRP paragraph 3.1(a) on a balance of probabilities in respect of the Domain Name.

2. The Registrant has no Legitimate Interest in the Domain Name

25. As noted, the CDRP places the initial onus on the Complainant to establish that the Registrant lacks a legitimate interest in the Domain Name. Given the difficulty inherent in proving a negative, particularly in this summary process, the CDRP only requires the Complainant to lead “some evidence” sufficient to establish a lack of legitimate interest. The Registrant may then attempt to rebut that evidence by establishing a legitimate interest on a balance of probabilities [CDRP paragraph 4.1; [14541-CDRP \(calvinkleincanadaoutlet.ca\)](#), para. 53]. As the Registrant filed no submissions, the Complainant clears this limb if it meets the “some evidence” threshold.
26. On the evidence before me, I agree with the Complainant that the Registrant lacks a legitimate interest in the Domain Name.
27. CDRP paragraph 3.4 sets out a list of six “legitimate interests”:
- a. the domain name was a Mark, the Registrant used the Mark in good faith and the Registrant had Rights in the Mark;
 - b. the Registrant registered the domain name in Canada in good faith in association with any wares, services or business and the domain name was clearly descriptive in Canada in the English or French language of: (i) the character or quality of the wares, services or business; (ii) the conditions of, or the persons employed in, production of the wares, performance of the services or operation of the business; or (iii) the place of origin of the wares, services or business;
 - c. the Registrant registered the domain name in Canada in good faith in association with any wares, services or business and the domain name was understood in Canada to be the generic name thereof in any language;
 - d. the Registrant used the domain name in Canada in good faith in association with a non-commercial activity including, without limitation, criticism, review or news reporting;
 - e. the domain name comprised the legal name of the Registrant or was a name, surname or other reference by which the Registrant was commonly identified; or
 - f. the domain name was the geographical name of the location of the Registrant’s non-commercial activity or place of business.
28. CDRP paragraph 3.4’s list is non-exhaustive. However, given the Registrant did not respond, the Complainant’s submissions and evidence on several of the listed legitimate interest factors is enough to discharge the low “some evidence” threshold.
29. In particular, the Registrant’s liberal use of the Complainant’s Mark, both in the Domain Name and on the website hosted there, despite the absence of any affiliation, smacks of opportunistic and parasitic conduct. This is not legitimate.

30. There is no evidence that the Registrant is commonly known by the Domain Name. The Registrant's name, "Jaspreet Gill", bears no resemblance to or connection with the words making up the Domain Name.
31. The Panel also agrees that the content of the Registrant's website suggests he or she is trying to parasitically benefit from the Complainant's brand and goodwill with no legal right to do so. This evidences a lack of legitimate interest in the Domain Name.
32. In light of the foregoing, the Panel is satisfied that the Complainant provided some evidence that the Registrant lacks a legitimate interest in the Domain Name. The Registrant has not rebutted that evidence on a balance of probabilities.

3. The Registrant Registered the Domain Name in Bad Faith

33. CDRP paragraph 3.5 offers four circumstances demonstrating bad faith registration:

- a. The Registrant registered the domain name, or acquired the Registration, primarily for the purpose of selling, renting, licensing or otherwise transferring the Registration to the Complainant, or the Complainant's licensor or licensee of the Mark, or to a competitor of the Complainant or the licensee or licensor for valuable consideration in excess of the Registrant's actual costs in registering the domain name, or acquiring the Registration;
- b. The Registrant registered the domain name or acquired the Registration in order to prevent the Complainant, or the Complainant's licensor or licensee of the Mark, from registering the Mark as a domain name, provided that the Registrant, alone or in concert with one or more additional persons has engaged in a pattern of registering domain names in order to prevent persons who have Rights in Marks from registering the Marks as domain names;
- c. The Registrant registered the domain name or acquired the Registration primarily for the purpose of disrupting the business of the Complainant, or the Complainant's licensor or licensee of the Mark, who is a competitor of the Registrant; or
- d. The Registrant has intentionally attempted to attract, for commercial gain, Internet users to the Registrant's website or other on-line 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.

34. These are examples and do not constitute an exhaustive list of situations evidencing bad faith registration.
35. The Complainant focused most of its submissions on CDRP paragraphs 3.5(c) and (d). The Panel accepts those submissions.
36. The Complainant's evidence shows that the Registrant has attempted to piggyback on the Complainant's goodwill and Mark by creating a false association with the Complainant.
37. The Panel is unable to conclude, on a balance of probabilities, that the Registrant's business is a scam as the Complainant suggests. However, that is unnecessary. Even if the Registrant's

business is “legitimate” (apart from the apparently flagrant trademark infringement), the fact remains that it has used the Complainant’s Mark to drive internet traffic to the website hosted at the Domain Name by creating a false impression that the Complainant and Registrant are affiliated. The Complainant’s assertion that there is no such affiliation is accepted.

38. Given the fact that this is the second of the Complainant’s trademarks that this Registrant has used illegitimately in domain names, there is a reasonable inference that the Registrant is attempting to disrupt the Complainant’s business. The Panel might have come to a different conclusion had the Registrant provided a valid reason for its use of the Complainant’s Mark in the Domain Name. The Registrant did not.

39. In light of the foregoing, the Panel finds the Complainant has established, on a balance of probabilities, that the Domain Name was registered in bad faith.

4 DECISION AND ORDER

40. For the above reasons, the Panel **ALLOWS** the Complaint and **ORDERS** the Domain Name transferred to the Complainant.

Made at Ottawa, Ontario on August 24, 2026

PANEL SIGNATURE



James Plotkin, Q.Arb

