



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE
DOMAIN NAME DISPUTE ADMINISTRATIVE PANEL DECISION

CIIDRC case number:	26820-CDRP	Decision date: April 17, 2026
Domain Name:	adesautotransport.ca (the “ Domain Name ”)	
Panel:	James Plotkin, Q.Arb	
Complainant:	ADESA 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:

1. On March 5, 2026, CIIDRC received a Complaint in respect of the Domain Name pursuant to the CDRP and the CDRP Rules. CIIDRC confirmed the Complaint’s compliance with the CDRP Rules.
2. On March 6, 2026, CIIDRC notified CIRA of this proceeding. CIRA transmitted to CIIDRC its verification response identifying the Domain Name’s Registrant. CIRA also confirmed that it placed the Domain Name on a Registrar LOCK.
3. On March 10, 2026, pursuant to CDRP Rule 4.4, CIIDRC notified the Registrant of this proceeding and forwarded a copy of the Complaint and the commencement letter to the Registrant via email. The Registrant’s deadline to respond was March 30, 2026.
4. CIIDRC received no response from the Registrant by the deadline under the CDRP Rules, or at all.
5. The Complainant elected for a Panel consisting of a single member.
6. On April 10, 2026, I was appointed as the single-member Panelist in this dispute.

Domain Name: adesautotransport.ca
26820-CDRP

2. THE PARTIES' CONTENTIONS

A. Complainant

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

Background

- a. The Complainant is wholly owned by OPENLANE, Inc. and is part of the OPENLANE family of companies. It has been in operation since 1989 providing buyers and sellers with wholesale vehicle auction solutions. It provided evidence, which the Panel need not restate here, of its sales figures, website rankings and the number of physical locations it operates across North America.

Canadian Presence Requirement (CPR)

- b. To satisfy the CPR, the Complainant relies on CPR paragraph 2(q) and its Canadian trademark registration TMA434316 for ADESA (the "**Canadian Mark**"), which features in the Domain Name.

Confusing similarity between the Domain Name and the Mark

- c. The Complainant points to its various trademark registrations, Canadian and foreign, for ADESA as a word mark and similar design marks. The Canadian Mark was registered on October 7, 1994 whereas the Domain Name was registered on August 7, 2025.
- d. With respect to confusing similarity, the Complainant submits that the second level of the Domain Name captures the Complainant's Mark in its entirety. The Registrant has simply added the generic term "auto transport" to the Complainant's ADESA Mark. These additions are insufficient to prevent, and in fact exacerbate confusion since those generic terms relate to the Complainant's goods and services.

Legitimate interest

- e. The Complainant asserts that the Registrant lacks any legitimate interest in the Domain Name. It notes that the Registrant is not sponsored by or affiliated with the Complainant in any way, nor has it given the Registrant a license, authorization or permission to use its Mark in any manner, including in domain names.
- f. The Complainant had already established goodwill and reputation in the ADESA Mark by the time the Registrant registered the Domain Name on August 7, 2025. This is significantly later than the Complainant's registration of the Canadian Mark and its other trademarks registered with the USPTO, WIPO and UKIPO. Further the Complainant states it first used the ADESA Mark in commerce in 1992. It also points to its registrations for <adesa.com> and <adesa.ca> on November 8, 1995 and November 7, 2000, respectively.
- g. The Registrant registered the Domain Name after the Complainant was already a "major player" in the Canadian market and thus cannot claim fair use, particularly when considering the use of the ADESA mark together with generic terms suggesting an affiliation with the Complainant.
- h. The Registrant is not commonly known by the Domain Name. The Registrant is "Jaspreet Gill". The fact that the Registrant appears to be associated with a company called "Adesa Auto Transport Ltd." is of no moment since it would frustrate the purpose of the CDRP to allow a Registrant to claim a legitimate interest by incorporating a business that uses a Complainant's registered

Domain Name: adesautotransport.ca

26820-CDRP

trademark. The Complainant notes that the incorporation came five days after the Complainant sent the Registrant a cease and desist letter.

- i. The Registrant's incorporation of the ADESA Mark with related generic terms risks creating consumer confusion, which is illegitimate.
- j. The Registrant cannot demonstrate non-commercial fair use as it was purporting to offer products or services on the website hosted at the Domain Name, all while suggesting a false association with the Complainant's parent, Openlane. After the Registrant received the Complainant's cease and desist letter, the website changed to a pay-per-click (PPC) but continued to display the ADESA Mark.

Bad faith registration

- k. The Registrant's conduct demonstrates that he or she was aware, or could not have been unaware, of the Complainant's Mark.
- l. The Registrant has intentionally attempted to attract, for commercial gain, Internet users to the web site hosted at the Domain Name by creating a likelihood of confusion with the Complainant's Mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website.
- m. The Registrant's current use of the Domain Name to redirect users to other websites via PPC links further demonstrates bad faith and an attempt to capitalize on the Complainant's goodwill.
- n. Despite the multiple letters (three) that the Complainant sent through its authorized representatives, the Registrant has ignored Complainant's attempts to resolve this dispute outside of this administrative proceeding and continued to use the Domain Name for his or her own benefit.
- o. The Complainant provided screenshots of what look like consumer notes on message boards or similar websites warning that the Registrant's business is, in fact, a scam operation.

B. Registrant

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

C. Remedy Sought

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

3. DISCUSSION AND FINDINGS

- 10. Although the Registrant did not respond to the Complaint, the Complainant must nonetheless establish eligibility under the Canadian Presence Requirements for Registrants (the "CPR"), and meet the three-part test set out in CDRP paragraph 3.1.
- 11. The Panel **ALLOWS** the Complaint. Indeed, this case exemplifies the sort of dispute the CDRP was meant to resolve.

12. The Complainant meets the CPR. It has also made out all three prongs of the test set out in CDRP paragraph 3.1. The Panel will address the CPR and each of the CDRP paragraph 3.1 requirements in turn.

A. Eligibility

13. The Complainant meets the CPR.

14. 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 “consisting of or including the exact word component of that registered trade-mark”.

15. The Complainant has proven that it owns the registered trademark for ADESA, which is included in the Domain Name.

16. Accordingly, the Complainant has standing to bring this proceeding.

B. CDRP Requirements

17. 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.

18. 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 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

19. 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”.

20. 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.

21. 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.”
22. 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.
23. The Complainant meets the first prong.
24. The evidence shows that the Complainant’s rights in the ADESA Mark long pre-date the Domain Name.
25. The Domain Name is also confusingly similar to the Mark. For one, ADESA is not a dictionary term and, as the Complainant points out, is the first and dominant part of the Domain Name. The addition of generic terms does nothing to alleviate the confusion. In fact, the generic terms at issue “auto transport” exacerbate the confusion since they are terms 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).
26. 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

27. 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.
28. On the evidence before me, I agree with the Complainant that the Registrant lacks a legitimate interest in the Domain Name.
29. CDRP paragraph 3.4 sets out a non-exhaustive 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;

Domain Name: adesaautotransport.ca
26820-CDRP

- 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.
30. The Panel notes that 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 more than enough to discharge the low "some evidence" threshold.
31. In particular, the Registrant's liberal use of the Complainant's Mark (and the name of its parent company) despite the absence of any affiliation smacks of opportunistic and parasitic conduct. This is not legitimate.
32. The Registrant is also not commonly known by the Mark. On this point, I agree that the Registrant's ham-fisted attempt to create the air of legitimacy by registering a corporate entity that includes the ADESA Mark is totally ineffectual and, frankly, hubristic.
33. 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

34. 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.
35. These are examples and do not constitute an exhaustive list of situations evidencing bad faith registration.

- 36. The Complainant focused most of its submissions on CDRP paragraph 3.5(d). The Panel accepts those submissions.
- 37. 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. The Panel notes the evidence tendered that suggests the Registrant's business is a scam. The Panel is unable to reach that conclusion on a balance of probabilities. 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, and later to other websites via PPC links, by creating a false impression that the Complainant and Registrant are affiliated. The evidence shows this is not the case.
- 38. The Registrant's conduct is among the most egregious the Panel has seen. This is a clear cut case of bad faith registration.
- 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 April 17, 2026

PANEL SIGNATURE

James Plotkin, Q.Arb

