



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	27030-CDRP	Decision date: June 4, 2026
Domain Name:	tellwellpublishing.ca	
Panel:	Richard S. Levy	
Complainant:	Tellwell Talent Inc.	
Registrant-Respondent	Jay Demir	

1.0. PROCEDURAL HISTORY

1. This is a proceeding under the CIRA Domain Name Dispute Resolution Policy (the “CDRP” or “Policy”), in accordance with the CIRA Dispute Resolution Rules (the “Resolution Rules” or “Rules”).
2. The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre to the Panel dated May 21, 2026.
3. On April 16, 2026, Simon Page filed a Complaint on behalf of Tellwell Talent Inc. pursuant to the CDRP and the Resolution Rules. The complaint was in administrative compliance with CIRA’s requirements under Rule 3.2.
4. On April 16, 2026, CIRA was notified of this proceeding and on the same day CIRA transmitted by email to CIIDRC its verification response informing that the registrant of the Disputed Domain Name is Jay Demir (the “Registrant”). CIRA also confirmed that the disputed domain name was placed on a Registrar LOCK and that the Domain Name has a Registration Date of 2026-04-02 (the “Registration Date”).

Domain Name: tellwellpublishing.ca

27030-CDRP

5. Pursuant to Resolution Rule 4.4, CIIDRC notified the Registrant of this administrative proceeding and forwarded a Notice of Complaint along with the Complaint to the Registrant on April 20, 2026.
6. The deadline for submitting a Response was set for May 11, 2026.
7. The Complaint deposited the required Panel fee on May 20, 2026.
8. CIIDRC appointed Richard Levy, as a single-member Panel.
9. The undersigned determines that he has been properly appointed and constituted as the Single Member Panel to determine the Complaint in accordance with the Rules.

2.0. CANADIAN PRESENCE AND TECHNICAL REQUIREMENTS

10. Section 1.4 of the Policy requires that in order to initiate the Complaint, the Complainant, at the time of the initiation of the Complaint, must satisfy the Canadian Presence Requirements for Registrants, version 1.3 (“CPR.”), unless the Complaint relates to a trademark registered in the Canadian Intellectual Property Office (“CIPO”) and the Complainant is the owner of that trademark.
11. Complainant satisfies the Canadian Presence Requirement as it is a corporation incorporated under the laws of Canada and headquartered in Victoria, British Columbia.
12. The Panel therefore determines that the Complainant has satisfied the provisions of section 1.4 of the Policy. Based upon the information provided by CIIDRC and the Complainant in the Complaint, the Panel finds that all technical requirements for the prosecution of this proceeding have been met.

3.0. FACTS ALLEGED BY THE PARTIES AND REMEDIES SOUGHT

3.1 Complainant

13. **Domain name registration.** The disputed domain, tellwellpublishing.ca, (the “Domain Name”) was registered on April 2, 2026, without the Complainant’s knowledge or authorization.
14. **Trademark Rights.** The Complainant relies on the common law trade name and unregistered trademark TELLWELL, which has been in continuous use in Canada since 2015 in association with self-publishing and author services. While TELLWELL is not currently a registered

Domain Name: tellwellpublishing.ca

trademark, the Complainant has established common law rights through over a decade of continuous and extensive use in the Canadian marketplace. The mark TELLWELL is distinctive and has become associated in the minds of the public with the Complainant's publishing services.

15. **Complainant's Business.** Tellwell Talent Inc. has operated continuously under the Tellwell brand since 2015, providing self-publishing services to authors across Canada and internationally, and maintains an active publishing platform and client base in Canada.
16. **Complainant's Website.** Complainant operates a website at tellwellpublishing.com. This website is active.
17. **Registrant's Activities.** Within twelve days of registration, the Domain Name was being actively used to defraud members of the public. The Complainant has obtained evidence — including the full email chain and a fraudulent service agreement — showing that the registrant contacted at least one individual (a prospective author based in the United States) using the email address support@tellwellpublishing.ca, purporting to represent "Tellwell Publishing" and offering screenplay adaptation and streaming platform pitch services for an upfront fee of \$2,000 USD (the "fraudulent materials")
18. The fraudulent materials reproduce the Complainant's actual logo, trade name, Victoria business address (2031 Store St, Victoria, BC V8T 5L9), and toll-free telephone number. They also reference the Complainant's genuine third-party reviews on BBB, Trustpilot, and Google to lend false credibility to the scheme. A fabricated individual, "Ryan Connors" of the "Legal Department," signed the fraudulent contract on behalf of "Tellwell Publishing." An NDA was subsequently sent to the victim as a follow-up step in the fraud.
19. **Registrant's Website.** Complainant did not allege any facts regarding the website associated with the Domain Name.

3.2 Registrant

20. As was noted above, Registrant has not filed a Response.

4.0 CONTENTIONS OF THE PARTIES

4.1 Complainant

21. **Confusingly similar.** Complainant submits that the disputed domain name tellwellpublishing.ca is confusingly similar to the Complainant's TELLWELL mark for the

Domain Name: tellwellpublishing.ca

reasons that follow. The domain incorporates the mark in full, with the addition of the word “publishing,” which is directly descriptive of the Complainant’s services and does nothing to distinguish the domain from the Complainant’s brand. The addition of a generic descriptor to a distinctive mark has consistently been found insufficient to avoid confusing similarity in CDRP proceedings. The .ca TLD is disregarded for this analysis, as is standard practice. The degree of confusion is further demonstrated by the fact that the Registrant was able to use the domain to deceive at least one member of the public into believing they were dealing with Tellwell Talent — and that the victim only discovered the fraud by independently searching for and contacting the Complainant directly.

22. **Legitimate interest.** The Complainant submits that the Registrant has no rights or legitimate interests in the disputed domain name for the following reasons. The Registrant has not been authorized, licensed, or permitted by the Complainant to use the TELLWELL mark or any variation thereof, to reproduce the Complainant’s logo or trade dress, or to represent itself as “Tellwell Publishing.” The Registrant is not commonly known by the name “Tellwell” or “Tellwell Publishing.” The domain is not being used for any legitimate non-commercial or fair use purpose. The use of the domain to solicit upfront payments from prospective authors under false pretenses — using fabricated personnel, a fraudulent service agreement, and the Complainant’s own branding and contact information — cannot constitute a bona fide offering of goods or services and is entirely inconsistent with any legitimate interest under the Policy.
23. **Bad faith registration.** The Complainant submits that the Domain Name was registered and is being used in bad faith. It contends that the following circumstances support this finding.
 - a. The domain was registered on April 2, 2026, incorporating the Complainant’s distinctive trade name in its entirety. Given the Complainant’s decade of operation under the TELLWELL name in the Canadian publishing industry, it is not credible that the Registrant was unaware of the Complainant at the time of registration.
 - b. Within twelve days of registration, the domain was being actively used to defraud members of the public. This rapid deployment demonstrates that the domain was registered for the specific purpose of impersonation, not as a speculative or passive registration.
 - c. **Fraudulent communications**

- d. Impersonation of employees: A fabricated individual, “Ryan Connors” of the “Legal Department,” signed the fraudulent contract on behalf of “Tellwell Publishing.”
 - e. Copying of official materials: The fraudulent materials produced under this domain reproduce the Complainant’s actual logo, trade dress, Victoria business address, and toll-free telephone number — details that could only have been deliberately sourced from the Complainant’s public-facing materials. This is not incidental similarity; it is deliberate identity theft.
 - f. The registrant leveraged the Complainant’s genuine third-party reviews (BBB, Trustpilot, Google) in solicitation emails to create the false impression of legitimacy, further demonstrating awareness of and intent to exploit the Complainant’s established reputation.
 - g. Actual harm: A prospective author was contacted by the Registrant pretending to be the Complainant, went through the steps of doing business with Registrant, and came close to contracting with the Registrant before contacting Complainant on his own and learning of the impersonation by the Registrant.
 - h. A multi-stage fraud scheme was underway, including an initial solicitation email, a professionally formatted service agreement bearing the Complainant’s logo, and a follow-up NDA — indicating a deliberate and organized operation rather than an opportunistic or inadvertent registration.
 - i. The Registrant’s contact information is fully redacted, making it impossible to identify or contact the registrant directly, which is consistent with an intent to conceal identity during the commission of fraud. These circumstances collectively satisfy the bad faith criteria under Paragraph 3.5 of the Policy.
24. Precedents. *Fluor Corporation v Fluor Curling*, CDRP Dispute No. 0281 This decision involved a domain name that was not used for an active website but was instead used to send fraudulent emails impersonating a well-known corporation. The emails reproduced the legitimate company's name, Canadian address, and logo, and were used to solicit personal information from members of the public under false pretenses. The panel found bad faith registration and ordered transfer of the domain to the complainant. The facts of that case are materially similar to the present complaint, in which the disputed domain has been used to send fraudulent emails and contracts reproducing the Complainant's actual logo, Victoria

Domain Name: tellwellpublishing.ca

27030-CDRP

business address, telephone number, and trade name to solicit payment from a prospective author.

25. **Remedy sought.** The Complainant requests that the Domain Name be transferred to it pursuant to paragraph 4.3 of the Policy.

4.2 Registrant

26. As was noted above, the Registrant has not filed a Response.

5.0 DISCUSSION AND FINDINGS

5.1 Eligibility

27. As indicated in 2.0 above, Complainant is an eligible complainant under Section 1.4 of the CDRP.

5.2 Requirements

28. In accordance with Paragraph 4.1 of the CDRP, Complainant must prove, on a balance of probabilities:

- (a) That the Registrant's dot ca (.ca) Domain Name is **Confusingly Similar** to a trademark or service mark in which the Complainant had Rights prior to the date of registration of the Domain Name and continues to have such Rights, as described in paragraph 3.3 of the Policy;
- (b) That the Registrant has registered the Domain Name in **bad faith**, as described in paragraph 3.5 of the Policy; and
- (c) That the Registrant has **no legitimate interest** in the Domain Name, as described in paragraph 3.4 of the Policy, Complainant having the initial onus of providing *some* evidence of this element.

If the Complainant is unable to satisfy its onus and provide the required proof, the Complaint fails. The Panel will consider each of these requirements in turn.

5.3 Analysis

Domain Name: tellwellpublishing.ca

27030-CDRP

5.3.1 That the Domain Name is Confusingly Similar to a Mark - in which the Complainant had Rights - prior to registration of the Domain Name - and continues to have such Rights.

29. The test for determining whether a domain name is “Confusingly Similar” to a Mark is set out in paragraph 3.3 of the Policy, which requires that the Panel “only consider whether the domain name so nearly resembles the Mark in appearance, sound or ideas suggested by the Mark as to be likely to be mistaken for the Mark.” (*emphasis added*) This test differs in many ways from the test of confusion under the *Trademarks Act*.

30. For the reasons given in the contentions of the Complainant above, the panel has determined that TELLWELL is a Mark, that Complainant had Rights in this Mark well before registration of the disputed Domain Name and continues to have such rights and that the Domain Name is Confusingly Similar to the Mark.

31. Therefore, the Panel finds that Complainant has proven this first element.

5.3.2 That the Registrant has No Legitimate Interest in the Domain Name

37 Paragraph 4.1 of the Policy requires that, to succeed in the Complaint, Complainant must provide *some* evidence that Registrant has no legitimate interest in the Domain Names, as described in paragraph 3.4.

38 Paragraphs 3.4 (a) through (d) require that a Registrant with a legitimate interest be acting in good faith. Good faith on the part of Registrant is negated by Registrant attempting to pass itself off as Complainant to deceive clients of Complainant.

39 Paragraphs 3.4 (e) and (f), when applied to this matter, do not provide Registrant with a legitimate interest in the Domain Name.

40 The following precedents support the Complainant’s contentions:

- *DK Crown Holdings Inc. v. Unknown*, 24697-CDRP (CIIDRC 2025) (finding “sufficient evidence to show that the Registrant has no rights or legitimate interests in the disputed domain name” where the domain was used to impersonate the mark holder in furtherance of apparent fraud);
- WIPO Overview 3.0, [S]ection 2.13.1 (“[T]he use of a domain name for illegal activity[,] [such as] [...] impersonation/passing off, or other types of fraud[,] can never confer rights or legitimate interests on a respondent.”)

Domain Name: tellwellpublishing.ca

27030-CDRP

41 The Panel finds that the Complainant has provided sufficient evidence that the Registrant has no legitimate interest in the Domain Name and has therefore met its onus. As Registrant did not contest these proceedings, the Panel finds that Complainant has proven this second element.

5.3.3 That the Registrant has Registered the Domain Name in Bad Faith

51. Only in rare cases will there be direct evidence of a registration in bad faith. In most cases, as case law attests, such a finding is based on “common sense inferences from the registrant's conduct and other surrounding circumstances.”

52. Under paragraph 3.5 of the Policy, Registrant will be considered to have registered the Domain Name in bad faith if Complainant can demonstrate that Registrant, in effecting the registration of the Domain Name, was motivated by any one of the four intentions set out in that paragraph. The paragraph also stipulates that these particular circumstances are “without limitation.”

53. The Panel finds, upon the evidence before it, that Registrant, in using the confusingly similar Domain Name in email addresses to impersonate Complainant, including creating fictitious employee names, misrepresented to customers of Complainant that they were interacting with Complainant, and was doing so for malicious purposes. This constitutes evidence of bad faith very shortly after the registration of the Domain Name.

54. The following precedents support the Complainant's contentions:

- *Government of Canada v. Jonathan Dahan*, CIRA Decision No. 00383 (2020) – The Panel found bad faith where the registrant used a domain to impersonate a government agency and mislead the public.
- *WestJet Airlines Ltd. v. Whois Privacy Protection Service Inc. / Ross McMillan*, CIRA Decision No. 00318 (2018) – The Panel held that using a confusingly similar domain for phishing emails constituted bad faith under paragraph 3.5(d) of the Policy.
- *Canada Post Corporation v. D. Granger*, CIRA Decision No. 00179 (2012) – The Panel found that using a domain name to mislead consumers into believing they were dealing with the complainant established both confusing similarity and bad faith.
- *SNC-Lavalin Group Inc. v. David Snell*, CIRA Decision No. 00351 (2019) – The Panel ordered transfer where the registrant registered a domain similar to the complainant's

Domain Name: tellwellpublishing.ca

27030-CDRP

name and used it to send fraudulent correspondence, holding that such conduct was “the clearest possible case of bad faith.

55. Accordingly, the Panel finds that Registrant has registered the Domain Name in bad faith and that Complainant has proven the third required element of the Policy.

56. In summary, the Panel finds that Complainant has proven the three required elements of the Policy.

6.0 DECISION AND ORDER

57. The Panel therefore finds that the Complainant has satisfied the onus placed upon it by paragraph 4.1 of the Policy and is entitled to the remedy sought by it, namely that the Domain Name be transferred to it pursuant to paragraph 4.3 of the Policy.

58. For the above reasons, in accordance with paragraph 4 of the CDRP, and paragraph 12 of the Resolution Rules, the Panel orders that the Domain Name **tellwellpublishing.ca** be transferred to Complainant.

Dated: June 4, 2026



Signed: Richard S. Levy

