



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	27351-CDRP	Decision date: August 7, 2026
Disputed Domain Names:	<autoglassmobile.ca>, <signatureseriesautoglass.ca>, <mobile-autoglass.ca>	
Panel:	Zak Muscovitch	
Complainant:	Belron Canada Inc.	
Registrant:	autoglassmobile.ca - Rudranth McDowall signatureseriesautoglass.ca - Eddie McDowall mobile-autoglass.ca - Anthony McDowall	

1. PROCEDURAL HISTORY

This proceeding arises under the Canadian Internet Registration Authority (“CIRA”) Domain Name Dispute Resolution Policy (the “Policy”) and concerns three domain names: <autoglassmobile.ca>, <signatureseriesautoglass.ca>, and <mobile-autoglass.ca> (the “Domain Names”).

The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre (“CIIDRC”) to the Panel dated August 5, 2026:

(a) On June 16, 2026, Claire Kowarsky of HSS IPM GmbH filed a Complaint with CIIDRC on behalf of the Complainant, Belron Canada Inc., pursuant to the Policy and the Domain Name Dispute Resolution Rules (the “Rules” or the “Resolution Rules”). The required commencement fee was paid on June 19, 2026. The Complaint was in administrative compliance with CIRA’s requirements under Rule 3.2.

(b) On June 19, 2026, CIRA was notified of this proceeding and, on the same day, transmitted by email to CIIDRC its verification response confirming the identities of the registrants of the Domain Names and confirming that locks had been placed on the Domain Names. According to CIRA's verification response, <autoglassmobile.ca> was registered on January 7, 2026, <mobile-autoglass.ca> was registered on March 7, 2026, and <signatureseriesautoglass.ca> was registered on March 17, 2026 (together, the "Registration Dates").

(c) Upon review of the CIRA Registrant Verification Information, it was noted that each of the three Domain Names is registered to a different registrant: <autoglassmobile.ca> to Rudranth McDowall, <signatureseriesautoglass.ca> to Eddie McDowall, and <mobile-autoglass.ca> to "anthony mcdowall".

(d) Pursuant to Paragraph 3.4 of the Resolution Rules, a single Complaint may be filed in relation to multiple domain names provided that the domain names are registered by the same Registrant. CIIDRC advised the Complainant's counsel accordingly. On July 7, 2026, counsel filed an Amended Complaint indicating the Complainant's intention to proceed with the consolidation of the three disputed Domain Names into a single Complaint. The Complainant's consolidation request is addressed as a preliminary issue below.

(e) Pursuant to Rule 4.4, CIIDRC notified the registrants of this administrative proceeding and forwarded a Notice of Complaint along with the Complaint to the registrants on July 7, 2026.

(f) In accordance with the Resolution Rules, the deadline for the submission of a Response was July 27, 2026.

(g) As of the date of CIIDRC's letter of August 5, 2026, no Response had been submitted, and no Response has since been submitted.

(h) The Complainant elected for a Panel consisting of a single member and deposited the required Panel fee on August 5, 2026.

(i) In accordance with Paragraph 6 of the Rules, CIIDRC appointed the undersigned, Zak Muscovitch, as a single-member Panel on August 5, 2026. The Panel submitted a Statement of Acceptance and Declaration of Impartiality and Independence as required under Paragraph 7 of the Resolution Rules.

The Panel has also independently reviewed the record of notification and delivery, including CIIDRC's Notification of Commencement of Proceedings addressed to the parties and its letter delivering the

Complaint to the registrants, each dated July 7, 2026. The record confirms that the Notice of Complaint and the Complaint were delivered via email and mail to each registrant at the postal address and email address disclosed by CIRA, as well as to the postmaster email address associated with each of the Domain Names, in accordance with Rules 2.1 and 4.4; that the commencement date of the proceeding pursuant to Rule 4.4 was July 7, 2026; and that the registrants were expressly advised that a Response was due not later than July 27, 2026, and that in the absence of a Response the Panel would decide the matter on the basis of the Complaint. The Panel is accordingly satisfied that the registrants received notice of this proceeding in accordance with the Policy and the Rules, and that the proceeding was properly constituted, subject to the preliminary issue of consolidation addressed below.

2. FACTS

The Complainant, Belron Canada Inc., is a Canadian corporation with its registered head office in Montreal, Quebec. The Complainant is an authorized licensee of Belron International Limited (“BIL”), a company based in Egham, Surrey, United Kingdom. Both companies form part of the Belron group, which the Complaint describes as a worldwide leader in vehicle glass repair, replacement, and recalibration services, operating in approximately forty countries and employing approximately 30,000 people.

BIL is the owner of Canadian trademark registrations for STANDARD AUTO GLASS (registration no. TMA447504, registered September 15, 1995), STANDARD AUTOGLASS (registration no. TMA753439, registered November 18, 2009), and STANDARD AUTOGLASS & Design (registration no. TMA1035952, registered July 4, 2019) (together, the “STANDARD Marks”), each in association with, inter alia, the operation of a business involving the sale, replacement, repair, installation, and servicing of motor vehicle windshields, window-panes, and related goods and services. The registrations for STANDARD AUTO GLASS and STANDARD AUTOGLASS each claim use in Canada since at least as early as June 1960. The Complainant uses the STANDARD Marks in Canada under licence from BIL, and the evidence includes BIL’s express authorization for the Complainant to initiate and conduct proceedings under the Policy in respect of the STANDARD Marks.

BIL also owns a family of SPEEDY-formative Canadian trademark registrations, including SPEEDY AUTO GLASS (registration no. TMA122222, registered May 19, 1961), an extract of which was filed by the Complainant as Annex 10 in support of its submission that BIL “has held rights in AUTOGLASS-formative trademarks in Canada as early as 1961”. The Complaint states that the SPEEDY-formative trademarks have been and continue to be used in Canada, where they are widely recognized in

connection with vehicle glass repair and related services. The registration for TMA122222 includes the following disclaimer: “The right to the exclusive use of the words AUTO GLASS is disclaimed apart from the trademark.” According to the Complaint, the Complainant carries on business in Canada under the STANDARD Marks and maintains the domain name <standardautoglass.ca> (registered December 1, 2000), and also operates under the Speedy and Lebeau brands, maintaining <speedyglass.ca> and <lebeau.ca> as its official Canadian websites; the WHOIS records in evidence confirm the Complainant’s registration of those domain names.

According to CIRA’s verification response, the registrant of <autoglassmobile.ca> is Rudranth McDowall of Brampton, Ontario, registered under the Canadian Presence Requirements category of Canadian citizen; the registrant of <signatureseriesautoglass.ca> is Eddie McDowall, also of Brampton, Ontario, likewise registered under the category of Canadian citizen; and the registrant of <mobile-autoglass.ca> is “anthony mcdowall” of the organization “Toronto Auto Glass”, of Toronto, Ontario, registered under the category of Corporation. CIRA’s verification response also disclosed a street address, telephone number, and email address for each registrant. The Panel has reviewed those particulars, which are referred to below where relevant to the Complainant’s consolidation request but which are not reproduced herein.

At the time the Complainant’s evidence was collected, the Domain Names resolved to websites offering vehicle glass repair and replacement services in the Greater Toronto Area (the “GTA”). The website associated with <autoglassmobile.ca> prominently displayed the heading “Speedy Mobile Auto Glass Service Across The GTA – We Come To You”, and the browser tab title “Speedy Mobile Auto Glass”. It displayed a customer contact telephone number, customer testimonials attributed to “Mark Roberts” and “Jack Walsh”, photographs of vehicles, and a footer reading “© 2025–2026 Auto Glass Mobile – Powered by Webador”.

The website associated with <signatureseriesautoglass.ca> displayed the heading “Signature Series Autoglass – 5.0 Google Rating · 25+ Years Serving the GTA – Mobile Auto Glass Replacement Dispatched to Your Door”. Although it initially presented a different colour scheme, it displayed the identical customer contact telephone number, testimonials attributed to the same “Mark Roberts” and “Jack Walsh” in substantially identical wording, and the same vehicle photographs as the website associated with <autoglassmobile.ca>. Its footer identified as its contact email address the very email address disclosed by CIRA as the registrant email address for <autoglassmobile.ca>.

The website associated with <mobile-autoglass.ca> employed the same Webador-powered alternating-section template as the website associated with <autoglassmobile.ca>, and included a photograph which the evidence shows was copied directly from the Complainant’s official Speedy Glass Canada Facebook page. The websites associated with <mobile-autoglass.ca> and <signatureseriesautoglass.ca> were subsequently suspended.

BIL has previously prevailed in a number of proceedings under the Uniform Domain Name Dispute Resolution Policy (the “UDRP”) concerning similar domain names. In [*CAC-UDRP-107563*](#) (2025), the respondent, identified as “Rudranth McDowall”, was found to have registered and used <speedy-mobile-auto-glass.com> in bad faith, and the domain name was transferred to BIL. In [*CAC-UDRP-108046*](#) (2025), the respondent, identified as “Anthony McDowall”, was found to have registered and used <speedy-mobile.com>, <mobile-autoglass.com>, and <xautoglass.com> in bad faith, and those domain names were likewise transferred. In [*CAC-UDRP-108613*](#), the domain name <torontospeedymobileautoglass.com>, registered to “MCDOWALLAN.ANTHONY”, was also transferred to BIL; the evidence shows that this domain name redirected directly to <mobile-autoglass.ca>. The evidence further shows that the layout, photographs, and testimonials of the websites associated with the Domain Names substantially reproduce content previously hosted at domain names transferred to BIL in those proceedings.

3. PRELIMINARY ISSUE – THE COMPLAINANT’S CONSOLIDATION REQUEST

The Complainant requests that its Complaint in respect of all three Domain Names proceed as a single consolidated proceeding, notwithstanding that the Registration Information discloses three differently named registrants. The Complainant submits that the totality of the circumstances demonstrates that the Domain Names are under the common control of the same person, and that the use of different registrant names is a deliberate attempt to fragment registrant identity in order to evade the consequences of prior adverse decisions.

Before turning to the merits, the Panel must therefore determine whether the Rules permit a single proceeding in these circumstances and, if so, whether the evidence meets the applicable standard. This is not a question that can be deferred or assumed, since Rule 3.4 governs the proper constitution of the proceeding itself. If the Domain Names were registered by different Registrants, there would be no single proceeding properly before the Panel in which the merits of all three registrations could be determined.

Rule 3.4 provides:

“A Complaint may relate to more than one Registration provided that the Registration Information for all such Registrations indicates the same Registrant for all the Registrations. For greater certainty, a Proceeding may be between only one Complainant and one Registrant regardless of the number of such Registrations.”

Rule 1.1(g) defines “Registration Information” as the information of record regarding a Registration in the Registry’s WHOIS database. Paragraph 1.2 of the Policy defines a “Registrant” as the person who has obtained the registration of a domain name in the Registry.

As this Panel observed in *DK Crown Holdings, Inc. v. Ferto Garrero*, [CIIDRC Case No. 27062-CDRP](#) (<ca-draftkings.ca>), the text of Rule 3.4 does not expressly state whether consolidation is limited to circumstances where the registration records identify the same named registrant, or whether a panel may look beyond different names appearing in the registration records to determine whether the same person in fact obtained the registrations. The existing jurisprudence has, however, developed a coherent approach.

In [CIIDRC Case No. 14556-CDRP](#), panelist Michael Erdle considered a complaint involving multiple BIRKENSTOCK-formative domain names registered in different names, and held that the onus is on a complainant to show that all of the domain names in issue are held or controlled by the same registrant in order to proceed with a single complaint. He dismissed the complaint without prejudice because the registration information did not indicate the same registrant, the names, addresses, and other contact information were different, and the complainant had not submitted evidence showing that the registration information was false on its face.

In *Calvin Klein Trademark Trust v. Helen Crawley and Erin Dickson*, [CIIDRC Case No. 14677-CDRP](#), panelist R. John Rogers concluded that Rule 3.4 should not necessarily be confined to circumstances where identical names appear in the registration records. Examining the definitions of “Registrant” and “Registration Information”, the panel concluded that consolidation may be available in exceptional circumstances where the evidence demonstrates that the same person obtained the registrations notwithstanding different names appearing in the registration records.

In *Birkenstock Sales GmbH v. canadabirkenstock.ca et al.*, [CIIDRC Case No. 15225-CDRP](#), panelist Barry Effler expressly considered both earlier decisions and adopted the reasoning in *Calvin Klein*, holding that a panel may look at the totality of the evidence to determine whether there is a common

controlling registrant. The names appearing in WHOIS records are merely potential evidence of ownership, and a complainant may satisfy Rule 3.4 by providing sufficient evidence regarding the registrants, the domain names, and the associated websites to permit an inference of common control.

This Panel recently had occasion to consider these authorities in *DK Crown Holdings, Inc. v. Ferto Garrero*, supra, together with the related decisions in *DK Crown Holdings, Inc. v. Artin Kantarjian*, [CIIDRC Case No. 26988-CDRP](#), and *DK Crown Holdings, Inc. v. John Criven Batbatan*, [CIIDRC Case No. 27063-CDRP](#). There, the Panel accepted the legal availability of consolidation in appropriate circumstances, but declined to grant it on the record presented, holding that where a complainant seeks to establish that different named registrants are in fact the same Registrant, the evidence should be clear, cogent, and sufficiently persuasive to establish that conclusion on a balance of probabilities. The Panel also cautioned against what might be described as profile-based consolidation: if similarity of conduct alone were sufficient, unrelated cybersquatters who target the same industry, use the same registrar, employ similar website templates, and pursue similar monetization strategies could routinely be treated as the same person despite the absence of evidence directly connecting them.

The following propositions emerge from this line of authority:

- (a) Rule 3.4 is ultimately directed at the identity of the person who obtained the registrations, rather than merely at the names appearing in the registration records. Consolidation may accordingly be available notwithstanding differences in the recorded names, where the evidence establishes that the same person obtained the registrations;
- (b) the onus rests on the complainant, and the evidence must be clear, cogent, and persuasive, establishing on a balance of probabilities that the registrations were obtained by the same Registrant. The standard is not certainty, and a panel need not conclusively determine the registrant's identity;
- (c) similarity of conduct alone – a common industry, a common registrar, proximate registration dates, similar templates, or similar monetization – is generally insufficient, since such similarities are equally consistent with unrelated actors independently targeting the same brand or opportunity;
- (d) evidence directly connecting the registrations to one another is of greater probative value, including common email addresses, telephone numbers, or postal addresses appearing across the registrations or their associated websites; technical connections such as redirections between the domain names or

shared unique content; and continuity between the registrations and the prior conduct of the same named persons;

(e) evidence that the registration information which differentiates the named registrants is false or unreliable may deprive the recorded names of the evidentiary weight they would otherwise carry; and

(f) investigative steps taken to verify whether the disclosed registrants are genuine and distinct persons – or the absence of such steps – may bear on whether the complainant has discharged its onus.

Applying these principles, the Panel is satisfied that this is one of the exceptional cases in which the evidence establishes, on a balance of probabilities, that the registrations were obtained by the same Registrant, notwithstanding the different names appearing in the Registration Information.

First, and most significantly, the record discloses direct overlap of identifiers across the differently named registrations. The telephone number provided to the registrar by “Rudranth McDowall” as the registrant contact for <autoglassmobile.ca> is the very telephone number displayed as the customer contact number on the website associated with <signatureseriesautoglass.ca>, registered to “Eddie McDowall”. Likewise, the registrant email address disclosed by CIRA for <autoglassmobile.ca> appears as the contact email address in the footer of the website associated with <signatureseriesautoglass.ca>. The Panel notes that the registrant contact information for both of these Domain Names was subject to WHOIS privacy and was not publicly available. An unrelated registrant could not simply have copied this information from a public record. Its appearance on the website of a differently named registrant is compelling evidence that the same person controls both registrations.

Second, the registration information that differentiates the named registrants contains material inconsistencies and other indicia of unreliability. “Rudranth McDowall” and “Eddie McDowall” are recorded at the identical street address in Brampton, albeit expressed in different formats. “anthony mcdowall” is recorded at a street address in Toronto, yet with a postal code identical to the Brampton postal code recorded for the other two registrants – an inconsistency apparent on the face of the Registration Information itself. The associated organization, “Toronto Auto Glass”, under which that registrant certified the Canadian Presence Requirements as a corporation, is unsupported by any evidence that such a corporation exists at that address. The Panel further notes that the street addresses recorded for <autoglassmobile.ca> and <mobile-autoglass.ca> were each entered in the same distinctive inverted format, with the street number following the street name. Where the very information that individuates the named registrants is materially inconsistent and unreliable, the recorded names lose the

evidentiary weight that registration records ordinarily carry. In this respect the present case stands in marked contrast to *DK Crown Holdings, Inc. v. Ferto Garrero*, supra, where the disclosed registrant identities appeared, on their face, to be genuine and distinct, and nothing before the panel suggested otherwise.

Third, the websites associated with the Domain Names share unique authored content rather than merely common templates. The identical customer testimonials, attributed to the same ostensible customers, “Mark Roberts” and “Jack Walsh”, appear on the websites associated with <autoglassmobile.ca> and <signatureseriesautoglass.ca> in substantially identical wording, altered only as to the business name praised. The same vehicle photographs appear on both websites. Unrelated businesses do not share identical customer testimonials from identical customers, nor identical photographs of their work. Unlike the standardized templates and affiliate materials considered in *DK Crown Holdings, Inc. v. Ferto Garrero*, supra, such content is not explicable by the use of common tools by unrelated actors.

Fourth, the record discloses registrant-specific continuity with prior proceedings. The registrant names “Rudranth McDowall” and “Anthony McDowall” are identical to the names of the respondents who were found in *CAC-UDRP-107563* and *CAC-UDRP-108046*, respectively, to have registered and used confusingly similar domain names in bad faith, mere months before the Domain Names were registered. In the case of <mobile-autoglass.ca>, the domain name is the identical string, under a different TLD, to <mobile-autoglass.com>, which was transferred in *CAC-UDRP-108046*.

Moreover, <torontospeedymobileautoglass.com>, transferred to BIL in *CAC-UDRP-108613*, redirected directly to <mobile-autoglass.ca>. This redirection may be the most telling fact in this category: it is a technical configuration that only a person controlling the redirecting domain name could create, and it points from the prior respondent’s domain name directly into one of the disputed registrations. It is, moreover, precisely the kind of technical evidence of common operation whose absence the Panel noted in *DK Crown Holdings, Inc. v. Ferto Garrero*, supra.

Further, the websites associated with the Domain Names substantially reproduce the content of the websites previously operated at the transferred domain names, and the same content appears on the website associated with <signatureseriesautoglass.ca>, thereby tying the third differently named registration into the same continuing operation. The Domain Names were registered in a ten-week window commencing shortly after the adverse decision in *CAC-UDRP-108046*.

This continuity is material to the consolidation inquiry in two respects. It excludes the alternative explanation which proved decisive in *DK Crown Holdings, Inc. v. Ferto Garrero*, supra – that the similarities among the disputed registrations might reflect unrelated actors independently targeting the same brand – since unrelated actors do not inherit a predecessor’s content library and inbound redirects. And it supplies an evident motive for the fragmentation of registrant identity across successive registrations, namely the avoidance of the cumulative consequences of adverse decisions.

The Panel has considered whether this evidence is equally consistent with two or three genuinely distinct individuals – conceivably members of the same family, given the shared surname and address – acting in concert. The Panel accepts that the shared surname, without more, would prove little, and that a complainant cannot discharge its onus merely by pointing to a family resemblance among registrant names. The Panel notes that the Complaint itself submits that the shared surname “strongly suggest[s] a family relationship” – a submission in some tension with what the Complainant must establish under Rule 3.4, namely a single Registrant. The Panel does not adopt that characterization, and its finding rests upon the evidence described above.

The evidence here goes considerably further than the shared surname. The hypothesis of distinct individuals acting in concert does not comfortably account for the appearance of one registrant’s privacy-protected contact details on another registrant’s website, for the unreliability of the information differentiating the registrants, or for the sharing of a single customer telephone line, a single contact email address, and a single library of duplicated testimonials and photographs across supposedly separate businesses. A single underlying actor registering under different registrant identities, in order to avoid the consequences of successive adverse decisions, accounts for every one of these facts at once.

Fragmenting registrant identity across successive registrations serves no evident purpose for a legitimate enterprise, but serves an obvious purpose for a registrant seeking to evade the cumulative effect of adverse proceedings.

The Panel accordingly finds, on a balance of probabilities, that the Domain Names were obtained by the same Registrant within the meaning of Rule 3.4, and grants the Complainant’s consolidation request. In the balance of this Decision, the person who obtained the registrations of the Domain Names is referred to as the “Registrant”.

For clarity, this finding rests upon the direct overlap of non-public identifiers across the registrations, the material unreliability of the differentiating registration information, the shared unique content, and

the registrant-specific continuity with prior proceedings. It does not rest upon similarity of conduct alone, and nothing in this Decision should be taken to relieve future complainants of the substantial evidentiary burden described in the jurisprudence discussed above.

The Panel would add one further observation for the assistance of future parties. As in this Panel's recent decisions concerning the DRAFTKINGS domain names, the record here contained no evidence of any attempt to verify whether the disclosed registrants are genuine and distinct persons. Complainants seeking consolidation would considerably assist panels – and, in closer cases than this one, may well determine the outcome of their request – by undertaking and placing in evidence basic verification steps: telephoning the disclosed telephone numbers; searching the disclosed addresses against mapping and postal resources; searching the disclosed names against telephone directories, social media, and corporate and business-name registries; and reporting the results, whatever they may be. In the present case, the direct connecting evidence was sufficient without such verification. That will not always be so.

4. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant's submissions in support of its consolidation request are addressed above.

The Complainant submits that each of the Domain Names is Confusingly Similar to the STANDARD Marks within the meaning of the Policy. Notably, the Complaint does not refer to these marks as the STANDARD marks; it defines them throughout as the "AUTOGLASS-Formative Trademarks". The Complainant characterizes the element "AUTOGLASS" as their "dominant and distinctive element", and submits that each Domain Name incorporates that element in its entirety, adding only what the Complainant characterizes as the "industry-descriptive term" "mobile" or the "descriptive prefix" "Signature Series". The Complainant submits that such descriptive additions do not prevent a finding of confusing similarity, relying upon, inter alia, *Guess? IP Holder L.P. v. Mike Jones*, [CDRP Case No. 22307](#), in which the addition of the word "outlet" to the GUESS mark was found not to alleviate confusing similarity. The Complainant also relies upon the prior UDRP decisions described above, in which domain names registered by the same named registrants were found confusingly similar to marks of BIL.

The Complainant further submits that the Registrant has no legitimate interest in the Domain Names, addressing each of the circumstances described in Paragraph 3.4 of the Policy. It submits that the Domain Names have not been used to legitimately distinguish the Registrant's goods, services, or business; rather, the associated websites falsely simulate the Complainant's business through the unauthorized use of its licensor's trademarks, deploying the same content, templates, and branding found in the prior UDRP proceedings lost by identically named registrants only months earlier.

The Complainant contends that the incorporation of the "AUTOGLASS" element is not a good faith descriptive use, noting among other things that all three Domain Names displayed the same browser tab title, "Speedy Mobile Auto Glass"; that the websites are technical and creative mirrors of the previously transferred domain names; that there is no evidence that the Registrant has ever been known by any name corresponding to the Domain Names; and that the Domain Names are not geographical names. On this basis, the Complainant submits that it has made a prima facie case that the Registrant lacks any legitimate interest, shifting the burden to the Registrant.

The Complainant submits that the Domain Names were registered in bad faith and that Paragraphs 3.5(b), 3.5(c), and 3.5(d) of the Policy are each independently satisfied. Under Paragraph 3.5(b), it alleges a deliberate pattern of registrations – from the domain names transferred in the prior UDRP proceedings to the registration of the Domain Names within a ten-week window commencing shortly after the second of those decisions – designed to prevent its licensor from registering its marks as domain names, the shift to the .ca TLD being, in its submission, deliberate evasion rather than coincidence.

Under Paragraph 3.5(c), the Complainant relies upon the disruption of the business of a direct competitor in the same geographic market, all three Domain Names having resolved to websites offering identical vehicle glass services in the GTA.

Under Paragraph 3.5(d), the Complainant relies upon the intentional attempt to attract Internet users for commercial gain through a likelihood of confusion: the "Speedy Mobile Auto Glass" branding and browser tab title; the button labelled "See Reviews Over 25 Yr. Experience Ontario Glass" which redirected to an Internet search for "speedy-mobile.com", where the Complainant's official website appeared as the first result; and the reproduction of a photograph copied from the Complainant's official Speedy Glass Canada Facebook page. The Complainant also relies upon the length of time by which its licensor's rights predate the registration of the Domain Names, citing *BASF SE v. Jean-Yves Collin*, DCA-1999-CIRA, and *Natixis v. Felix Anderson*, WIPO Case No. D2021-1934.

- **Registrant**

The Registrant did not file a Response and has not otherwise participated in this proceeding.

- **Remedy Sought**

The Complainant requests that the Domain Names be transferred to it.

5. DISCUSSION AND FINDINGS

5.1 Eligibility

Paragraph 1.4 of the Policy requires that a complainant satisfy the Canadian Presence Requirements for Registrants (the “CPR”) at the time of submitting a complaint, unless the complaint relates to a trademark registered in the Canadian Intellectual Property Office (“CIPO”) and the complainant is the owner of that registered trademark.

The Complainant is not the owner of the registered trademarks upon which it relies; its licensor, BIL, is. The exception in Paragraph 1.4 is accordingly unavailable to the Complainant, which must therefore satisfy the CPR in its own right. The Complaint states that the Complainant is a corporation incorporated under the laws of Canada, with its registered head office in Montreal, Quebec – a statement made subject to the Complainant’s certification.¹ The Panel accepts that the Complainant satisfies the CPR, aided by inferential corroboration already in the record: the WHOIS records at Annex 6 show that the Complainant has been the registrant of record of <speedyglass.ca> and <lebeau.ca> since 2000, and every .ca registrant must itself satisfy the CPR. The Panel is accordingly satisfied that the Complainant is an eligible complainant under Paragraph 1.4 of the Policy.

5.2 Requirements

In accordance with Paragraph 4.1 of the Policy, the onus is on the Complainant to prove, on a balance of probabilities, that:

¹ The Complaint did not include proof of the Complainant’s Canadian incorporation, such as a corporate registry extract. Where, as here, a complainant is not the owner of the registered trademarks upon which it relies, and must therefore rely upon its own satisfaction of the Canadian Presence Requirements for eligibility, such proof should ordinarily be included with the complaint.

(a) each Domain Name is Confusingly Similar to a Mark in which the Complainant had Rights prior to the applicable Registration Date and continues to have such Rights; and

(b) the Registrant has registered the Domain Names in bad faith as described in Paragraph 3.5;

and the Complainant must provide some evidence that:

(c) the Registrant has no legitimate interest in the Domain Names as described in Paragraph 3.4.

Even where, as here, a registrant is in default, the onus remains on the complainant to establish each of the required elements. The Panel will consider the first requirement, which the Panel finds to be dispositive of this proceeding.

5.3 Analysis

5.3.1 Whether the Domain Names are Confusingly Similar to a Mark in which the Complainant has Rights

The Complainant relies upon the STANDARD Marks for the purposes of this element. As the Complainant is a licensee rather than the owner of the CIPO registrations for the STANDARD Marks, its Rights rest upon Paragraph 3.2(a) of the Policy, which defines a “Mark” to include a trademark “that has been used in Canada by a person... for the purpose of distinguishing the wares, services or business of that person or predecessor *or a licensor* of that person or predecessor” from those of others (emphasis added). That is precisely the Complainant’s position: on the evidence, the Complainant has used the STANDARD Marks in Canada in association with the vehicle glass business, under licence from BIL and for the purpose of distinguishing the wares, services, and business of its licensor, since well before the Registration Dates. BIL’s CIPO registrations for the STANDARD Marks – registered on September 15, 1995, November 18, 2009, and July 4, 2019, respectively, each long before the Registration Dates – corroborate the existence and longevity of the marks so used. The Panel is accordingly satisfied that the Complainant had Rights in the STANDARD Marks prior to the Registration Dates and continues to have such Rights.

Paragraph 3.3 of the Policy provides:

“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.”

The test under the Policy is accordingly a narrow one of resemblance between the domain name and the Mark. It is not a test of confusion in the marketplace of the kind conducted under the *Trademarks Act*, and by the express direction of Paragraph 3.3, the Panel “shall only consider” the resemblance of the domain name itself to the Mark. The content of the websites associated with a domain name, however objectionable, forms no part of the comparison at this stage, though it may be highly relevant to the remaining elements of the Policy.

The Mark against which each Domain Name must be compared is the whole of the mark in which the Complainant has Rights, namely STANDARD AUTO GLASS and STANDARD AUTOGLASS, and not a single component which a complainant selects and treats as though it were the mark. The Complainant has established Rights in the STANDARD Marks; it has not established Rights in “AUTOGLASS” standing alone for the purposes of this proceeding, and the comparison under Paragraph 3.3 cannot proceed as though it had.

The absence of established rights in the shared element is not a technicality of pleading. The onus under Paragraph 4.1(a) rests upon the Complainant, and the asserted distinctiveness of AUTOGLASS is the foundation upon which the entire Complaint was constructed. Yet the Complainant provided no evidence of any trademark rights in AUTO GLASS or AUTOGLASS standing alone: no Canadian registration for the term alone was put in evidence, and no evidence was filed of exclusive use of the term in Canada, or of acquired distinctiveness in it, by the Complainant or its licensor. The registrations in evidence do not fill that gap. To the contrary, the certified extract for STANDARD AUTO GLASS (registration no. TMA447504) filed at Annex 2.1 discloses that registrability was recognized under section 12(2) of the *Trademarks Act* – that is, upon evidence of acquired distinctiveness – but distinctiveness acquired under that provision attaches to the mark *as a whole*, STANDARD AUTO GLASS, and not to the words AUTO GLASS taken without STANDARD.

Had rights in the term standing alone existed, evidence of them would have been readily available to the Complainant, and could be expected to have been produced in support of a Complaint whose central assertion is that AUTOGLASS is the “dominant and only distinctive component” of its marks. In these circumstances, the absence of such evidence is telling. Moreover, where the element in question is descriptive in character, cogent evidence would in any event have been required: as the panel observed in *Canadian Linen and Uniform Service Co. v. Khwaja Azeem Shah*, discussed further below,

“[s]tronger evidence of use as a trademark and acquired distinctiveness would have been required given the descriptive nature of the words in question”. No such evidence was provided here. The STANDARD Marks are composite marks, each consisting of the word STANDARD followed by the words AUTO GLASS or AUTOGLASS. Nothing turns on whether the term is rendered as two words (“auto glass”) or one (“autoglass”): the two forms are identical in sound and meaning, and appear interchangeably in BIL’s own registrations in evidence, which include both STANDARD AUTO GLASS and STANDARD AUTOGLASS.

The words “auto glass” are the ordinary, generic name of the very products and services in association with which the STANDARD Marks are registered and used: automotive glass, and its sale, repair, replacement, and installation. Whatever capacity the STANDARD Marks have to distinguish the wares, services, and business of the Complainant and its licensor cannot reside in the generic industry term they share with every trader in the field; it resides in the element STANDARD, and in the combination as a whole. In this respect, the position is precisely the opposite of that advanced in the Complaint: the dominant and distinctive component of the STANDARD Marks is STANDARD, not AUTOGLASS.

The registration record in evidence confirms this. The Complainant’s own licensor, in obtaining the 1961 registration for SPEEDY AUTO GLASS (TMA122222) upon which the Complainant’s materials also rely, expressly disclaimed the right to the exclusive use of the words AUTO GLASS apart from that trademark. In short, the registration record in evidence itself confirms that “auto glass” is the vocabulary of an industry, not the signature of a trader.

The Complaint nevertheless proceeds on the footing that “AUTOGLASS” is the “dominant and only distinctive component” of the STANDARD Marks, and that each Domain Name incorporates the STANDARD Marks “in their entirety”, defining them throughout as the “AUTOGLASS-Formative Trademarks”. With respect, neither proposition can be accepted. The Complaint’s own nomenclature illustrates the difficulty. It aptly describes BIL’s SPEEDY family of marks as the “SPEEDY-formative” trademarks, by reference to their distinctive element; on the same approach, the STANDARD Marks are aptly described as STANDARD-formative, not AUTOGLASS-formative.

The Complaint likewise, and accurately, describes the relevant field in ordinary descriptive language as the “vehicle glass repair and replacement” industry – the very services which the words “auto glass” denote. And while the Complaint fairly acknowledges that “mobile” is an industry-descriptive term “commonly used in the vehicle glass repair and replacement industry”, it makes no similar

acknowledgment in respect of “auto glass” itself, to which the same observation applies with at least equal force.

None of the Domain Names contains the word STANDARD at all. What each Domain Name incorporates in its entirety is not the STANDARD Marks, nor any distinctive element of them, but the generic term “auto glass”, in combination with the word “mobile” or the phrase “signature series” – additional matter which, whatever its own character, appears nowhere in the STANDARD Marks and cannot supply the required resemblance to them. The element that the Domain Names take from the STANDARD Marks is precisely the element of those marks that carries the least source-identifying significance.

The point is illustrated by the Complaint’s treatment of <signatureseriesautoglass.ca>: the Complaint characterizes the prefix “Signature Series” as a “generic, descriptive phrase” that does not distinguish the domain name, while treating “autoglass” as its “recognizable and dominant feature”. If anything, the position is the reverse: within that domain name it is “Signature Series”, a phrase with no descriptive meaning in relation to vehicle glass services, that is the relatively distinctive component, and “autoglass” that is descriptive.

Applying Paragraph 3.3, the Panel is unable to find that any of the Domain Names so nearly resembles the STANDARD Marks in appearance, sound, or the ideas suggested by them as to be likely to be mistaken for them. In appearance and sound, the Domain Names differ markedly from the STANDARD Marks, whose first and distinguishing element is entirely absent. The point is apparent when the Domain Names and the STANDARD Marks are set side by side (the dot-ca suffix, which Paragraph 1.2 of the Policy excludes from the domain name, being disregarded in the comparison):

The Domain Names	The STANDARD Marks
autoglassmobile.ca	STANDARD AUTO GLASS
mobile-autoglass.ca	STANDARD AUTOGLASS
signatureseriesautoglass.ca	STANDARD AUTOGLASS & Design

As to the ideas suggested, the only idea common to the STANDARD Marks and the Domain Names is the generic idea of auto glass services itself – an idea common to every trader in the field. To hold that a domain name resembles a mark merely because both convey the idea of auto glass would be to confer

upon the Complainant, through the Policy, the very monopoly over the industry's ordinary vocabulary that trademark law denies it. The narrow resemblance test of Paragraph 3.3 does not countenance that result. This is not to suggest that a descriptive component shared between a mark and a domain name can never contribute to a finding of confusing similarity; it is rather that the descriptive character of the shared component materially diminishes its capacity to support such a finding where, as here, the distinctive element of the mark is entirely absent from the domain name. A disclaimed or descriptive element remains part of the mark when the mark is compared as a whole (see [*Independent Order of Foresters v. Noredu Enterprises Canada Inc.*](#) (<forestercollege.ca>) (May 25, 2004)); but it is the mark as a whole, and not its descriptive residue, to which the domain name must bear the required resemblance.

This conclusion accords with the approach taken in prior decisions under the Policy involving composite marks of this character. In *483A Bay Street Holdings LP v. Fred Patricio*, [*CIIDRC Case No. 15632-CDRP*](#) (<investment-finder.ca>), the complainant relied upon its registrations for FIDELITY INVESTMENTS, in which the word INVESTMENTS had been disclaimed. Panelist Michael Erdle observed that the distinctive word in each of the marks was FIDELITY, and that the disputed domain name did not contain that distinctive element, but rather contained only the word "investment", in which the complainant had disclaimed any exclusive trademark rights, together with the word "finder". The domain name was found not to be confusingly similar, and the complaint was dismissed. The parallel to the present case is a close one: the Domain Names omit STANDARD, the distinctive element of the STANDARD Marks, and contain only the generic words "auto glass", together with the additions "mobile" or "signature series", which appear nowhere in the STANDARD Marks.

Similarly, in [*Canadian Linen and Uniform Service Co. v. Khwaja Azeem Shah*](#) (<canadianlinen.ca>) (Resolution Canada, February 23, 2021), a three-member panel found that <canadianlinen.ca> was not confusingly similar to the registered mark CANADIAN LINEN AND UNIFORM SERVICE, observing that the elements common to the domain name and the mark were inherently descriptive, that the complainant had itself recognized their descriptive character by expressly disclaiming their exclusive use, and that such terms were in common use among other traders. The converse is illustrated by [*Disney Enterprises, Inc. v. Realm Solutions Inc.*](#) (<disneystore.ca> et al.) (January 8, 2020), in which confusing similarity was found precisely because the distinctive element DISNEY was reproduced in each of the domain names, the remainder of the mark and the domain names consisting of descriptive or functional elements. On these authorities, reproduction of the distinctive element of a composite mark will ordinarily support a finding of confusing similarity notwithstanding descriptive additions, while

reproduction of only the descriptive elements of a composite mark, absent its distinctive element, ordinarily will not. In every case, the mark falls to be compared as a whole, with the descriptive character of any shared element bearing upon the degree of resemblance in appearance, sound, and the ideas suggested.

The authorities relied upon by the Complainant are distinguishable. In *Guess? IP Holder L.P. v. Mike Jones*, supra, the domain name wholly incorporated the distinctive mark GUESS, and merely added the descriptive word “outlet”; the mark remained clearly recognizable within the domain name. The same was true in this Panel’s recent decisions concerning the DRAFTKINGS mark, where the mark was wholly incorporated and remained the dominant and distinctive element of the domain names (*DK Crown Holdings, Inc. v. Ferto Garrero*, supra). Those authorities address the addition of descriptive matter to a distinctive mark. They do not assist where, as here, the domain names omit the distinctive element of the mark altogether and retain only its descriptive residue.

The prior UDRP decisions relied upon by the Complainant are likewise of no assistance on this element. Each of the domain names at issue in those proceedings contained one of the distinctive terms SPEEDY, STANDARD, or BELRON, and the panels’ findings of confusing similarity rested upon marks containing those distinctive elements. To the extent that any of those decisions also referred to AUTOGLASS as a trademark of BIL, the reference was to registrations in the United Kingdom, Ireland, and Poland – as the panel in *CAC-UDRP-108613* expressly noted. No equivalent Canadian registration for AUTOGLASS alone is in evidence, and a foreign registration is not, in any event, capable of constituting a Mark within the meaning of Paragraph 3.2 of the Policy.

The Panel accordingly finds that none of the Domain Names is Confusingly Similar to a Mark in which the Complainant has Rights, within the meaning of Paragraphs 3.3 and 4.1(a) of the Policy. The first requirement of the Policy has not been satisfied.

5.3.2 The Remaining Elements

In light of the Panel’s finding on the first requirement, the Complaint must fail, and it is unnecessary to determine whether the Registrant has a legitimate interest in the Domain Names or registered them in bad faith. The Panel accordingly makes no findings on those elements.

5.3.3 Concluding Observations

The Panel does not arrive at this result with indifference. The record discloses conduct by the Registrant that is troubling: the adoption of the SPEEDY MOBILE AUTO GLASS branding of the Complainant's licensor on the associated websites, the reproduction of a photograph taken from the Complainant's official Facebook page, the deployment of duplicated customer testimonials attributed to the same ostensible customers, and the recycling of content from domain names already transferred pursuant to prior adverse decisions. Had the threshold requirement of the Policy been met, this evidence would plainly have loomed large in the assessment of legitimate interest and bad faith. Nothing in this Decision should be understood as a vindication of the Registrant's conduct.

The Policy, however, is a deliberately limited instrument. It provides an expedited administrative remedy for a specific mischief: the registration of a domain name that is itself Confusingly Similar to a Mark in which a complainant has Rights. It is the domain name, and only the domain name, that Paragraph 3.3 directs the Panel to compare against the Mark. Where a registrant's misconduct consists not in the resemblance of the domain name to a complainant's mark, but in the manner in which the resolving website imitates a complainant's brand, the grievance – however legitimate – lies beyond the reach of the Policy. Remedies in respect of such conduct, including for passing off and trademark infringement, in which the content of a website may be given its full weight, are the province of the courts, and nothing in this Decision forecloses the Complainant from pursuing them.

The Panel would only add that the Complaint was capably prepared, and its consolidation request in particular was carefully developed and well supported. The difficulty with the Complaint lies not in its presentation, but in the inherent limits of the Policy.

6. DECISION AND ORDER

For the above reasons, and in accordance with Paragraph 4 of the Policy and Paragraph 12 of the Resolution Rules, the Panel orders that the Complaint is dismissed.

This Decision should not be understood as determining that the Registrant's conduct was lawful or non-infringing. It determines only that the Complainant has not established the first element required under this particular Policy.

Dated: August 7, 2026

“Zak Muscovitch”

.....

Zak Muscovitch

Sole Panelist