

## ADMINISTRATIVE PANEL DECISION

Tesla, Inc. v. Ekaterina Tkachenko  
Case No. D2025-1306

### 1. The Parties

The Complainant is Tesla, Inc., United States of America (the “US”), represented by Russin & Vecchi LLC, Russian Federation.

The Respondent is Ekaterina Tkachenko, Russian Federation.

### 2. The Domain Names and Registrar

The disputed domain names <bitcoin-tesla2024.com>, <bitcointesla24.com>, <bonus2-tesla.com>, <choosetesla.com>, <doubletesla.net>, <elon-tesla2x.com>, <gametesla.com>, <gift-tesla2024.com>, <reward-tesla.com>, <taketeslax.com>, <tesla-bitcoin.com>, <teslabonus2024.com>, <teslabonus24.com>, <tesla-btc.com>, <teslaceo-event.com>, <teslaceo-promo.com>, <teslachance.com>, <teslacrew.net>, <tesladebate.com>, <tesladep.com>, <tesla-drop.com>, <tesla-events.com>, <tesla-event2x.com>, <teslafinal.com>, <tesla-fond.com>, <teslafound.com>, <teslafuture.net>, <teslagives.net>, <teslahold.net>, <teslaio.net>, <teslajust.com>, <teslaliveorg.com>, <tesla-look.com>, <teslamusks.com>, <teslapresent.com>, <tesla-roundup.com>, <teslasend.com>, <teslato2x.com>, <teslatwice.com>, <tesla-usd.com>, <teslaUSD.net>, <teslaUSD24.net>, <tesla-us.net>, <teslaUS.net>, <teslavote.com>, <teslaxcoin.net>, <tsla-gives.com>, <tslalive2024.net>, <tslatrump.com>, <tsla2x.com>, <webtesla.net>, and <24tesla.com> are registered with RU-CENTER-MSK (Regional Network Information Center, JSC dba RU-CENTER) (the “Registrar”).

### 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 29, 2025. On April 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 2, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Personal data, cannot be publicly disclosed according to applicable laws) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 3, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint in English on April 8, 2025.

On April 3, 2025, the Center informed the parties in Russian and English, that the language of the registration agreement for the disputed domain names is Russian. On April 8, 2025, the Complainant confirmed its request that English be the language of the proceeding, and submitted a Russian translation of the amended Complaint. The Respondent did not submit any comment on the Complainant's submission.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent in Russian and English of the Complaint, and the proceedings commenced on April 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 5, 2025.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on May 13, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is a leading provider of solar roofs, electric vehicles, and battery products, as well as other innovative, related products and services.

The Complainant holds numerous trademark registrations for the mark TESLA, including US Trademark Registration No. 4226099 for a stylized mark registered on October 16, 2012, for goods of International Classes 12, 21, 25, 37, 39, and 40, including "apparatus for locomotion by land, [air or water,] namely, cars"; International Trademark Registration No. 1162462 for word mark TESLA, registered on April 24, 2013 for goods and services of International Classes 09, 12, 36, and 37, including "automobiles and structural parts therefor", "financing relating to automobiles"; US Trademark Registration No. 4443472 for word mark TESLA registered on December 3, 2013, for goods of International Class 12 – "automobiles and structural parts therefor"; International Registration No. 1222761 for word and device mark, registered on December 9, 2013 for goods and services of International Classes 12, 25, 36, and 37, including "electric automobiles", "providing financial services relating to automobiles" and designating inter alia Russian Federation; and Russian Trademark Registration No. 434156 for word mark TESLA registered on March 31, 2011, for goods and services of International Classes 12, 36, 37, including – "automobiles" and "financial services".

The disputed domain names were registered on the following dates: <24tesla.com> registered on June 16, 2024; <bitcoin-tesla2024.com> registered on August 12, 2024; <bitcointesla24.com> registered on August 12, 2024; <bonus2-tesla.com> registered on September 7, 2024; <chooletesla.com> registered on September 1, 2024; <doubletesla.net> registered on July 18, 2024; <elon-tesla2x.com> registered on June 23, 2024; <gametesla.com> registered on September 5, 2024; <gift-tesla2024.com> registered on June 22, 2024; <reward-tesla.com> registered on July 1, 2024; <taketeslax.com> registered on July 17, 2024; <tesla-bitcoin.com> registered on June 18, 2024; <tesla-btc.com> registered on July 28, 2024; <tesla-drop.com> registered on July 24, 2024; <tesla-event2x.com> registered on June 17, 2024; <tesla-events.com> registered on September 2, 2024; <tesla-fond.com> registered on June 23, 2024; <tesla-look.com> registered on August 14, 2024; <tesla-roundup.com> registered on June 24, 2024; <tesla-us.net> registered on June 20, 2024; <tesla-usd.com> registered on June 30, 2024; <teslabonus24.com> registered on July 1, 2024; <teslabonus2024.com> registered on July 24, 2024; <teslaceo-event.com> registered on June 27, 2024; <teslaceo-promo.com> registered on June 26, 2024; <teslachance.com> registered on July 10, 2024; <teslacrew.net> registered on September 3, 2024; <tesladebate.com> registered on September 4, 2024; <tesladep.com> registered on June 21, 2024; <teslafinal.com> registered on June 14, 2024; <teslafound.com> registered on June 25, 2024; <teslafuture.net> registered on August 4, 2024; <teslagives.net> registered on June 12, 2024;

<teslahold.net> registered on June 12, 2024; <teslaio.net> registered on July 2, 2024; <teslajust.com> registered on June 30, 2024; <teslaliveorg.com> registered on July 23, 2024; <teslamusks.com> registered on August 6, 2024; <teslapresent.com> registered on July 18, 2024; <teslasend.com> registered on July 24, 2024; <teslato2x.com> registered on June 12, 2024; <teslatwice.com> registered on June 29, 2024; <teslaus.net> registered on June 19, 2024; <teslausd.net> registered on June 30, 2024; <teslausd24.net> registered on June 20, 2024; <teslavote.com> registered on August 12, 2024; <teslaxcoin.net> registered on August 4, 2024; <tsla-gives.com> registered on June 16, 2024; <tsla2x.com> registered on June 25, 2024; <tslalive2024.net> registered on August 23, 2024; <tslatrump.com> registered on August 12, 2024; and <webtesla.net> registered on August 11, 2024.

The Complainant is also the owner of the domain name <tesla.com>, where it operates its primary website to advertise, promote, and market the products and services offered under the TESLA Marks.

At the time of filing of the Complaint, the disputed domain names resolved to web pages that are inaccessible due to the intervention of modern browsers and antivirus software, due to the risk they pose to Internet users. According to the Complainant, the disputed domain names were used for the purpose of phishing and for fraudulent offers of gain by way of acquiring cryptocurrency. In particular, the Complainant provided a capture showing that the disputed domain name <24tesla.com> resolved to a website displaying the Complainant's stylized trademark and the image of the Complainant's CEO. This website invited users to send small amounts of cryptocurrency to the advertised wallets, promising to give back twice as much.

## **5. Parties' Contentions**

### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainant says that it is a world leader in solar rooves, electric vehicles, and battery products, among others, and owns all right, title, and interest in and to the trademark TESLA, which Complainant has used and registered in the US, Russian Federation, and other countries around the world. The Complainant's TESLA trademark has been used continuously since as early as 2003 and is used today in connection with goods that include vehicles, battery and solar goods, toys and lifestyle goods, the Complainant says. The Complainant launched its TESLA brand in 2003 and says that it has invested substantial sums in developing and marketing the TESLA marks and the products and services offered under those marks. The Complainant maintains that it is well-known globally and points out that it has received consistent international acclaim since its founding in 2003, including numerous media publications and awards. The Complainant is also a holder of cryptocurrency and supplies green energy solutions to crypto mining operations, with its CEO being active in this sphere. The Complainant says that for that reason there is public anticipation of the Complainant being capable of announcing cryptocurrency-related projects.

The Complainant points out that it owns trademark registrations for the distinctive TESLA trademarks in the US, Russian Federation, and other jurisdictions around the world in connection with the Complainant's goods and services. Considerable goodwill in that term also vests in the Complainant as a business, it says. The Complainant points to the long list of disputed domain names in this proceeding and says that many are nearly identical to and confusingly similar to the Complainant's TESLA trademarks as they either include it in its entirety with a generic term (such as "24" (for the year 2024), "us" (for "United States of America"), "usd" (for US dollar), "reward", "fund", "events", "future", "bitcoin", or alternatively use the abbreviated or misspelled version of the TESLA mark such as "tsla,". The latter functions as the Complainant's stock ticker "TSLA," and its use by the Respondent still results in disputed domain names that are confusingly similar to TESLA trademarks because "tsla" is naturally readable as "tesla".

The Complainant says that at the time of filing of the Complaint, only one of the disputed domain names did so (that being <24tesla.com>), others also in the past resolved to websites displaying false information about the allegedly free distribution of cryptocurrency (crypto giveaway) by the founder and CEO of the

Complainant, often displaying on the page the TESLA stylized trademark and the image of the Complainant's CEO. These websites invited users to send small amounts of cryptocurrency to the advertised wallets, promising to give back twice as much, and the Complainant points out that neither the Complainant nor its CEO ever organized such crypto giveaways. The Complainant says that currently most of the disputed domain names are recognized by modern browsers and antivirus software as posing risks for Internet users, and access to these websites is usually prevented, which the Complainant says constitutes evidence that Internet security specialists are treating these websites as acting in bad faith, based on user complaints and algorithms. Furthermore, the Complainant says, the disputed domain names are being used in connection with a fraudulent phishing scheme impersonating the Complainant in order to communicate with the Complainant's customers and solicit sensitive financial information and monetary payments. Some of the disputed domain names are, according to the Complainant, also examples of typosquatting of the TESLA trademarks, the only difference being the removal of the letter "e" and the addition of a non-distinctive generic Top-Level Domain ("gTLD"). The Complainant contends that as such, the disputed domain names are nearly identical in appearance, and identical in sound, connotation, and overall commercial impression to the Complainant's TESLA trademarks and therefore confusingly similar under the UDRP. The Complainant adds that the addition of a generic term is not normally sufficient to escape a conclusion of confusing similarity, certainly where it refers to an area of activity of the Complainant. For all these reasons, the Complainant contends, the first element of UDRP is made out.

The Complainant asserts that it has not licensed or otherwise permitted the Respondent to use any of its trademarks or to register the disputed domain names incorporating its TESLA trademarks. There is no legitimate or fair use on the part of the Respondent, the Complainant says, as the use of the disputed domain names for collecting cryptocurrency from visitors under the pretext of a giveaway is a commercial activity aimed at enriching the people who stand behind these activities, which are designed to function as fraudulent phishing schemes. Because the true identity of the Respondent was not revealed on any of the relevant websites, they gave the wrong impression that the provider was affiliated with or endorsed by the Complainant. Furthermore, the Complainant points out that there is no evidence that the Respondent is commonly known by or associated with the Complainant's registered TESLA trademarks incorporated in the disputed domain names. There is no evidence of the Respondent using the designations "doubletesla", "gametesla", "tesla-btc", "teslacrew", "teslafuture", "teslapresent", "teslatwice", "teslaus", "teslaxcoin", "webtesla" and many others before registration of the domain name in June-September 2024 in a legitimate manner. The Complainant asserts that prior panels have consistently found that the use of a domain name to fraudulently phish for personal and/or financial information and/or monetary payments is "sufficient to constitute a prima facie showing of absence of rights or legitimate interests in respect to the domain name on the part of Respondent." The Complainant points out that contents on some of the websites to which disputed domain names resolve further indicates the Respondent's attempt to generate the impression of affiliation with the Complainant and its CEO.

The Complainant contends that what it refers to as the well-known nature of its TESLA mark generates a prima facie presumption that a Respondent will use the disputed domain names to attract for commercial gain users to the website by creating a likelihood of confusion with a Complainant's mark. The Complainant says that it can be inferred that the Respondent had actual or constructive knowledge of the Complainant's rights in the TESLA trademarks because the disputed domain names incorporate the TESLA mark and are confusingly similar to it, and because the Respondent registered them years after the Complainant first began using the TESLA trademarks. The Complainant also points out that given its longstanding use of the TESLA marks in commerce, the latter are well known in the Complainant's industry. In any case, the Complainant says that the Respondent uses the disputed domain names to impersonate the Complainant, and its websites make repeated reference to the Complainant and its well-known CEO, leaving no doubt that it had knowledge of the Complainant and its TESLA trademarks and deliberately used the goodwill therein to defraud the Complainant's consumers.

Furthermore, the Respondent has attempted to profit commercially from ownership of the disputed domain names by using them as part of a phishing scheme designed to induce Complainant's consumers to provide personally identifying information, financial information, and/or monetary payments, the Complainant says. It points to prior panels that have not hesitated to find bad faith where a respondent's only apparent reason to use a complainant's mark in a domain name was to benefit from the goodwill associated with the TESLA

mark. The Complainant says that by incorporating the terms “tesla” and “tsla” in the disputed domain names, the Respondent attempts to attract Internet users, who might trust the Complainant and be interested in the Complainant’s products and projects, in order to exploit this trust and interest for the commercial gain of obtaining cryptocurrency payments. This sort of activity was viewed as bad faith use in many previous UDRP cases, the Complainant says. The Complainant contends that the present inaccessibility of the websites to which the disputed domain names resolve via modern browsers and from properly updated and protected computers and devices (due to Internet security concerns) does not exclude bad faith on the part of the Respondent as these domain names may become active again in the future and may still be accessible by less protected users. In any case, the Complainant points out, the passive holding of a disputed domain name has been long recognized as an element of bad faith use as first outlined in *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

The Complainant as owner of the TESLA marks is also prevented from reflecting the latter in corresponding domain names, it contends, and the registration of 52 disputed domain names, confusingly similar to TESLA trademarks, in the course of three months demonstrates that the Respondent has engaged in a pattern of this conduct, preventing the Complainant from exercising its exclusive rights to TESLA trademarks. The Complainant maintains that inferring a pattern of bad faith behavior from a single Respondent in relation to multiple domain names has been considered a possibility by previous panels.

As a final submission, the Complainant points out that the Respondent has failed to discharge its contractual obligation to determine that disputed domain names contained and infringed the rights of a third party.

## **B. Respondent**

The Respondent did not reply to the Complainant’s contentions.

## **6. Discussion and Findings**

### **6.1 Preliminary Issue: Language of the Proceeding**

The Registration Agreements for the disputed domain names are in Russian.

Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several additional reasons, including the fact that the disputed domain names contain English language words or abridgements of words, and that some of the websites to which disputed domain names have resolved are in English.

The Respondent did not make any specific submissions with respect to the language of the proceeding. The Respondent did not reply to the Complaint in any way.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

## 6.2 Substantive Issues

### A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the TESLA mark is reproduced in its entirety in the disputed domain names <bitcoin-tesla2024.com>, <bitcointesla24.com>, <bonus2-tesla.com>, <choosetesla.com>, <doubletesla.net>, <elon-tesla2x.com>, <gametesla.com>, <gift-tesla2024.com>, <reward-tesla.com>, <taketeslax.com>, <tesla-bitcoin.com>, <teslabonus2024.com>, <teslabonus24.com>, <tesla-btc.com>, <teslaceo-event.com>, <teslaceo-promo.com>, <teslachance.com>, <teslacrew.net>, <tesladebate.com>, <tesladep.com>, <tesla-drop.com>, <tesla-events.com>, <tesla-event2x.com>, <teslafinal.com>, <tesla-fond.com>, <teslafound.com>, <teslafuture.net>, <teslagives.net>, <teslahold.net>, <teslaio.net>, <teslajust.com>, <teslaliveorg.com>, <tesla-look.com>, <teslamusks.com>, <teslapresent.com>, <tesla-roundup.com>, <teslasend.com>, <teslato2x.com>, <teslatwice.com>, <tesla-usd.com>, <teslausd.net>, <teslausd24.net>, <tesla-us.net>, <teslaus.net>, <teslavote.com>, <teslaxcoin.net>, <webtesla.net>, and <24tesla.com>.

In relation to the disputed domain names <tsla-gives.com>, <tsla2x.com>, <tslalive2024.net>, and <tslatrump.com> that contain the "tsla" the mark TESLA is not identically reproduced. However, these disputed domain names are typical examples of typosquatting.

The Panel therefore finds that the TESLA mark is recognizable within all disputed domain names. Therefore, the disputed domain names are confusingly similar to the TESLA mark. [WIPO Overview 3.0](#), sections 1.7, 1.8, and 1.9.

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

### B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

Further, panels have held that the use of a domain name for the sake of phishing or to perpetrate cryptocurrency related frauds can never confer rights or legitimate interests on a respondent ([WIPO Overview 3.0](#), section 2.13.1). The Complainant never permitted any use of the TESLA mark, the Respondent has never been known by anything resembling it and in any case it appears almost impossible that the Respondent could justify registering a whole series of disputed domain names containing a highly distinctive and widely reputed trademark with many different inclusions and extensions.

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

### **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent registered disputed domain names that contain a very distinctive trademark that is widely known including in the Russian Federation, where the Respondent is located, without any apparent right or entitlement to do so. It then proceeded to use many of those disputed domain names to either engage in phishing or more specifically to establish fraudulent websites designed to filch confidential details from Internet users by dangling before them false opportunities to obtain cryptocurrency (in particular the use of the website connected to the disputed domain name <24tesla.com>). That the Respondent registered so many disputed domain names within a short period of time all containing the mark TESLA establishes beyond a doubt that the Respondent was aware of the mark and the rights of the Complainant in relation to it at the time of registration of the disputed domain names. The subsequent actions (using the disputed domain names in connection with web pages that are inaccessible due to the intervention of modern browsers and antivirus software, or making fraudulent offers on the website “www.24tesla.com” acquiring cryptocurrency) make it abundantly clear that the disputed domain names are in fact all used in bad faith. Passive holding is in any case sufficient in cases such as the present to warrant a finding of bad faith.

The Panel finds that the Complainant has established the third element of the Policy.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <bitcoin-tesla2024.com>, <bitcointesla24.com>, <bonus2-tesla.com>, <choosetesla.com>, <doubletesla.net>, <elon-tesla2x.com>, <gametesla.com>, <gift-tesla2024.com>, <reward-tesla.com>, <taketeslax.com>, <tesla-bitcoin.com>, <teslabonus2024.com>, <teslabonus24.com>, <tesla-btc.com>, <teslaceo-event.com>, <teslaceo-promo.com>, <teslachance.com>, <teslacrewnet.net>, <tesladebate.com>, <tesladep.com>, <tesla-drop.com>, <tesla-events.com>, <tesla-event2x.com>, <teslafinal.com>, <tesla-fond.com>, <teslafound.com>, <teslafuture.net>, <teslagives.net>, <teslahold.net>, <teslaio.net>, <teslajust.com>, <teslaliveorg.com>, <tesla-look.com>, <teslamusks.com>, <teslapresent.com>, <tesla-roundup.com>, <teslasend.com>, <teslato2x.com>, <teslatwice.com>, <tesla-usd.com>, <teslausd.net>, <teslausd24.net>, <tesla-us.net>, <teslaus.net>, <teslavote.com>, <teslaxcoin.net>, <tesla-gives.com>, <teslalive2024.net>, <teslatrump.com>, <tesla2x.com>, <webtesla.net>, and <24tesla.com> be transferred to the Complainant.

*/William A. Van Caenegem/*

**William A. Van Caenegem**

Sole Panelist

Date: May 27, 2025