

## **ADMINISTRATIVE PANEL DECISION**

Coinme Inc. v. main main  
Case No. D2022-3320

### **1. The Parties**

The Complainant is Coinme Inc., United States of America (“United States”), represented by Seed Intellectual Property Law Group, PLLC, United States.

The Respondent is main main, Hong Kong, China.

### **2. The Domain Name and Registrar**

The disputed domain name <coinmekyc.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 7, 2022. On September 7, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 8, 2022, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on September 21, 2022, 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 on September 27, 2022.

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 of the Complaint, and the proceedings commenced on September 30, 2022. In accordance with the Rules, paragraph 5, the due date for Response was October 20, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 26, 2022.

The Center appointed Steven A. Maier as the sole panelist in this matter on November 1, 2022. 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 corporation organized under the laws of Delaware, United States. It operates a cryptocurrency cash exchange, *i.e.* the means for customers to buy or sell cryptocurrency using cash or debit facilities.

The Complainant is the owner of registrations in numerous territories for the trademark COINME. Those registrations include, for example:

- United States trademark registration number 4791525 for the word mark COINME, registered on August 11, 2015, for services in International Class 36; and

- International trademark registration number 1567981 for the word mark COINME, registered on November 16, 2020, for goods and services in International Classes 9, 36 and 42, including China among its designations under the Madrid Protocol.

The Complainant also uses a figurative version of its COINME trademark (“the Coinme Logo”) which it states it has used since 2016. It is unclear whether the Complainant asserts any registered rights in the Coinme Logo.

The disputed domain name was registered on August 11, 2022.

The disputed domain name has resolved to a website headed “Coinme - The most trusted cryptocurrency trading Platform.” The website makes numerous references to the COINME trademark and includes sections headed “About Coinme” as well as featuring what appear to be cryptocurrency market rates. The website concludes with a depiction of the Coinme Logo and what appears to be a link to the Apple App Store.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant submits that it was founded in 2014 and is now the largest licensed cryptocurrency cash exchange. It states that it operates thousands of physical locations in 49 of the states within the United States and also offers a mobile app. It also cites its ownership of the domain name <coinme.com>.

The Complainant submits that the disputed domain name is identical or confusingly similar to its COINME trademark, which is recognizable within the disputed domain name. It contends that the disputed domain combines that trademark with the term “kyc”, which is commonly understood within the financial services sector to be an abbreviation for the term “know your customer”.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its COINME trademark, that the Respondent has not commonly been known by the disputed domain name and that the Respondent is making neither *bona fide* commercial use nor legitimate noncommercial or fair use of the disputed domain name. Instead, the Complainant contends that the Respondent is using the disputed domain name misleadingly to exploit the Complainant’s goodwill.

The Complainant submits that the disputed domain name has been registered and is being used in bad faith. It contends that, owing to its reputation established over many years, the Respondent must have been aware

of its COINME trademark and services when it registered the disputed domain name. The Complainant also submits that the Respondent's website makes infringing use of the COINME mark on no less than 13 occasions. It adds that, when clicking on what appears to be a link to the Apple App Store, users are in fact offered a file download, which is liable to be malicious in nature. It states that the link also includes a "login" page which asks for users' personal information.

The Complainant further submits that by providing its registration details as "main main" and an address which does not appear to be legitimate, the Respondent has provided false contact information in connection with the disputed domain name.

The Complainant requests the transfer of the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

### **A. Identical or Confusingly Similar**

The Complainant has established that it is the owner of registered trademark rights for the mark COINME. The disputed domain name comprises that trademark in full, together with additional characters which do not prevent the Complainant's trademark from being recognizable within the disputed domain name. The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

### **B. Rights or Legitimate Interests**

In the view of the Panel, the Complainant's submissions set out above give rise to a *prima facie* case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in this proceeding and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise. Moreover, the Panel finds that the Respondent has used the disputed domain name dishonestly to impersonate the Complainant, which use cannot give rise to rights or legitimate interests in respect of the disputed domain name. The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

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

It is clear to the Panel from the Respondent's use of the disputed domain name that it was aware of the Complainant's COINME trademark at the time it registered the disputed domain name and that it did so in order to take unfair commercial advantage of the Complainant's goodwill in that mark. The Respondent has used the disputed domain name for the purpose of a website which impersonates the Complainant by

adopting its COINME trademark and the Coinme Logo and which contains a deceptive link to software and to a request for personal information which, the Panel infers, is intended to provide a financial benefit for the Respondent if accessed by visitors to the website.

The Panel therefore finds that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel finds further that the Respondent has provided false contact details in connection with its registration of the disputed domain name.

The Panel finds in the circumstances that the disputed domain name has been registered and is being used in bad faith.

The Panel additionally has regard to the panel decision in *Coinme Inc. v. main main, main*, WIPO Case No. [D2022-3322](#) and finds that the Respondent has engaged in bad faith in a pattern of registering domain names corresponding to the Complainant's trademark.

## **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 name, <coinmekyc.com>, be transferred to the Complainant.

*/Steven A. Maier/*

**Steven A. Maier**

Sole Panelist

Date: November 2, 2022