

ADMINISTRATIVE PANEL DECISION

Stripe, Inc. v. Albskdd
Case No. D2022-2440

1. The Parties

The Complainant is Stripe, Inc., United States of America, represented by Taft, Stettinius & Hollister, LLP, United States of America.

The Respondent is Albskdd, United States of America.

2. The Domain Name and Registrar

The disputed domain name <stripe.cool> is registered with Alibaba.com Singapore E-Commerce Private Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 5, 2022. On July 6, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 7, 2022, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 July 12, 2022. In accordance with the Rules, paragraph 5, the due date for Response was August 1, 2022. The Respondent did not submit any response. On August 3, 2022, the Center informed the parties that it will proceed to panel appointment.

The Center appointed Joseph Simone as the sole panelist in this matter on August 5, 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, Stripe, Inc., is a technology company in the payment software sector.

The Complainant currently operates across 40 countries and has an extensive global portfolio of trade marks containing the term “stripe”, including the followings:

- International Trade Mark registration for STRIPE No. 1255080 in Class 36, registered on January 14, 2015;
- European Union Trade mark registration for STRIPE No. 010112498 in Class 36, registered on December 14, 2011; and
- United States of America Trade mark registration for STRIPE No. 4451679 in Class 36, registered on December 17, 2013.

The Complainant also owns the domain name <stripe.com>.

The disputed domain name was registered on March 4, 2022.

According to screenshots provided by the Complainant, at the time of filing the Complaint, the disputed domain name resolved to a page purporting to be associated with Complainant’s consumer accounts and the management of those accounts.

At the time of drafting of this Decision, the disputed domain name resolved to an error page.

5. Parties’ Contentions

A. Complainant

The Complainant asserts that it has prior rights in the STRIPE trade marks and that it is a leading player in its field of business.

The Complainant further asserts that the disputed domain name is identical or confusingly similar to the Complainant’s STRIPE trade mark.

The Complainant also asserts that it has not authorized the Respondent to use the STRIPE mark and there is no evidence to suggest that the Respondent has used, or undertaken any demonstrable preparations to use, the disputed domain name in connection with a *bona fide* offering of goods or services.

The Complainant further asserts that there is no evidence suggesting that the Respondent has any connection to the STRIPE mark in any way, and that there is no plausible good faith reason for the Respondent to have registered the disputed domain name, especially after considering the relevant circumstances. The Complainant therefore concludes that the registration and any use of the disputed domain name whatsoever must be in bad faith.

B. Respondent

The Respondent did not reply to the Complainant’s contentions. A person claiming to own the disputed domain name sent email communications to the Center on July 12, 2022, and July 13, 2022.

In summary, this person indicated in its communications to the Center that it registered the disputed domain name and was intending to become a partners with the Complainant.

6. Discussion and Findings

A. Identical or Confusingly Similar

The Panel acknowledges that the Complainant has established rights in the STRIPE trade marks in many territories around the world.

Disregarding the Top-Level Domain (“TLD”) “.cool”, which is a standard registration requirement, the disputed domain name incorporates the Complainant’s trade mark STRIPE in its entirety.

The Panel therefore finds that the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy in establishing its rights in the STRIPE trade marks and in demonstrating that the disputed domain name is identical or confusingly similar to its marks.

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, the complainant is required to establish a *prima facie* case that the respondent lacks rights or legitimate interests in the disputed domain name. Once such *prima facie* case is made out, the respondent bears the burden of producing evidence in support of its rights or legitimate interests in the disputed domain name. If the respondent fails to do so, the complainant may be deemed to have satisfied paragraph 4(a)(ii) of the Policy. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 2.1.

The Complainant asserts that it has not authorized the Respondent to use its trade marks and there is no evidence to suggest that the Respondent has used, or undertaken any demonstrable preparations to use, the disputed domain name in connection with a *bona fide* offering of goods or services.

Thus, the Complainant has established its *prima facie* case with satisfactory evidence.

The Respondent did not file a substantive response and has therefore failed to assert factors supported by evidence to establish that it enjoys rights or legitimate interests in the disputed domain name. Even if the email communications received from the purported owner of the disputed domain name were considered, the Panel believes the content of those email communications, and in particular the reference to a potential application to be a “Stripe partner”, and finds that there are no arguments that could give rise to rights or legitimate interests under the Policy.

As such, the Panel concludes that the Respondent has failed to rebut the Complainant’s *prima facie* showing of the Respondent’s lack of rights or legitimate interests in the disputed domain name, and that none of the circumstances of paragraph 4(c) of the Policy is applicable in this case.

Therefore, there is no evidence adduced to show that the Respondent, prior to the notice of the dispute, has used or has demonstrated its preparation to use the disputed domain name in connection with a *bona fide* offering of goods or services. There is also no evidence adduced to show that the Respondent has been commonly known by the disputed domain name or the Respondent is making a legitimate noncommercial or fair use of the disputed domain name.

Accordingly, and based on the Panel’s findings below, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name pursuant to paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered as evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that the respondent registered or acquired the domain name primarily for the

purpose of selling, renting, or otherwise transferring the domain name registration to the complainant (the owner of the trade mark or service mark) or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) circumstances indicating that the respondent registered the domain name in order to prevent the owner of the trade mark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) circumstances indicating that the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) circumstances indicating that the respondent is using the domain name to intentionally attempt to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on its website or location.

The examples of bad faith registration and use set forth in paragraph 4(b) of the Policy are not meant to be exhaustive of all circumstances in which bad faith may be found. See *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#). The overriding objective of the Policy is to curb the abusive registration of domain names in circumstances where the registrant seeks to profit from and exploit the trade mark of another party. See *Match.com, LP v. Bill Zag and NWLAWS.ORG*, WIPO Case No. [D2004-0230](#).

For reasons discussed under this and the preceding heading, the Panel believes that the Respondent's conduct in this case constitutes bad faith registration and use of the disputed domain name.

When the Respondent registered the disputed domain name, the STRIPE trade marks were already widely known and directly associated with the Complainant's activities. UDRP panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos) to a famous or widely known trade mark by an unaffiliated entity can by itself create a presumption of bad faith. See [WIPO Overview 3.0](#), section 3.1.4.

Given the extensive prior use and fame of the Complainant's marks, in the Panel's view, the Respondent should have been aware of the Complainant's marks when registering the disputed domain name.

The Respondent has provided no evidence to justify its choice of the term "stripe" in the disputed domain name, which in view of the Respondent's use and admission, the Panel finds was clearly chosen due to its significance as a trademark owned by the Complainant. In light of the foregoing, it would be unreasonable to conclude that the Respondent – at the time of the registration of the disputed domain name – was unaware of the Complainant's trade mark.

The Complainant's registered trade mark rights in STRIPE for its products and services predate the registration date of the disputed domain name by at least one decade. A simple online search (*e.g.*, via Google and Baidu) for the term "stripe" would have revealed that it is a world-renowned brand.

The Panel is therefore of the view that the Respondent registered the disputed domain name with knowledge of the Complainant's trade mark rights.

The unauthorized use of the STRIPE trade mark in association with the Complainant's businesses and the link to a website purporting to be associated with the Complainant's consumer accounts and the management of those accounts is designed to disrupt the Complainant's business or at least to mislead and divert Internet users for the commercial gain of, if not the Respondent, then a third party. Moreover, in the context of the service of backend management of online sales, whose nature is such that a membership account may be required for access, the disputed domain name and its related website increase the likelihood of confusion. By the above criteria, this demonstrates registration and use of the disputed domain name in bad faith. The Panel therefore concludes that the Complainant has satisfied the condition in

paragraph 4(a)(iii) 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 name <stripe.cool> be transferred to the Complainant.

/Joseph Simone/

Joseph Simone

Sole Panelist

Date: August 19, 2022