

ADMINISTRATIVE PANEL DECISION

Stripe, Inc. v. Andy Liu
Case No. D2024-4154

1. The Parties

Complainant is Stripe, Inc., United States of America (“U.S.”), represented by Elster & McGrady LLC, U.S.

Respondent is Andy Liu, U.S.

2. The Domain Name and Registrar

The disputed domain name <stripe365.com> (the “Domain Name”) is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 11, 2024. On October 14, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On October 15, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Data Redacted) and contact information in the Complaint.

The Center sent an email to Complainant on October 17, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on October 21, 2024.

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 Respondent of the Complaint, and the proceedings commenced on November 1, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 21, 2024. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on December 5, 2024.

The Center appointed Robert A. Badgley as the sole panelist in this matter on December 9, 2024. 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

Complainant alleges:

“Stripe is a technology company that builds economic infrastructure for the Internet. Millions of businesses of every size — from new startups to public companies — use Stripe’s software to accept payments and manage their businesses online. Stripe is available for businesses in over 40 countries, including the United States. Stripe uses its website at “www.stripe.com” to publish its documentation, libraries, and API resources (among other things).”

Complainant holds two trademark registrations with the United States Patent and Trademark Office (“USPTO”) for the word mark STRIPE. First, Complainant holds USPTO Reg. No. 4,451,679 for STRIPE, registered on December 17, 2013 in connection with, among other things, “financial services, namely, online credit card payment and transaction processing and transmission of bills and payments thereof; financial services, namely, electronic funds transfer,” with a January 6, 2011 date of first use in commerce.

Second, Complainant holds USPTO Reg. No. 6,275,452 for STRIPE, registered on February 23, 2021 in connection with, “facilitating and arranging working capital among other things, “financial services, namely, facilitating and arranging working capital financing to small businesses and small business owners; providing loan services to creditors of small business loans,” with a September 5, 2019 date of first use in commerce.

The Domain Name was registered on June 19, 2024. As of October 11, 2024, the Domain Name resolved to an apparent commercial website. Among other things, the site stated: “We have provided services to more than 80 customers and solved the payment difficulties they encountered during their overseas expansion.” The site invited visitors to sign up. Respondent’s website tab logo uses the same blue-colored favicon as Complainant uses at its website.

Currently, the Domain Name resolves to a website featuring the following warning:

“Suspected Phishing

This website has been reported for potential phishing.

Phishing is when a site attempts to steal sensitive information by falsely presenting as a safe source.”

Respondent has not disputed any of the foregoing allegations.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

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

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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Panel finds that Complainant has rights in the mark STRIPE through registration demonstrated in the record. The Panel also finds that the Domain Name is confusingly similar to the STRIPE mark. Notwithstanding the additional characters "365," the STRIPE mark remains recognizable within the Domain Name.

Complainant has established Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes, on the undisputed record here, that Respondent lacks rights or legitimate interests in respect of the Domain Name. Respondent has not come forward to articulate and bona fide basis for registering the Domain Name and has not disputed the allegations and evidence presented by Complainant. Given Respondent's use of a favicon identical to Complainant's, the Panel concludes that Respondent was aware of Complainant's STRIPE trademark and sought to create a bogus website impersonating Complainant for improper commercial gain.

Complainant has established Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation," are evidence of the registration and use of the Domain Name in "bad faith":

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant

who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or

(ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or

(iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or

(iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website or location or of a product or service on Respondent's website or location.

The Panel concludes, on the record provided here, that Respondent has registered and used the Domain Name in bad faith. As noted above, Respondent's use of Complainant's blue favicon removes any doubt that Respondent had Complainant's STRIPE mark in mind when registering the Domain Name. The Panel also concludes, on this undisputed record and a balance of probabilities, that Respondent more likely than not targeted Complainant's mark in order to divert traffic to Respondent's website by generating confusion among consumers as to the source, sponsorship, affiliation, or endorsement of his site, for improper commercial gain, and perhaps even for phishing purposes. The current warning page associated with Respondent's website, as well as Respondent's failure to deny allegations of phishing, support a finding of bad faith registration and use within the meaning of the above-quoted Policy paragraph 4(b)(iv).

Complainant has established Policy paragraph 4(a)(iii).

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 Domain Name <stripe365.com> be transferred to Complainant.

/Robert A. Badgley/

Robert A. Badgley

Sole Panelist

Date: December 20, 2024