Decision for dispute CAC-UDRP-107717

Case number	CAC-UDRP-107717
Time of filing	2025-07-04 09:31:15
Domain names	paypalplus.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	PayPal, Inc.

Complainant representative

Organization	Stobbs IP

Respondent

Name	huang wei

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the PAYPAL trade mark, which is used in relation with, inter alia, online payment software and services. The Complainant has numerous trademark registrations for PAYPAL including the following:

- United States trademark registration No. 3069209, registered on March 14, 2006; and
- United States trademark registration No. 4267845, registered on January 1, 2013.

The Complainant is the owner of various domain names, including its primary domain name, <paypal.com>, registered on July 15, 1999.

The Respondent registered the disputed domain name on October 27, 2024. As at the time of filing the Complaint, the disputed domain name resolved to an inactive webpage.

FACTUAL BACKGROUND

The Complainant is a global online payment company which was founded in 1998. It provides a fast, secure, and easy way for users to send and receive payments online without sharing financial information. The Complainant's PayPal platform is available in more than 200 markets globally today, and has around 426 million active users. Its revenue in 2019 was over USD17.8 billion, which grew

to USD21.5 billion in 2020.

The Complainant's PAYPAL brand has appeared on television, print, and online advertisements, and enjoys a substantial reputation. In 2024, the PayPal brand was ranked in the Top 100 Most Valuable Global Brands in the annual Kantar BrandZ survey. The Complainant has a substantial social media presence, with 6.7 million and more than 673,000 followers, respectively on Facebook and Instagram. The Complainant's mobile app has been downloaded over 100 million times.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Uniform Domain Name Dispute Resolution Policy (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 proceedings be English for these reasons:

i. the suffix of the disputed domain name, "plus", is a common English word;
ii. the Respondent holds a large portfolio of domain names which contain English words in the Latin script (e.g. <xboxgamepass.cn>, <webstore.cn>, <cburberry.org.cn>, <teslashop.com.cn>, <kidstore.cn>, etc.), demonstrating that the Respondent is versed in English and regularly engages in domain name squatting targeting English-language brands; and
iii. translating the Complaint into Chinese will lead to undue delay of the proceeding and substantial expense to the Complainant.

The Respondent did not make any submissions with respect to the language of the proceeding.

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 language/script of the domain name particularly where the same as that of the complainant's mark, potential unfairness or unwarranted delay in ordering the complainant to translate the complaint, and evidence of other respondent-controlled domain names registered, used, or corresponding to a particular language, (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 4.5.1).

Having considered the circumstances of this case including the composition of the disputed domain name which contains the English term “plus”, the Panel determines that the language of the proceeding shall be English. There does not appear to be any reason which warrants a delay and additional expense in ordering the Complainant to translate the Complaint.

Other procedural matters

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a complainant to show that a domain name is identical or confusingly similar to a trade mark or service mark in which the complainant has rights.

A registered trade mark provides a clear indication that the rights in the mark shown on the trade mark certificate belong to its respective owner. The Complainant has provided evidence that it owns registered trademark rights in PAYPAL.

In this case, the disputed domain name comprises the entirety of the Complainant’s PAYPAL trade mark with the addition of the suffix “plus”. It is well-established that where the relevant trade mark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. (See WIPO Overview 3.0, section 1.8.).

The Panel finds that the PAYPAL trade mark is recognizable in the disputed domain name and that the generic term “plus” is insufficient to prevent a finding of confusing similarity with the Complainant’s trade mark.

Consequently, the Panel finds that the Complainant has shown that the disputed domain name is confusingly similar to a trade mark in which the Complainant has rights.

B. Rights or Legitimate Interests

Once a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests in the disputed domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect to the disputed domain name (see WIPO Overview 3.0, section 2.1).

In the present case, the Complainant has demonstrated a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name and the Respondent has failed to assert any such rights or legitimate interests.

The Complainant has provided evidence that it owns registered trademark rights in PAYPAL long before the date that the disputed domain name was registered. Further, there is no evidence that the Respondent was licensed or otherwise authorized by the Complainant to use the Complainant’s PAYPAL trade mark or that the Respondent is commonly known by the disputed domain name.

At the time of the filing of the Complaint, the disputed domain name resolved to an inactive webpage. There is no evidence that the Respondent is making a legitimate non-commercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant’s trade mark.

The Respondent did not submit a Response in the present case and did not provide any explanation or evidence to show he has rights or legitimate interests in the disputed domain name which would be sufficient to rebut the Complainant’s prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

The Complainant must also show that the respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)). Paragraph 4(b) of the Policy provides circumstances that may evidence bad faith under paragraph 4(a)(iii) of the Policy.

This appears to be a typical case of cybersquatting. The disputed domain name reproduces the well-known PAYPAL trade mark in its entirety, with the addition of the generic term ”plus”. It is not plausible that the Respondent was unaware of the Complainant and its trade mark when he registered the disputed domain name. Panels have found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names incorporating the mark plus a descriptive term) to a 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.).

The fact that the disputed domain name resolves to an inactive webpage does not prevent a finding of bad faith. Under the doctrine of passive holding, factors which can be considered include the degree of distinctiveness or reputation of the complainant’s mark, the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and the implausibility of any good faith use to which the disputed domain name may be put. (See WIPO Overview 3.0, section 3.3.) Taking

into account the totality of the circumstances in this case, the Panel finds that the disputed domain name has been registered and used in bad faith.

Accordingly, the Panel finds that the Complainant has met its burden under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **paypalplus.com**: Transferred

PANELLISTS

Name	**Francine Tan**

DATE OF PANEL DECISION 2025-08-12

Publish the Decision