Decision for dispute CAC-UDRP-107982

Case number	CAC-UDRP-107982
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Domain names	bid4paper.com

Case administrator

Organization	Michael Volák (CAC) (Case admin)

Complainant

Organization	Frogprog Limited

Respondent

Name	Brian Irungu

Respondent representative

Name	Brian Irungu

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 United States Trademark Registration No. 5843677, dated August 27, 2019, for the name BID4PAPERS for the services within International Class 041:

Educational services, namely, conducting distance learning instruction at the secondary, college and graduate levels; Providing online writing and editing of written texts in the nature of articles, essays, memos, case studies, dissertations, literature analyses and reviews for journals, publications, online publication platforms and study purposes other than for advertising or publicity purposes; written text editing; proofreading of articles, essays, memos, case studies, dissertations, literature analyses and written reviews in the fields of academic writing assistance; Providing on-line writing and editing of written texts in the nature of articles, essays, memos, case studies, dissertations, literature analysis and reviews for journals, publications, online publication platforms and study purposes other than for advertising or publicity purposes; written text editing; proofreading of articles, essays, memos, case studies, dissertations, literature analyses and written reviews in printed or electronic format in the field of academic writing assistance.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

Under the registered trademark BID4PAPERS, the Complainant provides, among other offerings, educational services, namely, providing online writing and editing of written texts in the nature of articles, essays, memos, case studies, dissertations, literature analyses and reviews for journals, publications, online publication platforms and study purposes. The Complainant also owns the domain name <bid4papers.com> which was registered and has been in use by the Complainant since 2013.

The disputed domain name was registered on April 17, 2025 and resolves to a website that offers custom academic essay writing services on different subjects. The Complainant has never authorized, licensed, or permitted the Respondent's use of the BID4PAPERS mark.

FACTS ASSERTED BY THE RESPONDENT AND NOT CONTESTED BY THE COMPLAINANT.

The Respondent's company Mowllah PLC, Company number PVT-KAUD3QM9, is duly registered under the Laws of Kenya Companies Act,2015. The Complainant uses its <bid4papers.com> domain name to redirect customers to another website at the address <essayshark.com>. The domain name <bid4paper.com> was publicly available at the time of registration by the Respondent.

PARTIES CONTENTIONS

COMPLAINANT

The <bid4paper.com> domain name is confusingly similar to the Complainant's BID4PAPERS trademark, merely omitting the letter "s" and adding the ".com" top-level domain.

The Respondent has no rights or legitimate interests in the disputed domain name where it is not commonly known by the domain name and it is not making a bona fide offering of goods or services. Rather, it is using the trademark on its website and providing services that compete with those offered by the Complainant.

The disputed domain name was registered and is used in bad faith where the Respondent had knowledge of the Complainant's trademark at the time that it registered the disputed domain name based on the reputation of the Complainant's trademark and its typosquatting of the Complainant's trademark. The Respondent's use of the disputed domain name, for a website that competes with the Complainant's academic writing services, disrupts the Complainant's business and seeks commercial gain based on a likelihood of confusion with its trademark.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or 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

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

The Panel is entitled to accept all reasonable allegations set forth in a pleading; however, the Panel may disregard mere conclusory or unsubstantiated claims and arguments. See WIPO Jurisprudential Overview 3.0 at paragraph 4.3; see also GROUPE CANAL + v. Danny Sullivan, 102809 (CAC January 21, 2020) ("the Panel, based on the poorly supported and conclusory allegations of the Complainant, retains that the Complainant has not prevailed on all three elements of the paragraph 4(a) of the Policy and, therefore, rejects the Complaint.").

1. The disputed domain name is confusingly similar to a trademark or service mark in which the Complainant has rights.

Paragraph 4(a)(i) of the Policy is a standing requirement which is satisfied if the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. It is not as extensive as the "likelihood of confusion" test for trademark infringement applied by many courts. Rather, the phrase "confusingly similar" has been interpreted to mean that an asserted trademark is recognizable in a disputed domain name. In other words, it is a comparison of the Complainant's trademark and the disputed domain name in appearance, sound, meaning, and overall impression. See Administradora de Marcas RD, S. de R.L. de C.V. v. DNS Manager / Profile Group, 101341 (CAC November 28, 2016).

Against this backdrop, UDRP panels have accepted that "[r]egistration of a mark with governmental trademark agencies is sufficient to establish rights in that mark for the purposes of Policy paragraph 4(a)(i)." Teleflex Incorporated v. Leisa Idalski, FA 1794131 (FORUM July 31, 2018). In this case, the Complainant has submitted screenshots from the United States Patent and Trademark Office (USPTO) website demonstrating that it owns a registration of the BID4PAPERS trademark. The Panel accepts this evidence as proof of the Complainant's asserted trademark rights.

Next, panels have consistently held that where the asserted trademark is recognizable within a disputed domain name, a minor misspelling does not prevent a finding of confusing similarity under paragraph 4(a)(i) of the Policy. Here, the disputed domain name is very close in spelling to the Complainant's trademark, only omitting the letter "s" at the end. The domain name further adds the ".com" gTLD which typically adds no meaning to a domain name. Lesaffre et Compagnie v. Tims Dozman, 102430 (CAC May 2, 2019) ("the top-level suffix in the domain name (i.e. the '.com') must be disregarded under the identity / confusing similarity test as it is a necessary technical requirement of registration."). The Complainant asserts that the disputed domain name is confusingly similar to the asserted trademark and will lead internet users to wrongly believe that the disputed domain name originates from or is endorsed by the Complainant. For its part, the Respondent claims that its domain name "is not identical — it's grammatically different ('paper' singular vs. 'papers' plural)" and that "[t]his small difference changes meaning and branding…" Prior panels have found under situations where a domain name consists of a minor typographical variation of an asserted trademark. Guangdong Qisitech CO., LTD. v. Xiao Chun Liu, UDRP-107372 (CAC April 22, 2025) (confusing similarity found where "[t]he disputed domain names [geekbari.com, geekbarcm.com, geekbarz.com] contain the Complainant's trade mark "GEEK BAR" in its entirety with the addition of the letters "i", "cm" and "z".."). The Panel finds that the Respondent's position is overly technical and that merely omitting a single "s" from Complainant's mark (i.e., singular vs. plural) does not alleviate the fact that the trademark is clearly discernible in the disputed domain name.

Accordingly, the Panel finds that the Complainant has rights to the BID4PAPERS trademark and that the <bid4paper.com> domain name is confusingly similar to the trademark. The Complainant has thus satisfied paragraph 4(a)(i) of the Policy.

2. The Respondent Lacks Rights or Legitimate Interests.

Pursuant to Paragraph 4(a)(ii) of the Policy, the complainant has the burden of making a prima facie showing that the respondent has no rights or legitimate interests in the disputed domain name. Cephalon, Inc. v. RiskIQ, Inc., 100834 (CAC September 12, 2014). Once this burden is met, it then shifts to the respondent to demonstrate that it does have rights or legitimate interests in the domain name. Paragraph 4(c) of the Policy offers the respondent several examples of how to demonstrate its rights or legitimate interests in the disputed domain name

Paragraph 4(c) of the Policy sets out certain circumstances which, if proven by the evidence presented, may demonstrate a respondent's rights or legitimate interests in respect of a disputed domain name.

Beginning with paragraph 4(c)(i) of the Policy, the Panel considers whether the Respondent is making a bona fide offering of goods or services under the disputed domain name. Using a confusingly similar domain name to offer competing services has been held to not constitute a bona fide offering under this paragraph. Foundcom Limited v. huang yunpeng, UDRP-107981 (CAC October 20, 2025) („the disputed domain names resolve to websites offering online gaming, gambling, and sports betting services, which directly compete with the Complainant's offerings. Such use is commercial in nature and seeks to take unfair advantage of the reputation of the BRAZINO777 Trademark. It cannot be regarded as a bona fide offering of goods or services.") The Complainant asserts that the „Respondent operates a competing academic writing service, directly capitalizing on Complainant's reputation". The Respondent claims that it „had been using the domain and tradename in a different market" and that the „services rendered, are not entirely within the class 041 as the Complainant's website." Submitted into evidence are screenshots of each party's websites and, upon a close review, the Panel concludes that both offer similar academic writing services. The Complainant further avers that the „Respondent has copied the website design of [the] Complainant's sister company customwritings.com" and it submits screeshots of this site. The Panel notes some similarities, including a white-and-green-on-black color scheme, identical marquis photos and graphics, and some common layout features, but it is unable to determine with certainty if these are a result of intentional copying or the coincidence of using a similar website template. What is clear, however, is that the Respondent's website, despite appearing at the <bid4paper.com> domain name, displays the footer „© 2025 Bid 4 Papers" on its site, and on its page titled „Bid 4 Papers Reviews" it shows the phrase „Welcome to the Bid 4 Papers review page where you can find the latest feedback sent by our current customers and form your own opinion about our work!". This same page displays the text „Questions and answers about Bid 4 Papers reviews" and lists a question „"Is Bid 4 Papers legit?". Based on a preponderance of the submitted evidence, the Panel finds it more likley than not that the Respondent has sought to pass itself off as and compete with the Complainant and thus has not made use of the disputed domain name in connection with a bona fide offering of goods or services as noted in paragraph 4(c)(i) of the Policy.

Next, with reference to paragraph 4(c)(ii), panels often review WHOIS information when considering whether a Respondent is commonly known by a disputed domain name. Joh. Berenberg, Gossler & Co. KG v. Christian Ekpe, UDRP-104990 (CAC December 28, 2022) („there is no evidence that the Respondent, whose name is Christian Ekpe according to the Whois records, might be commonly known by the disputed domain name" <berenbergcorp.com>). Here, the Panel notes that the WHOIS record identifies the Registrant of the disputed domain name as „Brian Irungo" so this provides no help to Respondent. Further, Complainant states that it „has never authorized, licensed, or permitted [the] Respondent's use of the BID4PAPERS mark". The Respondent's retort is that it „does not need a license to use a name that is different from that of the Complainant" but, as noted above, the Panel has found that the disputed domain name is confusingly similar to the Complainant's registered trademark. It also claims that „"bid4paper.com" is a trade name used by the Respondent and is owned by the Respondent's company Mowllah PLC Company number PVT-KAUD3QM9 which is duly registered under the Laws of Kenya Companies Act,2015" but it provides no supporting evidence for this. Further, as noted in the previous section, the Panel has found that the Respondent is not making a bona fide use of the disputed domain name and so any use of the phrase BID 4 PAPER on its website does not provide it with grounds upon which to claim that it is commonly known by that name.

Finally, it cannot be said that the Respondent has made a legitimate non-commercial or fair use of the disputed domain name without intent for commercial gain as noted in paragraph 4(c)(iii) of the Policy. The Respondent has not asserted that the term "Bid4Paper" has a generic or descriptive meaning in relation to its services and, in the absence of any evidence or argument on this point by either party, the Panel is not prepared to substitute its own judgement on the issue for that of the USPTO. It must also be noted that the Respondent's activities are clearly commercial in nature and so this also provides no support under paragraph 4(c)(iii) of the Policy.

In view of the above, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) and of the Policy and demonstrated that the Respondent has no rights or legitimate interests in the disputed domain name.

3. The Disputed Domain Name Was Registered And Is Used In Bad Faith.

In order to prevail in a dispute, paragraph 4(a)(iii) of the Policy requires that the Complainant prove that the disputed domain name has both been registered and is being used in bad faith.

The Complainant claims that the Respondent must have known of its trademark at the time that the disputed domain name was registered. It has been held in prior decisions that such activity supports a finding of bad faith domain name registration. 7-Eleven, Inc. v. charles rasputin, FA 1829082 (FORUM March 9, 2019) (in relation to the domain name 7elevendelivered.com and others,

“Respondent had actual knowledge of Complainant’s rights in the 7 ELEVEN mark at the time of registering the infringing domain names. Actual knowledge of a complainant's rights in a mark prior to registering a confusingly similar domain name can evince bad faith under Policy 4(a)(iii).”). The Complainant states that its trademark „had acquired distinctiveness and reputation through long public use since the year 2013, and the number of customers and website users was increasing each year.“ It further states that „[o]ur company made a lot of efforts to advertise and promote our services, which made the marks “bid4papers” and recognizable among customers. Our services offered via our websites acquired many positive feedbacks and reviews, e.g. at https://www.sitejabber.com/reviews/bid4papers.com.“ It further provides an archived screenshot of its <bid4papers.com> website from 2013. This evidence, combined with the disputed domain name‘s use of a minor typographical variation of the Complainant’s trademark and its use of the plural „BID 4 PAPERS“ phrase on its resolving website, leads this Panel to conclude that it is more likely than not that the Respondent knew of the Complainant's trademark at the time that it registered the disputed domain name on April 17, 2025 (as shown by the WHOIS record). The Respondent claims that it „was using the name „bid4paper” for a long time which pre-dates Complainant’s purported registration in 2019“ and that it owns a trade name registration under the Laws of Kenya Companies Act,2015. However, as noted, it provides no evidence of these claims. In an effort to determine the veracity of these claims, the Panel has taken it upon itself to search various sources including Archive.org, Google, and the website for the Kenya Business Registration Service but it has been unable to find any information to support Respondent’s claims of longstanding use of its name.

As for use, the Complainant has submitted screenshots of the Respondent’s website and, as noted above, these include multiple displays of the plural phrase „BID 4 PAPERS“ and offer academic essay writing services that compete with those offered by the Complainant. As such, the Panel finds sufficient evidnece that, in accordance with paragraphs 4(b)(iii) and 4(b)(iv) of the Policy, the disputed domain name has been used in bad faith to compete with the Complainant by disrupting its business and to create a likelihood of confusion with the BID4PAPERS trademark for commercial gain.

Next, the disputed domain name is a typosquatted version of the Complainant’s trademark and this, alone, has been held to be evidence of bad faith. See Chocoladefabriken Lindt & Sprüngli AG v. Louth Ecom, UDRP-106391 (CAC April 22, 2024) (the domain name liindt.com is used in bad faith where “the disputed domain name appears to be a clear case of typosquatting.”). The fact that the disputed domain name differs from the Complainant’s trademark only by the removal of the letter „s“ provides further support for the Panel’s finding of bad faith.

Finally, it is also worth noting that the Respondent states that Complainant’s own <bid4papers.com> domain name simply redirects users to another site at <essayshark.com> and it provides a screenshot of the same. While this may be the case at present, the submitted archival evidence indicates that this is a very recent change and that, as of June 22, 2025, the Complainant’s own domain name resolved to content promoting its BID4PAPERS services.

In light of the above, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) and that the disputed domain name has been registered and used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **bid4paper.com**: Transferred

PANELLISTS

Name	**Steven Levy**

DATE OF PANEL DECISION 2025-11-04

Publish the Decision