Decision for dispute CAC-UDRP-108446

Case number	CAC-UDRP-108446
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Domain names	communications-paypal.com

Case administrator

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

Complainant

Organization	PayPal, Inc.

Complainant representative

Organization	Stobbs IP

Respondent

Name	Michel Foubert

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 evidence has established that the Complainant is the owner of a portfolio of registered trademarks including:

(a) the United States trademark for PAYPAL, registered with the United States Patent and Trademark Office ("USPTO"), registered number 3,069,209, registered on March 14, 2006; and

(b) numerous other registered trademarks for PAYPAL, registered domestically and internationally

(collectively "the PAYPAL trademark").

FACTUAL BACKGROUND

The Complainant, PayPal, Inc., is a renowned United States company engaged in the provision of online payment facilities for goods and services and has been so engaged since 1998.

The Complainant provides its goods and services under the PAYPAL trademark.

As well as the PAYPAL trademark, the Complainant owns the domain name <paypal.com> which it registered in 1999 and which it

uses in its business to promote its goods and services under its PAYPAL trademark and brand on the internet and to enable consumers to avail themselves of the Complainant's goods and services.

It has come to the notice of the Complainant that, without any permission to do so, and after the Complainant had acquired its aforesaid trademark rights, the Respondent registered the domain name <communications-paypal.com> ("the Disputed Domain Name") on January 10, 2026 with the addition by way of a prefix the non-distinctive word "communications" which signifies communications to and from the Complainant, an integral part of the Complainant's services, a hyphen, and also the Top Level Domain ".com." The Complainant maintains that this is a clear infringement of its PAYPAL trademark and the Policy.

The Disputed Domain Name has remained inactive and has been passively held, but resolves to a blank template landing page with the message "Lancement imminent" in French, which translates into English as "Launch imminent" indicating that a website was about to be launched. Thus, the Complainant maintains that this use of the Disputed Domain Name generates confusion between it and the Complainant's PAYPAL trademark.

The Disputed Domain Name and its aforesaid use pose a very concerning threat to the Complainant's business and the PAYPAL trademark and brand. That is because of the potential for the Disputed Domain Name and any website to which it may resolve in the future to transgress on the Complainant's trademark rights and, on its business, conducted under the trademark if the Respondent continues to own it, as well as the potential for phishing for information.

The Complainant maintains that the Disputed Domain Name is confusingly similar to its trademark, that registering the Disputed Domain Name, passively holding it and using it in the aforesaid manner cannot give rise to a right or legitimate interest in the Disputed Domain Name and that the Disputed Domain Name has been registered and used in bad faith.

The Complainant has therefore brought this proceeding under the Uniform Domain Name Dispute Resolution Policy to obtain a transfer of the Disputed Domain Name to itself and thus achieve the cessation of the improper use to which the Respondent has put it.

PARTIES CONTENTIONS

Complainant

- The Complainant is an internationally renowned United States company engaged in the provision of online payment services for goods and services and has been so engaged since 1998.
- The Respondent registered the domain name <communications-paypal.com> ("the Disputed Domain Name") on January 10, 2026.
- The Disputed Domain Name is confusingly similar to the PAYPAL trademark because it includes the PAYPAL trademark, the word "communications", a hyphen and the Top Level Domain ".com." As a consequence, the Disputed Domain Name would be understood by internet users to be invoking the Complainant's trademark and communications to and from the Complainant, an integral part of the Complainant's services.
- The Respondent has no right or legitimate interest in the Disputed Domain Name. That is submitted on the following grounds, namely that: (a) the Complainant has not given any permission or authority to the Respondent to register or use the Disputed Domain Name; (b) there is no affiliation, business or other relationship between the Complainant and the Respondent; (c) the Disputed Domain Name has not been used for a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy; (d) the Respondent is not commonly known by the Disputed Domain Name within the meaning of paragraph 4(c)(ii) of the Policy; (e) the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name within the meaning of paragraph 4(c)(iii) of the Policy; and (f) there is no other ground on which it could conceivably be argued that the Respondent has a right or legitimate interest in the Disputed Domain Name.
- By reason of the same factors, the Respondent has registered and used the Disputed Domain Name in bad faith on the grounds that: (a) the Complainant's trademark is so well-known that any unauthorized use of it by using it in a domain name will almost certainly constitute registration and use in bad faith; (b) the Respondent had actual notice of the trademark and the Complainant's rights in it when he, the Respondent, registered the Disputed Domain Name; (c) the Respondent has engaded in passive holding of the Disputed Domain Name; and (d) there is no plausible ground on which it could be argued that the Disputed Domain Name was registered and used other than in bad faith.
- Accordingly, it is submitted that the Complainant will be able to establish all of the elements it is required to prove and that it is entitled to the relief that is seeks, namely transfer of the Disputed Domain Name to itself.

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

This is a mandatory administrative proceeding pursuant to Paragraph 4 of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP") of the Internet Corporation for Assigned Names and Numbers ("ICANN"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the CAC Supplemental Rules.

1. Administrative deficiency

By notification dated March 5, 2026 and in accordance with Paragraph 4 (b) of the Rules, the CAC notified the Complainant that the Complaint was administratively deficient in that it had not sufficiently identified the Respondent. The Complainant was invited to see the Registrar's verification available in the online case file in the form of a non-standard communication regarding the appropriate identification of the domain name holder.

Also, on March 6, 2026, the Complainant filed an Amended Complaint correcting the deficiency and the CAC thus determined that the Complaint should be admitted to proceed further in the Administrative Proceeding.

The Panel has reviewed all of the above matters and makes a finding that within the meaning of Paragraph 4(b) of the Rules, the administrative deficiencies have been corrected and that this matter has proceeded properly to the Panel in accordance with the Policy and the Rules.

2. Substantive matters

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. In that regard, the Panel also notes that the onus is on the Complainant to make out its case, and past UDRP panels have consistently said that a complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

The Panel therefore turns to discuss the various issues that arise for decision on the facts as they are known.

For the Complainant to succeed it must prove, within the meaning of Paragraph 4(a) of the Policy, that:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and

(ii) the 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.

The Panel will therefore deal with each of these requirements in turn.

A. Identical or Confusingly Similar.

The first issue that arises is whether the Complainant has a trademark on which it may rely in this proceeding. In that regard, the Panel finds that the Complainant has adduced evidence that the Panel accepts, that it is the registered owner of the PAYPAL trademark, particulars of which are set out above. That evidence is in documentary form that the Panel has examined and finds to be in order and that the PAYPAL trademark was registered well prior to the date on which the Respondent registered the Disputed Domain Name. The Panel therefore finds that the Complainant has established its trademark rights and hence its standing to bring

this proceeding.

The next issue is whether the Disputed Domin Name is confusingly similar to the PAYPAL trademark. The Panel finds that the Disputed Domain Name is confusingly similar to the PAYPAL trademark. That is so for the following reasons.

The evidence has established that on January 10, 2026 the Respondent registered the Disputed Domain Name which includes the entirety of the PAYPAL trademark. The Disputed Domain Name also includes, immediately before the trademark, the word “communications” which internet users would take to be invoking communications to and from the Complainant, which is of course, as with all businesses, an integral part of the Complainant's activities. The Disputed Domain Name also includes a hyphen, but hyphens are so minor that they cannot influence how the Disputed Domain Name is interpreted. The Disputed Domain Name also includes the Top Level Domain “.com", but this also cannot influence how the Disputed Domain Name is interpreted, as all domain names must have such an extension.

The entirety of the trademark is therefore included in the Disputed Domain Name and the trademark is by far its most dominant feature. Accordingly, the attention of the internet user would naturally be drawn to the use of the trademark in the Disputed Domain Name which would inculcate in the mind of the user that it is an official domain name of the Complainant or that it was authorized by the Complainant, neither of which on the evidence of the Complainant was true. Internet users would conclude that the Disputed Domain Name is invoking the Complainant, its trademark and its communications, thus making it confusingly similar to the trademark.

Accordingly, the Disputed Domain Name is confusingly similar to the Complainant’s trademark; it is similar to the trademark because its dominant element is the Complainant's PAYPAL trademark and it is confusingly similar because internet users would naturally wonder whether it was an official and genuine domain name of the Complainant or not.

The Complainant has therefore established the first element that it must show under Paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests.

Under Paragraph 4(a)(ii) of the Policy, the Complainant has the burden of establishing that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

But by virtue of Paragraph 4(c) of the Policy, it is open to a respondent to establish its rights or legitimate interests in a 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.

Thus, if a respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the domain name, the complainant will have failed to discharge its onus and the complaint will fail. It is also well-established that a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests and that when such a prima facie case is made out, the respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If the respondent cannot do so, a complainant is deemed to have satisfied Paragraph 4(a)(ii) of the Policy.

The Panel, after considering all of the evidence in the Complaint, finds that the Complainant has made out a strong prima facie case that the Respondent has no rights or legitimate interests in the domain name. The case is made stronger by the Complainant having adduced relevant documentary evidence which the Panel accepts, and by the Complainant's citation and discussion of previously decided UDRP cases which support its contentions.

The Panel will address each of the grounds relied on by the Complainant in the order in which they have been submitted by the Complainant.

Those grounds are that:

- the evidence is that the Complainant has not given any permission or authority to the Respondent to register or use the Disputed Domain Name and there is no affiliation, business or other relationship between the Complainant and the Respondent; that being so, it could not be said that the Disputed Domain Name was registered with anything like consent, which might show a right or legitimate interest if made out on the evidence; in the present case, there is no such evidence;
- the Disputed Domain Name has not been used for a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy; it is clear from the evidence that the use to which the Respondent has put the Disputed Domain Name is not a bona fide use within the meaning of Paragraph 4(c)(i) of the Policy or at all; there is nothing bona fide in stealing another party’s trademark and using it to resolve to a landing page with the intention of launching a resolving website imminently and no doubt with content inconsistent with the Complainant's interests;

- the Respondent is not commonly known by the Disputed Domain Name within the meaning of paragraph 4(c)(ii) of the Policy; there is no evidence that the Respondent is known by the Disputed Domain Name and no evidence that it is known by any name

other than its own;

- the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name within the meaning of paragraph 4(c)(iii) of the Policy; the Respondent's aforesaid machinations were clearly illegitimate, clearly commercial and clearly not fair, either to the Complainant or to internet users in general; and

- there is no other ground on which it could conceivably be argued that the Respondent has a right or legitimate interest in the Disputed Domain Name.

The Complainant has therefore made out its prima facie case. The Respondent has not rebutted the prima facie case as it is in default and has not filed a Response.

The Complainant has therefore made out the second of the three elements that it must establish under Paragraph 4(a)(ii) of the Policy.

C. Registration and Use in Bad Faith.

The Complainant must prove on the balance of probabilities both that the Disputed Domain Name was registered in bad faith and that it is being used in bad faith.

Paragraph 4(b) of the Policy sets out four circumstances, any one of which is evidence of the registration and use of a domain name in bad faith, although other circumstances may also be relied on, as the four circumstances are not exclusive. The four specified circumstances are:

(i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark 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) the 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 the respondent has engaged in a pattern of such conduct; or

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

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the respondent's website or other on-line 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 the site or location.

The Panel finds that the Complainant has shown that the Respondent registered and used the Disputed Domain Name in bad faith on all of the grounds relied on by the Complainant.

The Panel will deal with each of those grounds in the order in which they have been raised by the Complainant.

They are that:

(a) the evidence is that the Complainant's trademark is so well-known that any unauthorized use of it by using it in a domain name will almost certainly constitute registration and use in bad faith; that is so in the present case; the conclusion is irresistible that the Respondent knew that the PAYPAL trademark was famous and well-known and that he could trade on it as he clearly decided to do;

(b) the Respondent had actual notice of the trademark and the Complainant's rights in it when he, the Respondent, registered the Disputed Domain Name; it must be concluded on the evidence that the Respondent had actual knowledge of the Complainant's well-known trademark when he registered the Disputed Domain Name and the presence of such a famous trademark in a domain name indicates that the Respondent was well-aware of the Complainant and its trademark, knew its target and hence registered the Disputed Domain Name in bad faith; indeed, the Respondent could not have carried out its subterfuge unless it had actual knowledge of the Complainant, its trademark, famous brand and services.

(c) the Respondent has engaged in passive holding of the Disputed Domain Name as the Respondent registered the Disputed Domain Name and then did nothing with it other than causing it to resolve to a landing page; but in any event, the Respondent did use it by asserting that he was its owner and that he had the right to announce that its website would be launched imminently, which he had no right to do; and

(d) there is no plausible ground on which it could be argued that the Disputed Domain Name was registered and used other than in bad faith; the whole scenario revealed by the evidence is that the Respondent embarked on a course that he knew was unjustified by announcing that he would be soon launching his website.

In addition, the Respondent has clearly sought to generate confusion between the Complainant and the Respondent within the meaning of paragraph 4(b)(iv) of the Policy by registering the Disputed Domain Name which is confusingly similar to the PAYPAL trademark and in effect impersonating the Complainant; all of the Respondent's subterfuges were devised for one reason, to give the false impression that he was the Complainant or was authorized by it and that communicating with the Respondent would be tantamount to communicating with the Complainant, which was false; all of this amounted to generating confusion and this ground

of bad faith is therefore made out.

The Complainant has therefore made out the third of the three elements that it must establish under Paragraph 4(a)(iii) of the Policy.

The Complainant has thus established all of the elements it is required to prove under the Policy and has done so by its direct evidence and the Annexes to the Complaint.

The Complainant is therefore entitled to the relief that it seeks, namely transfer of the Disputed Domain Name.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **communications-paypal.com**: Transferred

PANELLISTS

Name	**Neil Brown**

DATE OF PANEL DECISION 2026-04-01

Publish the Decision