Decision for dispute CAC-UDRP-109025

Case number	CAC-UDRP-109025
Time of filing	2026-09-25 07:44:24
Domain names	paysend.app

Case administrator

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

Complainant

Organization	PaySend Group Limited

Complainant representative

Organization	Motsnyi IP Group (dba Motsnyi Legal)

Respondent

Name	Zhihang Zhang

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 submitted evidence that it is the owner of the following trademarks (hereafter the “Trademarks”), each of which designate China among other jurisdictions.

- International trademark No.1284999 “PAYSEND” (word + device), registered on October 13, 2015, for various jurisdictions including China, covering goods in class 9 and services in class 36;
- International trademark No.1251936 “PAYSEND” (word), registered on April 10, 2015, for various jurisdictions including China, covering services in class 36; and
- International trademark No. 1539382 “PAYSEND Money for the future” (word + device), registered on May 30, 2020, for various jurisdictions including China, covering goods in class 9 and services in class 36.

FACTUAL BACKGROUND

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

The Complainant is a United Kingdom-based financial technology company that provides international money transfer services

under the “Paysend” mark. It operates the website at <paysend.com> and provides money transfer services through its mobile app. Before May 2021, the Complainant had publicised its services for sending money to recipients in China, including through its partnership with Alipay.

The disputed domain name <paysend.app> was registered on May 28, 2021, after the Complainant’s trademark registrations identified above. On May 26 and 27, 2021, online publications reported that the Complainant had closed a USD 125 million funding round. A screenshot dated September 23, 2026, shows the disputed domain name listed for sale on GoDaddy with a buy-now price of USD 19,999.

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.

The Complainant argues that the disputed domain name is identical or confusingly similar to its registered Trademarks. The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant further alleges that the Respondent registered and used the disputed domain name in bad faith, with actual knowledge of the Complainant’s Trademarks. The Complainant requests the transfer of the disputed domain name.

No administratively compliant Response has been filed.

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

1. Identical or confusingly similar

The disputed domain name consists of the Complainant’s Trademark “Paysend” with the sole addition of the top-level domain “.app”.

As the Trademark (at least the international trademark with No.1251936 listed above) is recognisable in its entirety in the domain name, the Panel finds the disputed domain name to be identical or, at least confusingly similar to the Complainant's Trademark for the purposes of the Policy. The ".app" TLD is disregarded when assessing confusing similarity. Accordingly, the Panel concludes that paragraph 4(a)(i) of the Policy is satisfied.

2. Rights or legitimate interests

As regards paragraph 4(a)(ii) of the Policy, while the overall burden of proof rests with the Complainant, it is commonly accepted that this should not result in an often-impossible task of proving a negative. Therefore, numerous previous panels have found that the Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such prima facie case is made, the burden of production shifts to the Respondent to come forward with appropriate allegations or evidence demonstrating rights or legitimate interests in the disputed domain name. If the Respondent fails to come forward with such appropriate allegations or evidence, the Complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the Policy. If the Respondent does come forward with some allegations or evidence of relevant rights or legitimate interests, the Panel then must weigh all the evidence, with the burden of proof always remaining on the Complainant.

The Complainant states that it has no affiliation with the Respondent and has given the Respondent no authorisation to use the Trademark. The Respondent's name bears no apparent connection to "Paysend," and the record contains no evidence that the Respondent has been commonly known by the disputed domain name. The documented use consists of sale listings. In the circumstances of this case, including the exact reproduction of the Trademark and the correspondence between .app and the Complainant's existing mobile app, those listings do not establish a bona fide offering of goods or services. The record contains no evidence of demonstrable preparations for such an offering before notice of the dispute or of legitimate noncommercial or fair use.

The Complainant has therefore made out a prima facie case. The Respondent filed no Response, and nothing in the record rebuts that showing. The Panel finds that paragraph 4(a)(ii) of the Policy is satisfied.

The Panel in particular emphasises the following elements:

- There is no evidence that the Respondent is or has been commonly known by the disputed domain name or by the terms"PAYSEND" or "PAY SEND". The WHOIS information does not provide any information that might indicate any rights to use of these terms.
- The Respondent did not show to have any trademark rights or other rights in the terms"PAYSEND" or "PAY SEND".
- The Complainant's Trademarks were registered and have been used well before the registration date of the disputed domain name (these Trademarks are registered, inter alia, for China, the country where the Respondent is based).
- The Respondent does not have any authorisation to use the Complainant's Trademarks or variations thereof, in the disputed domain name or otherwise, and is not related to the Complainant.

In summary, on the balance of probabilities, and in the absence of any evidence to the contrary or any administratively compliant Response, the Panel finds that the Complainant has made out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Such prima facie case has not been reversed by the Respondent.

The Panel therefore concludes that the Respondent has no rights or legitimate interests in the disputed domain name.

3. Registration and use in bad faith

The Complainant submits that the five-year interval between the registration of the disputed domain name (May 2021) and the filing of the Complaint (September 2026) should not count against it, as trademark owners cannot reasonably be expected to monitor the Internet continuously for potential abuse. The Panel agrees that delay alone does not bar a complaint under the Policy or preclude relief on the merits.

The Panel finds, on the balance of probabilities, that the Respondent knew of and targeted the Complainant's "Paysend" Trademark

when registering and using the disputed domain name. The Trademark had been registered and used for years, including in China, before the registration of the disputed domain name. Before the registration, the Complainant was already offering money transfer services to recipients in China, where the Respondent's address is recorded, and had publicised its Alipay partnership in August 2020. The disputed domain name reproduces the Trademark exactly, and the '.app' extension directly corresponds to a means by which the Complainant already offered its services.

The timing reinforces that inference. The Complainant submitted evidence of press communications and reports dated May 26, 27 and 28, 2021, covering the Complainant's USD 125 million funding round and international expansion plans. The May 27 report specifically refers to Alipay and the Complainant's reach in China. The Respondent registered the disputed domain name on May 28, 2021, two days after the earliest of those reports. Taken together, the timing, the exact match to the Trademark, and the choice of '.app' extension support an inference of deliberate targeting.

The sale listings shed further light on the Respondent's purpose. The earliest listing of the disputed domain name for sale exhibited dates from May 2022. Subsequent listings sought USD 15,000 in 2024 and 2025, and the September 2026 listing sought USD 19,999 for the disputed domain name. An offer to sell a domain name at a profit is insufficient on its own to establish bad faith. Here, however, the repeated offers to sell, considered together with the evidence of targeting at registration, support the inference that the Respondent registered the disputed domain name primarily to sell it to the Complainant or a competitor for an amount substantially exceeding the Respondent's out-of-pocket costs directly related to the domain name. The record contains no evidence of an independent reason for selecting the disputed domain name. The Respondent has offered no explanation for the registration or use of the domain name.

Taking all these circumstances into account, the Panel concludes that the disputed domain name was registered and is being used in bad faith, within the meaning of 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. **paysend.app**: Transferred

PANELLISTS

Name	**Bart Van Besien**

DATE OF PANEL DECISION 2026-11-04

Publish the Decision