Decision for dispute CAC-UDRP-109031

Case number	**CAC-UDRP-109031**
Time of filing	**2026-09-30 09:58:34**
Domain names	**coinfinity.cc**

Case administrator

Name	**Olga Slanařová (Case admin)**

Complainant

Organization	**Coinfinity GmbH**

Respondent

Name	**Omar Gustav**

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 EU trademark "Coinfinity", EUIPO registration number 017553702, filed on 1 December 2017, registered on 28 May 2018 for goods and services in Nice classes 9, 35, 36, 41 and 42 ("**Complainant's Trademark**"). The services in class 36 cover the Complainant's core business of financial and crypto-asset services.

The disputed domain name <coinfinity.cc> was registered on 9 March 2026.

FACTUAL BACKGROUND

As the Respondent did not file any response to the complaint, the Panel took into account the following facts asserted by the Complainant (and supported by the documentary evidence submitted by the Complainant) and unchallenged by the Respondent:

(a) The Complainant, based in Graz, Austria, is a broker in bitcoin and a provider of crypto-asset services. The Complainant is authorised by the Austrian Financial Market Authority (Finanzmarktaufsicht, FMA) as a crypto-asset service provider under Regulation (EU) 2023/1114 (MiCAR);

(b) The Complainant is the owner of Complainant's Trademark; and

(b) The disputed domain name is delegated to the nameservers keenan.ns.cloudflare.com and nicole.ns.cloudflare.com and resolves, behind the Cloudflare reverse proxy, to an active website where the Respondent operates a fully developed commercial trading platform using the designation "CoinFinity". The page title is "CoinFinity - Consider any opportunity with a leading platform". The site advertises trading in digital currencies, foreign exchange, commodities, shares and indices, displays a live price ticker for Bitcoin, Ethereum and Tether, and offers five managed account classes with deposits from EUR 10,000 to over EUR 250,000 at stated commissions of 6 to 15 per cent. It maintains a customer registration form collecting name, address, telephone number and email address, a sign-in area, a customer portal at client.coinfinity.cc, and payment routes by wire transfer and e-wallet.

PARTIES CONTENTIONS

THE COMPLAINANT:

In addition to the above factual assertions, the Complainant also contends the following:

(i) The disputed domain name is identical to Complainant's Trademark;

(ii) The Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name shifting the burden of proof to the Respondent. The disputed domain name is not used in connection with a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy because it trades directly on consumer confusion in the crypto-asset and financial services sector, lacks required European Union regulatory authorizations to solicit deposits and manage investments, and conceals all operator identity and contact details (including a broken /contact-us page). This is further evidenced by demonstrably false marketing claims such as ten years of market leadership and stringent security, contradicted by the domain's recent registration in March 2026, the absence of basic DNS security mechanisms (DMARC, CAA, DNSSEC), and conflicting deposit thresholds. Furthermore, the Respondent is not commonly known by the name "Coinfinity", has operated behind a privacy proxy without any registered corporate or trademark presence, and the purely commercial nature of the Respondent's website excludes any non-commercial or fair use defense under paragraph 4(c)(iii) of the Policy; and

(iii) The Respondent registered and has been using the domain name in bad faith pursuant to paragraph 4(b)(iv) of the Policy by intentionally attempting to attract internet users for commercial gain by creating a likelihood of confusion with the Complainant's Trademark in complete overlap of services provided through the disputed domain name with those of the Complainant (crypto-asset and foreign exchange trading). Given that "Coinfinity" is a coined, non-dictionary term registered as Complainant's Trademark more than eight years before the date of registration of the disputed domain name, prior knowledge of Complainant's Trademark by the Respondent is the only plausible inference. Bad faith is further evidenced by the deliberate concealment of the registrant's identity behind privacy services while soliciting public deposits, the configuration of mail server records (MX and SPF without DMARC) facilitating potential impersonation, and the willful continuation of the infringing website even after receiving notice of the infringement, including formal notification under Article 16 of Regulation (EU) 2022/2065 forwarded via Cloudflare to the hosting provider.

For these reasons, the Complainant seeks transfer of the disputed domain name to the Complainant.

THE RESPONDENT:

The Respondent did not provide any response to the complaint.

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 Uniform Domain Name Dispute Resolution Policy ("**UDRP**" or "**Policy**").

For details, please see "Principal Reasons for the Decision".

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).

For details, please see "Principal Reasons for the Decision".

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).

For details, please see "Principal Reasons for the Decision".

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

Paragraph 4(a) of the Policy requires that the Complainant proves each of the following three elements to obtain an order that the disputed domain name should be transferred or revoked:

(i) the disputed 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 disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

The Panel will proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied in these proceedings.

RIGHTS

The disputed domain name is identical to Complainant's Trademark.

For the sake of completeness, the Panel asserts that the top-level suffix in the domain name (i.e. the ".cc") must be disregarded under the identity / confusing similarity test as it is a necessary technical requirement of registration.

Therefore, the Panel concludes that the Complainant satisfied the requirement under paragraph 4(a)(i) of the Policy.

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such a prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the UDRP (please see, for example, WIPO case no. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

The Panel fully agrees with the Complainant that the website operated under the disputed domain name does not constitute bona fide offering of goods and services, because it creates consumer confusion with the services provided by the Complainant in the crypto-asset and financial services sector, lacks required European Union regulatory authorizations to solicit deposits and manage investments, and conceals all operator identity and contact details. Furthermore, the Respondent is not commonly known by the name "Coinfinity", has operated behind a privacy proxy without any registered corporate or trademark presence, and the purely commercial nature of the Respondent's website excludes any non-commercial or fair use.

Therefore, the Panel concludes that the Respondent does not have any right or legitimate interest in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Panel noted that the Complainant has traded under the designation Coinfinity since 2014 and filed an application for the Complainant's Trademark in 2017. Such trademark is also registered in the United Kingdom (where the Respondent allegedly resides) as a result of the extension of EU trademarks to the UK after Brexit (UK registration number UK00917553702). Therefore, it is reasonable to assume that the Respondent registered the disputed domain name in full knowledge of the Complainant and the Complainant's Trademark. In this respect, the Panel also deems it appropriate to refer to paragraph 2 of the Policy under which it is the responsibility of the Respondent as the registrant of the disputed domain name to determine whether its registration infringes or violates someone else's rights. Also, the Panel noted several aggravating circumstances asserted by the Complainant (and unchallenged by the Respondent), such as false marketing claims made by the Respondent or the Respondent's failure to obtain required European Union regulatory authorizations to solicit deposits and manage investments and disclose the operator's identity and contact details.

In light of the above circumstances, the Panel failed to find any plausible good faith reasons for registration and use of the disputed domain name by the Respondent. Quite to the contrary, the Panel finds it reasonable to infer that the Respondent has registered and used the disputed domain name to attract, for commercial gain, Internet users to their website by creating a likelihood of confusion with the Complainant's Trademark, which is one of the model examples of bad faith in registration and use of the disputed domain name under the UDRP (paragraph 4(b)(iv)). The Respondent has not submitted any response to the Complaint and therefore has not presented any facts or arguments that could counter the above conclusions of the Panel. As a result, the Panel holds that the disputed domain name has been registered and is being used by the Respondent 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. **coinfinity.cc**: Transferred

PANELLISTS

Name	**Michal Matějka**

DATE OF PANEL DECISION 2026-11-05

Publish the Decision