

ADMINISTRATIVE PANEL DECISION

Stripe, Inc. v. Dina Shrestha, Spartan Connects
Case No. D2023-2949

1. The Parties

The Complainant is Stripe, Inc., United States of America (“United States”), represented by Elster & McGrady LLC, United States.

The Respondent is Dina Shrestha, Spartan Connects, United States.

2. The Domain Name and Registrar

The disputed domain name <stripewallets.com> is registered with Google LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 30, 2023. On July 11, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 11, 2023, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name, which differed from the named Respondent (Contact Privacy Inc. Customer 7151571251) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 12, 2023, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 14, 2023.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 17, 2023. In accordance with the Rules, paragraph 5, the due date for Response was August 6, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Parties of Respondent’s default on August 7, 2023.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on August 28, 2023. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a technology company that offers payment services to consumers and businesses in over 40 countries, including the United States. The Complainant operates its primary business website at the domain name <stripe.com>, and is the proprietor of numerous registrations for its STRIPE mark, including the following:

- European Union Trade Mark No. 010112498 for STRIPE (word mark), registered on December 14, 2011 for services in class 36;
- United States Trademark Registration No. 4451679 for STRIPE (word mark), registered on December 17, 2013 for services in class 36, claiming a date of first use of January 6, 2011.

The disputed domain name was registered on December 30, 2022. It resolves to a website operated by an entity calling itself “Stripe Wallets” offering online payment services. The website features the tagline “Get paid globally. No transaction charges,” and reflects a color scheme similar to that visible on the Complainant’s website. The Internet browser tab for the Respondent’s website reflects a purple “S” icon (or “favicon”) identical to that used by the Complainant. Mail exchange (MX) records have been established for the disputed domain name.

No information is available about the Respondent. The record reflects that the Complainant sent the Respondent cease-and-desist letters on April 11, 2023 and May 2, 2023. The record does not reflect the Respondent’s response thereto.

5. Parties’ Contentions

A. Complainant

The Complainant’s contentions may be summarized as follows:

Under the first element, the Complainant states that it has been using the STRIPE mark around the world since at least 2011 and that this mark has become well-known. The disputed domain name wholly incorporates this mark together with the descriptive term “wallets.”

Under the second element, the Complainant states that it has not granted the Respondent any authorization to use the STRIPE mark, and that the Respondent is not commonly known by the disputed domain name. The Respondent is using the disputed domain name to intentionally mislead Internet users into thinking that it is authorized by or associated with the Complainant and potentially causing users to divulge personal information or other compromising information by falsely and deceitfully claiming an association with “Stripe Wallets.” The Respondent’s website reflects the Complainant’s characters, color scheme and “S” favicon logo. The Respondent appears to be phishing for Internet users’ personal information.

Under the third element, the Complainant states that the Respondent has registered and is using the disputed domain name in actual knowledge of the Complainant and its well-known STRIPE mark. This intent is evidenced by the content of the website of the disputed domain name, including use of the Complainant’s registered trademarks, colors and favicon logo, and text claiming association with “Stripe Wallets.” The establishment of MX records indicates that the Respondent has made preparations to circulate fraudulent emails.

The Complainant requests transfer of the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

Paragraph 4(a) of the UDRP requires Complainant to make out all three of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) Respondent has registered and is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

A. Identical or Confusingly Similar

The Complainant has provided evidence establishing that it has trademark rights in the STRIPE marks through registrations in the United States and other jurisdictions. The Complainant thereby satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case. See [WIPO Overview 3.0](#), section 1.2.1.

In comparing the Complainant’s mark with the disputed domain name, the Panel finds that the disputed domain name is confusingly similar to the mark, as it incorporates the mark in its entirety with the addition of the term “wallets.” The Complainant’s mark is clearly recognizable within the disputed domain name. It is the consensus view of UDRP panels that, where a domain name incorporates the entirety of a trademark, the domain name will normally be considered confusingly similar to that mark. Moreover, where the relevant trademark 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](#), sections 1.7 and 1.8.

It is the well-established view of UDRP panels that a generic Top-Level Domain such as “.com” is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. See [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the Panel finds that the Complainant has established the first element under paragraph 4(a) of the Policy.

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, a respondent may establish rights to or legitimate interests in a domain name by demonstrating any of the following:

- (i) before any notice to it of the dispute, respondent’s 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) respondent has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or
- (iii) respondent is 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.

The Panel finds that the evidence submitted by the Complainant establishes a *prima facie* case that the Respondent has no rights or legitimate interests in the disputed domain name. Respondent is not authorized by the Complainant and has no rights in the STRIPE mark.

Pursuant to [WIPO Overview 3.0](#), section 2.1, and cases thereunder, where the Complainant makes out a *prima facie* case that the Respondent lacks rights or legitimate interests, the burden of production on this element shifts to the Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name.

The Respondent has not provided any rebuttal of the Complainant's *prima facie* case and has therefore not proved rights or legitimate interests in the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name, or that there are any circumstances or activities that would establish the Respondent's rights therein. There is no evidence of legitimate noncommercial use or a *bona fide* offering of goods or services.

The disputed domain name resolves to a website featuring the Complainant's mark in connection with payment services. The website and associated favicon displays the Complainant's STRIPE mark and is clearly intended to mislead Internet users into believing that the purported services are offered by the Complainant. Such unlawful activity using the Complainant's mark cannot confer rights or legitimate interests. See [WIPO Overview 3.0](#), section 2.13.

Accordingly, the Panel finds that the Complainant has established the second element under paragraph 4(a) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that the Complainant has demonstrated the Respondent's bad faith registration and use of the disputed domain name. Complainant's rights in its STRIPE mark predate the registration of the disputed domain name by over a decade. The disputed domain name reflects Complainant's STRIPE mark in its entirety, together with the term "wallets," which appears intended to create a false appearance of an association with the Complainant.

The record shows that the Respondent deliberately targeted the Complainant in incorporating the Complainant's mark in the disputed domain name. The disputed domain name resolves to a website displaying the Complainant's STRIPE mark, using a favicon logo identical to that of the Complainant and a color scheme and layout reminiscent of that of that visible on the Complainant's website at the domain name <stripe.com>. The Respondent's website purports to offer "Stripe Wallets" payment services. The Panel finds that the Respondent thereby attempted to impersonate the Complainant for commercial gain, indicating bad faith in registration and use of the disputed domain name. See [WIPO Overview 3.0](#), sections 3.1.4 and 3.2.1.

The establishment of MX records indicates that the Respondent has made preparations to generate e-mail using the disputed domain name and therefore further supports a finding of bad faith. The Respondent has provided no evidence of actual or contemplated good-faith use of the disputed domain name and, under the circumstances, the Panel does not find any such use plausible.

The Panel therefore finds that the Complainant has established the third element under paragraph 4(a) of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <stripewallets.com> be transferred to the Complainant.

/Ingrīda Kariņa-Bērziņa/

Ingrīda Kariņa-Bērziņa

Sole Panelist

Date: September 11, 2023