

ADMINISTRATIVE PANEL DECISION

Plaid Inc. v. Quan Chi
Case No. D2022-3709

1. The Parties

The Complainant is Plaid Inc., United States of America (“US”), represented by Coates IP, US.

The Respondent is Quan Chi, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <plaid.cfd> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 5, 2022. On October 5, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On October 5, 2022, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on October 13, 2022, 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 October 16, 2022.

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 October 17, 2022. In accordance with the Rules, paragraph 5, the due date for Response was November 6, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 7, 2022.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on November 21, 2022. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a financial services company that builds a data transfer network that powers fintech and digital finance products. Its technology platform enables applications to connect with users' bank accounts. It allows consumers and businesses to interact with their bank accounts, check balances, and make payments through different financial technology applications. The company operates in the US, Canada, the United Kingdom, France, Spain, Ireland, and the Netherlands.

The Complainant owns trademark registrations for PLAID, such as US trademark registration number 5,044,352 registered September 20, 2016. The Complainant advertises its products through its website <plaid.com> since June 2014.

The Domain Name was registered on October 2, 2022. At the time of filing the Complaint, the Domain Name resolved to a copycat website of the Complainant's website. At the time of the Decision, the Domain Name resolved to an error page.

5. Parties' Contentions

A. Complainant

The Complainant provides evidence of trademark registrations and argues that the Domain Name is identical to the Complainant's trademark.

The Complainant asserts that the Respondent is not authorized to use the Complainant's trademark. The Respondent cannot establish rights in the Domain Name, as it has not made any use of, or demonstrable preparations to use, the Domain Name in connection with a *bona fide* offering of goods or services. On the contrary, the Complainant documents that the Respondent has used the Domain Name to set up a copycat website of the Complainant's website, down to copyrighted imagery, typeface, content, and the Complainant's logo.

The Complainant argues that the Respondent registered and has used the Domain Name to impersonate the Complainant's company. The Respondent is hosting a copycat website on the Domain Name identical to Complainant's website to deceive customers, presumably for fraudulent purposes to obtain banking or other information.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has established that it has rights in the trademark PLAID. The test for confusing similarity involves a comparison between the trademark and the Domain Name.

For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domains ("gTLDs"), see [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is identical to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

The Complainant has made unrebutted assertions that it has not granted any authorization to the Respondent to register the Domain Name containing the Complainant's trademark or otherwise make use of the Complainant's trademark. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired unregistered trademark rights. The Respondent has not made use of, or demonstrable preparations to use, the Domain Name in connection with a *bona fide* offering. The Respondent's use of the Domain Name is not *bona fide*, but rather evidence of bad faith.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds it evident from the use of the Domain Name that the Respondent must have been aware of the Complainant and its trademarks when the Respondent registered the Domain Name.

The Respondent's use of the Domain Name to impersonate the Complainant's company to deceive Internet users is clear evidence of bad faith.

The Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) 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 Domain Name <plaid.cfd> be transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: December 14, 2022