

## **ADMINISTRATIVE PANEL DECISION**

Capital One Financial Corporation v. DNS Admin  
Case No. DAI2025-0063

### **1. The Parties**

The Complainant is Capital One Financial Corporation, United States of America (“United States” or “U.S.”), represented by Wiley Rein LLP, United States.

The Respondent is DNS Admin, Netherlands (Kingdom of the).

### **2. The Domain Name and Registrar**

The disputed domain name <capitalone.ai> (the “Domain Name”) is registered with Netherlands Domains (the “Registrar”).

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on December 5, 2025. On December 8, 2025, the Center transmitted by email to the .AI Registry a request for registry verification in connection with the Domain Name. On December 8, 2025, the .AI Registry transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

On December 9, 2025, the Center contacted the Registrar, requesting information about the language of registration agreement for the Domain Name. No reply was received, and on December 12, 2025, the Center informed the parties that the Panel will make a final determination on the matter of language of the proceedings.

The Center verified that the 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 in English of the Complaint, and the proceedings commenced on December 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 5, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on January 9, 2026. 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 offers financial services and ancillary services such as curated hospitality services. It has been operating since 1994. As of March 31, 2024, the Complainant and its subsidiaries have USD 351 billion in deposits and USD 481.7 billion in total assets. The Complainant operates numerous offices within the United States and abroad. The Complainant uses the website “www.capitalone.com” to promote its services. The Complainant also promotes its brand through television, radio, Internet, direct mail, print advertisements and through sponsorships.

The Complainant owns numerous trademark registrations for CAPITAL ONE, such as U.S. Reg. No. 2065991 (registered on May 27, 1997).

The Domain Name appears to be registered on July 4, 2023. The Domain Name redirects to a website that offers the Domain Name for sale. The Complainant documents that the Respondent replied to the Complainant's inquiry and offered to sell the Domain Name to the Complainant for over USD 10,000.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant provides evidence of trademark registration and argues that it possesses both statutory and common law trademark rights. Moreover, the Domain Name is confusingly similar to the Complainant's trademark as the Domain Name consists of the Complainant's trademark in the entirety. The Top-Level Domain (“TLD”) “.ai” does not diminish similarity. It is a technical requirement of registration and must be disregarded under the confusing similarity test.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name, as there is not possible that the Respondent may make legitimate use of combination of terms that bear no meaning outside of being a source indicator for the Complainant. According to the Complainant, the only plausible explanation for registration of the Domain Name is to create an affiliation with the Complainant that cannot possibly give rise to legitimate use.

The Complainant argues that the Respondent has registered and used the Domain Name with an intent either to sell it to the Complainant or a competitor for consideration in excess of its out-of-pocket costs, and/or to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark. It follows from the composition of the Domain Name and the fame of the Complainant's trademark, as well as the Respondent's offer to sell the Domain Name. The Respondent cannot reasonably claim to be unaware of the Complainant's trademark. Moreover, the Respondent has concealed its identity by using a privacy registration service, thereby preventing the Complainant from identifying the individual or entity responsible.

##### **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1. Procedural Issue – Language of Proceedings**

Pursuant to the Rules, paragraph 11(a), the language of the administrative proceedings shall be the language of the registration agreement, subject to the authority of the Panel to determine otherwise.

In this case, the Registrar has not confirmed the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English on the basis that the Domain Name itself and website to which it redirects both use the English language.

The Respondent did not make any specific submissions with respect to the language of the proceedings.

Under the Rules, paragraph 11(a) the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under the Rules that the language of the proceedings shall be English.

## **6.2. Substantive Issues**

### **A. Identical or Confusingly Similar**

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Domain Name. See [WIPO Overview 3.0](#), section 1.7.

The Complainant has established that it has rights in CAPITAL ONE. The Domain Name incorporates the Complainant's trademark.

For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the country-code Top-Level Domain ("ccTLD"). See [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the Domain Name is identical to the mark for the purposes of the Policy.

Based on the available record, the Panel finds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a 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 domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the Domain Name. The Respondent has not rebutted the Complainant's showing and has not come forward with any evidence demonstrating rights or legitimate interests in the Domain Name. The Respondent is not affiliated with or related to the Complainant.

There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the 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.

Based on the available record, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

The composition of the Domain Name and the fame of the Complainant's trademark suggest that the Respondent in all likelihood was aware of the Complainant and its prior rights when the Respondent registered the Domain Name. Under the circumstances of the case, the Respondent's need to conceal its identity coupled with the offer to sell the Domain Name for over USD 10,000 to the Complainant further points to bad faith. With no other explanation offered by the Respondent, it appears correct – as alleged by the Complainant – that the Respondent has registered and used the Domain Name to sell it to the Complainant or a competitor for consideration in excess of its out-of-pocket costs, and/or to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark.

For the reasons set out above, 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.

The Panel finds that the third element of the Policy has been established.

## **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 <capitalone.ai> be transferred to the Complainant.

*/Mathias Lilleengen/*

**Mathias Lilleengen**

Sole Panelist

Date: January 13, 2026