ADMINISTRATIVE PANEL DECISION

PAYPORTER ÖDEME HİZMETLERİ VE ELEKTRONİK PARA A. Ş. v.
Privacy Protected, Privacy Protected by Hostnet
Case No. D2026-1990

1. The Parties

The Complainant is PAYPORTER ÖDEME HİZMETLERİ VE ELEKTRONİK PARA ANONİM ŞİRKETİ, Türkiye, represented internally.

The Respondent is Privacy Protected, Privacy Protected by Hostnet, Netherlands (Kingdom of the) (“Netherlands”).

2. The Domain Name and Registrar

The disputed domain name <payporter.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 6, 2026. On May 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 8, 2026, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 15, 2026, 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 amendment to the Complaint on May 18, 2026.

The Center verified that the Complaint together with the amendment to 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 of the Complaint, and the proceedings commenced on May 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Response was filed with the Center on May 25, 2026.

The Complainant filed an unsolicited supplemental filing on June 12, 2026.

The Center appointed Andrew D. S. Lothian, Wolter Wefers Bettink and Willem J. H. Leppink as panelists in this matter on June 19, 2026. The Panel finds that it was properly constituted. Each member of 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.

On June 24, 2026, the Panel issued Procedural Order No. 1 to the Parties. This requested the Respondent to provide evidence as to the precise identity of the underlying holder of the disputed domain name, noting that in the event that the Respondent failed to provide this information to the Panel's satisfaction, the Panel might make such inferences as it considered appropriate, under reference to WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 3.9. In the event that the underlying holder disclosed and evidenced by the Respondent was not Seber Holding B.V. (a company more fully described below), the Respondent was requested to state on what date the disputed domain name was transferred from Seber Holding B.V. to the current underlying registrant, and to specify any chain of transfers between underlying registrants of the disputed domain name between Seber Holding B.V. and the current underlying registrant, together with the present underlying holder's relationship (if any) with Seber Holding B.V. The Respondent was also requested to provide the name, postal and e-mail addresses, and the telephone and telefax numbers of the Respondent (domain name holder) and of any representative authorized to act for the Respondent in the administrative proceeding, all in accordance with paragraph 5(c)(ii) of the Rules for Uniform Domain Name Dispute Resolution Policy.

The Panel stated that the Respondent's submission should be filed by June 29, 2026, with the Complainant invited to provide comments by July 4, 2026. The decision due date was extended to July 18, 2026. The Respondent did not file any reply to Procedural Order No. 1, and the Complainant filed comments on July 1, 2026.

4. Factual Background

The Complainant is PAYPORTER ÖDEME HİZMETLERİ VE ELEKTRONİK PARA ANONİM ŞİRKETİ, formerly named HIZLIPARA ÖDEME HİZMETLERİ VE ELEKTRONİK PARA ANONİM ŞİRKETİ, a Payment and Electronic Money Institution, incorporated as a joint stock company under the laws of Türkiye.

The Complainant is the owner of the following registered trademarks:

Turkish Registered Trademark Number 2017 114325 for the mark PAYPORTER (and design), registered on August 26, 2019, in Classes 14, 35, and 36;

Turkish Registered Trademark Number 2017 114332 for the mark PAYPORTER (and design), registered on August 29, 2019, in Classes 9, 14, 35, and 36;

Turkish Registered Trademark Number 2019 135289 for the mark PAYPORTERSYSTEM (and design), registered on August 29, 2019, in Classes 9, 14, 35, and 36; and

European Union Registered Trade Mark No. 018172653, for the mark PAYPORTER (figurative), registered on May 29, 2020, in Classes 9, 35, 36, 38, 42.

The disputed domain name was registered on May 9, 2016. It was previously the subject of a complaint under the Policy in the case of *Hizlipara Ödeme Hizmetleri ve Elektronik Para A.S. v. Privacy Protected by Hostnet / Seber Holding B.V.*, WIPO Case No. D2020-2358 ("the 2020 UDRP case"), and the panel in that case was able to discern a chronology of events from the parties' submissions which the present Panel gratefully adopts, noting that it has found nothing in the submissions before it in the present administrative proceeding that is inconsistent with such a timeline. Some additions have been made by the Panel in the present case and where this has been done, these are specifically noted.

DATE:	**DESCRIPTION:**
January 26, 2016	The Complainant is incorporated in Turkey.
May 9, 2016	The disputed domain name is registered.
February 14, 2017	[Added by the present Panel from the findings in fact of the Interim judgment by the District Court of The Hague, Netherlands dated February 10, 2022]. Ms. S. Kiliç, wife of Mr. Erol Ulu (as described below) receives an invoice from Your Hosting B.V. for registration of the domain name <payporter.nl>. Said finding is further confirmed in finding 3.3 in the Court's principal decision of April 24, 2024, described below.
April 12, 2017	The company PayPorter B.V. is incorporated in the Netherlands. The sole shareholder of PayPorter B.V. is Seber Holding B.V. Mr. Ulu is the director of the company PayPorter B.V.
May 20, 2017	[Added by the present Panel from the findings in fact of the Interim judgment by the District Court of The Hague, Netherlands dated February 10, 2022]. "Seber B.V." [the Panel presumes this means Seber Holding B.V.] receives an invoice in the name of Ms. S. Kiliç from DN Capital, Inc., for purchase of the disputed domain name. Said finding is further confirmed in finding 3.3 of the Court's principal decision of April 24, 2024, described below.
June 8, 2017	[Added by the present Panel from the findings in fact of the Interim judgment by the District Court of The Hague, Netherlands dated February 10, 2022]. Mr. Ulu receives an invoice from registrar Go Daddy with the subject "Confirmation transfer from [the disputed domain name]".
June 2017	The disputed domain name is acquired by Seber Holding B.V., a company incorporated in the Netherlands. It is around this time that Mr. Ulu begins his involvement with the Complainant. While the capacity in which Mr. Ulu was engaged by the Complainant is not clearly defined, his involvement with the Complainant is noted by the Respondent in pre-Complaint correspondence.
December 2017	The Complainant commences active use of the PAYPORTER trademark.
December 14, 2017	The Complainant files applications for the registration of the PAYPORTER trademark in Turkey.
January 2018	Mr. Ulu commences work as an employee of the Complainant.
February 2018	The Complainant begins using the disputed domain name in the course of its business operations.
March 27, 2018	Mr. Ulu is appointed as a Board member and CEO of the Complainant.
July 26, 2018	The company PayPorter B.V. obtains its payments license from the Dutch Central Bank (De Nederlandsche Bank NV – DNB).
August 26, 2019	The Complainant's PAYPORTER trademark is first registered in Turkey.
August 29, 2019	The Complainant's second PAYPORTER trademark is registered in Turkey.

December 27, 2019	The Complainant files an application for the registration of the PAYPORTER trademark before the European Union Intellectual Property Office ("EUIPO"). This process appears to have been overseen by Mr. Ulu.
January 1, 2020	The Complainant begins operating under the supervision of the Central Bank of Turkey.
May 29, 2020	The Complainant's PAYPORTER trademark is registered in the European Union.
June 24, 2020	Mr. Ulu is dismissed from the Complainant.
July 1, 2020	Mr. Ulu changes the DNS settings for the disputed domain name. As a result, the Complainant loses access to its website and email servers.
August 21, 2020	The Complainant sends a cease-and-desist letter to PayPorter B.V. and Seber Holding B.V., requesting the voluntary transfer of the disputed domain name.
August 28, 2020	PayPorter B.V. sends a reply to the Complainant's cease-and-desist letter, asserting rights and legitimate interests in the disputed domain name, claiming some USD 2 million on behalf of Mr. Ulu as compensation for his 20 percent share as a partner of the Complainant.
September 2, 2020	PayPorter B.V. files an application before the EUIPO for cancellation of the Complainant's European Union PAYPORTER trademark.
September 10, 2020	The Complainant submits the Complaint in the 2020 UDRP case.
	At this time, the panel records that the disputed domain name resolves to a website that appears to offer financial services, including money-transfer services. Said website makes use of the Complainant's PAYPORTER trademark and logo. The footer of said website states "© 2020 PayPorter B.V. – All Rights Reserved", and contains comprehensive company and contact information.

The present Panel adds the following to the timeline in order to bring it up to date.

November 13, 2020	The panel renders its decision in the 2020 UDRP case. It finds that the disputed domain name is identical or confusingly similar to the Complainant's trademark, that the Complainant failed to prove on balance of probabilities that the Respondent has no rights or legitimate interests in the disputed domain name (noting that this should not be interpreted as a positive finding that the Respondent does in fact have such rights or legitimate interests), and that the Complainant failed to establish that the disputed domain name was registered in bad faith pursuant to paragraph 4(a)(iii) of the Policy. The complaint therefore fails. The panel notes that the dispute goes well beyond the disputed domain name and raises broader issues of trademark infringement and unfair competition, such that it would not end with the transfer of the disputed domain name and would be more suitably resolved in a court of competent jurisdiction. The panel states that its findings are without prejudice to (then) ongoing cancellation proceedings concerning the Complainant's European Union Trade Mark before the EUIPO.
September 14, 2021	The Cancellation Division of the EUIPO rules that the application for a declaration of invalidity is rejected in its entirety and that the applicant (PayPorter B.V.) bears the costs. In brief, the finding is that (1) the applicant fails to prove that its earlier rights on which the cancellation application is based were used in the course of trade with more than mere local significance; and (2) there is no evidence of bad faith on the part of the Complainant (the proprietor of the European Union

trademark) which was legitimately using the sign, had registered trademarks in Türkiye, and was paving its way for expanding into the European Union market whereby it was not intending to cause harm to PayPorter B.V.

October 6, 2021	PayPorter B.V. files an appeal against the EUIPO Cancellation Division's decision.
December 17, 2021	By summons of this date, summary proceedings are initiated by the Complainant against PayPorter B.V. and PayPorter Retail Services B.V. before the District Court of The Hague, Netherlands. Case number: C/09/6223 7. Roll number: KG ZA 21-1205.
February 10, 2022	Interim judgment is pronounced by the District Court of The Hague, Netherlands in Case number: C/09/6223 7. Roll number: KG ZA 21-1205. The interim relief judge (1) orders PayPorter B.V. and PayPorter Retail Services B.V. within 30 days after service of the judgment to cease and desist all use within the European Union of the Complainant's European Union trademark or a similar sign, including the use of the word PayPorter or a similar word as (part of) its registered business name, trade name, and Internet domain names, as well as the use of the logo/figurative element that is part of the said trade mark; (2) orders PayPorter B.V. and PayPorter Retail Services B.V. each to pay the Complainant a penalty for each use of the said trademark or a similar sign in violation of the order to be increased by a per day penalty for each day of use to a total maximum of EUR 250,000; and (3) orders PayPorter B.V. and PayPorter Retail Services B.V. jointly and severally to pay legal costs and statutory interest.
March 9, 2022	PayPorter B.V. and PayPorter Retail Services B.V. each change their names, substituting "Morpara" for "PayPorter" [paragraph 5.22 of the Court's assessment of April 24, 2024, below].
April 24, 2024	Principal Judgment by the District Court of The Hague, Netherlands issued in Case number: C/09/636323. Roll number: HAZA 22-849. The Court dismisses the Complainant's claims, and in a counterclaim by Morpara B.V. and Morpara Retail Services B.V. orders the Complainant to pay said Morpara companies compensation of EUR 18,798.96, and orders the Complainant to pay the costs of the proceedings with statutory interest, otherwise dismisses the claim. The Court finds that on the Complainant's admission, Morpara's activities commenced in May 2019, seven months before the Complainant applied for the European Union Trade Mark, whereby Morpara made law-creating (preparatory) use of the trade name PayPorter prior to the date of the said trademark's application and made preliminary use of name from about July 2017 to May 2019. [Assessment, paragraph 5.21]. The Court also notes that Mr. Ulu and Ms. Kiliç have stated that Morpara has no intention of using the name PayPorter and/or the PayPorter logo again, whereby the Court finds that Morpara can no longer assert any rights to the trade name PayPorter, and that it has not been established that there has been a (threatened) infringement of the Complainant's European Union Trade Mark, whereby the Court sees no grounds for an injunction against the same [Assessment, paragraph 5.22]. The Court states that when the said mark was applied for, "[…] both parties were still under the impression that they were cooperating, or at least that a lasting cooperation would be established, and that both would present themselves as PayPorter". [Assessment, paragraph 5.35].
December 3, 2024	A screenshot shows that the website associated with the disputed domain name shows a holding page in the Dutch language bearing to be issued by Hostnet (this entity is described below) which states, inter alia, "Your domain name and web hosting are now active." [Panel's translation].

December 11, 2024	A screenshot shows that the website associated with the disputed domain name has begun to display placeholder advertisement for an entity called "PORTÉ LINGERIE" (capitalized as such) with strapline "Elevate Your Style" superimposed on a picture of a model in underwear. A further screenshot of the same date shows a lingerie-clad model pictured from above, underneath the strapline "Exciting News Is Coming Soon!". A machine translation of a further page in the Dutch language adds: "We are delighted to introduce three new premium brands under the PayPorter umbrella: Porté Lingerie: A tribute to elegance and sophistication in everyday basics. Porté Intimates: Your go-to collection for comfort and a refined personal style. Porté Elegance: Timeless beauty redefined with a modern twist. Each brand embodies our commitment to quality, style, and innovation, designed to enrich your wardrobe with grace and confidence. Stay tuned for the grand launch. Something special is coming, and we can't wait to share it with you". This page remains unchanged as at the date of the present Decision.
April 15, 2026	Decision of the EUIPO Second Board of Appeal on Cancellation Proceedings, being the appeal against the decision of the Cancellation Division of the EUIPO dated September 14, 2021. It is determined that an invalidity claim can no longer be upheld because the cancellation applicant (Morpara B.V.) no longer possesses a valid earlier right in the Netherlands (paragraphs 34 and 36, also per the Netherlands Court's assessment, paragraphs 5.30 and 5.31). The cancellation application is therefore rejected (paragraph 56).

The Registrar-verified holder of the disputed domain name is an organization named "Privacy Protected by Hostnet" with an address in Amsterdam, Netherlands. This appears to be a creation of Hostnet B.V. (KVK number 34130993), a Netherlands entity that is the reseller of the disputed domain name (as opposed to the Registrar of record for the disputed domain name). Said reseller, and/or its said privacy service, will be referred to hereinafter as "Hostnet".

The Response in the present case was filed by Mr. Ulu, but it does not state whether he is acting in any particular capacity or on behalf of any underlying holder. On June 1, 2026, Hostnet issued an email to the Center stating, "We are the registrar for the domain. This domain belongs to our client. The contact information for this domain is: [Mr Ulu's name and an email address featuring, inter alia, Mr. Ulu's initial and surname, along with a telephone number and address in the Netherlands]". On June 2, 2026, Mr. Ulu emailed the Center stating, "I have enclosed a screenshot today from Hostnet showing the domain is registered on my name [*sic*] and I have also enclosed my ID".

The Response is accompanied by documentary evidence showing that Mr. Ulu received renewal notices from the provider of the privacy service which is the registrar-verified holder of the disputed domain name.

5. Supplemental Filing

As a procedural matter, the Panel has to decide whether the Complainant's unsolicited supplemental filing (the "Supplemental Filing") can be accepted. The filing was submitted to the Center on June 12, 2026.

According to WIPO Overview 3.1 section 4.6, unsolicited supplemental filings are generally discouraged. In any case, the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some unforeseen or exceptional circumstance).

The Supplemental Filing contains a response to the Annexes R-1 to R-6 that the Respondent filed with its Response.

In its Supplemental Filing, the Complainant argues that the filing is warranted since

(1) the documents present new facts (and the basis for new claims) that the Complainant did not know of at the time of the Complaint
(2) the identity of the Respondent is revealed as Mr. Erol Ulu, which necessitates additional submissions regarding his personal involvement in the registration, renewal and use of the domain name
(3) document R 2 shows Seber Holding B.V. to have rights to the disputed domain name, which raises 'new factual questions concerning the chain of title' that the Complainant has not had opportunity to address.

The Panel considers that the identification of the underlying registrant and the exhibits R1-6 are or contain information relevant for the decision, that they are or contain new facts and that the Complainant did not and could not know these facts when filing the Complaint.

Therefore, the Panel decides to admit the supplemental filing as evidence in the present proceedings. The Panel has also considered whether due process would require that the Respondent is offered the opportunity to respond to the Supplemental filing. The Panel has decided that this is not necessary, since all the facts to which the Complainant reacts in the Supplemental Filing were known to and in the domain of the Respondent, while the Respondent could have anticipated the Complainant's reaction in the Response.

6. Parties' Contentions

A. Complainant (Complaint)

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant states that the Registrar-provided information does not disclose the identity of the actual underlying registrant, as Hostnet is a Dutch hosting and domain registration company operating a privacy protection service. Further, the Registrar-provided information does not include the registration or transfer date of the disputed domain name to the current registrant. The Complainant requests that the Panel seek clarification from the Registrar of the date of registration or transfer of the disputed domain name to the current registrant, and confirmation of whether any transfer of the disputed domain name has taken place since the decision in the 2020 UDRP case.

The Complainant nonetheless observes that in the 2020 UDRP case, the disputed domain name was also registered under a privacy protection service provided by Hostnet and submits that the use of the same privacy protection service, with the identical Hostnet address disclosed here strongly suggests that the disputed domain name remains under the control of the same or associated parties as in the 2020 UDRP case. The Complainant submits that this continuity of privacy protection is itself an indicator of bad faith.

The Complainant contends that the disputed domain name remains under the control of the original registrant or associated parties, and accordingly this is a refiled complaint, submitted on the basis of new and material circumstances which were not before the panel in the 2020 UDRP case and which would directly and materially impact the basis for the prior denial. Said circumstances are: (i) four binding judicial and administrative decisions rendered after 2021 confirming the Complainant's exclusive rights in the PAYPORTER mark; (ii) the Respondent's commencement of trademark-tarnishing use of the disputed domain name as of December 2024; and (iii) the renewal of the disputed domain name registration following a final court order prohibiting use of the mark.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name on the basis that all court rulings and EUIPO decisions rendered after 2021 have confirmed that the rights in the trademark PAYPORTER belong to the Complainant, as follows:

– The Cancellation Division of the EUIPO decided on September 14, 2021, that the application for a declaration of invalidity of the Complainant's PAYPORTER trademark by PayPorter B.V. was rejected, in favor of the Complainant in its entirety;

– The District Court of The Hague, Netherlands in an interim judgement dated February 10, 2022, ordered PayPorter et al. to cease and desist all use within the European Union of the Complainant's European Union trademark PAYPORTER or similar sign, including the use of the word "PayPorter" or a similar word as (part of) its registered business name, trade name, and Internet domain names. As of March 9, 2022, the defendants in such case changed the statutory names and trade names of their companies' names from "Payporter" to "Morpara";

– The District Court of The Hague, Netherlands, in its Principal Judgment dated April 24, 2024, ruled that, since the various name changes, Morpara (formerly Payporter B.V. et al) cannot assert any rights to the trademark PAYPORTER or related trade name on the basis of the relevant legislation.

– The EUIPO Second Board of Appeal on Cancellation Proceedings decided on April 15, 2026, that the appeal by Payporter B.V. relating to the determination of the Cancellation Division of the EUIPO dated September 14, 2021, was unsuccessful, and thus dismissed.

The Complainant therefore contends that the Respondent cannot assert any rights to use the PAYPORTER mark, including in the disputed domain name. The Complainant adds that the Respondent's renewal of the disputed domain name after the February 2022 Court decision, and following the April 2024 and April 2026 decisions that definitively confirmed the Complainant's exclusive trademark rights, constitutes ongoing bad faith conduct.

The Complainant further contends that the Respondent's use of the disputed domain name for a website advertising women's lingerie constitutes trademark tarnishment under the Policy.

The Complainant submits that, in the event that the Panel finds that the disputed domain name has been transferred to a new registrant, any prospective registrant acquiring the disputed domain name had constructive notice of the various judicial or administrative decisions, and of the Complainant's trademark rights, adding that a simple Internet search for "payporter" or for the disputed domain name would have revealed the existence of the publicly available decisions and the Complainant's registered trademarks. Accordingly, the acquisition of the disputed domain name with such constructive notice constitutes bad faith registration under the Policy.

Further to Procedural Order No. 1, the Complainant contends that the Respondent's failure to disclose the identity of the underlying registrant is consistent with an intent to conceal the party responsible for the tarnishing use of the disputed domain name and the infringement of the Complainant's trademark rights. The Complainant invites the Panel to draw adverse inferences from the Respondent's said failure.

The Complainant submits that if the registrant of the disputed domain name remains Seber Holding B.V., then the legitimate basis that originally permitted its registration and use of the disputed domain name no longer exists. The fact that the original registration of the disputed domain name was in good faith cannot serve as a legitimate basis for bad faith renewals and tarnishing use. This constitutes an abuse of rights, and under the Rules, paragraph 15(a), the Panel may find that the Respondent's conduct as a whole constitutes bad faith registration and use within the meaning of paragraph 4(a)(iii) of the Policy. In the event that the disputed domain name was renewed by Seber Holding B.V., all such renewals were made in the knowledge of the judicial and administrative decisions which confirmed the Complainant's exclusive trademark rights and were accordingly in breach of the warranty under paragraph 2 of the Policy which provides that registration of the domain name concerned will not infringe upon or otherwise violate the rights of any third party. In such circumstances, the Complainant submits that each post-judgement renewal is a distinct and independent act of bad faith which satisfies the registration element of paragraph 4(a)(iii) of the Policy.

The Complainant notes that the response was filed by Mr. Ulu in his personal capacity, with no indication that he was acting on behalf of, or as representative of Seber Holding B.V. or any other corporate entity. The Respondent's Annex R-1 contains annual renewal invoices in respect of the disputed domain name issued to Mr. Ulu personally since July 2022. There is no evidence that said renewals were made on behalf of Seber Holding B.V. and it is therefore reasonable to infer that the disputed domain name was transferred to Mr. Ulu personally. All of the renewals evidenced by said invoices post-date the February 2022 interim injunction of the District Court of The Hague confirming the Complainant's exclusive rights to the trademark PAYPORTER and such renewals cannot therefore be said to have been made in good faith.

Accordingly, the Complainant submits that, whether the registrant is Seber Holdings B.V., Mr. Ulu, or otherwise undisclosed, the disputed domain name has been registered and used in bad faith.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

In particular, the Respondent notes that the disputed domain name was already the subject of the 2020 UDRP case, in which the Complainant requested transfer of the disputed domain name and such remedy was denied. The Respondent contends that the Complainant cannot establish that the disputed domain name was registered in bad faith as it was registered and acquired by "the Respondent's side" before the Complainant's trademark filings and before the Complainant's active use of trademark PAYPORTER.

The Respondent submits that the current and intended use of the disputed domain name concerns a "non-financial retail project in the lingerie sector", adding that such sector is fundamentally different, and asserting that the Respondent is not trying to enter the Complainant's market, nor is offering services that compete with the Complainant.

In this context, the Respondent submits the following exhibits as evidence:

- Annex R-1 Evidence of continued control and/or registration management of the disputed domain name.

This is the communication between Hostnet and Erol Ulu (2022-2026) about renewal of the domain name. Subsequently (June 1, 2026) the Center requested Mr. Ulu to identify the underlying registrant. He responded (June 2, 2026) by identifying himself.

- Annex R-2 Excerpt from transaction documentation concerning PayPorter brand, logo and related domain names.
- Annex R-3 Screenshots of the non-financial retail website relating to the lingerie sector.
- Annex R-4 Supplier communications and product research relating to the lingerie retail project.
- Annex R-5 Product catalogues, offers, sample information or other product research relating to the lingerie retail project.
- Annex R-6 Travel or business preparation evidence relating to supplier/product research.

C. Complainant (Supplemental Filing)

The Complainant in the Supplemental Filing remarks the following in connection with the evidence submitted by the Respondent relating to the preparations of its business prior to notice of the present dispute:

(1) the flight ticket to Beijing (Annex R-6) establishes only that a journey was made and does not prove any business discussions relating to the alleged lingerie project;
(2) the catalogue submitted (Annex R-5) is a generic promotional document of the type distributed by manufacturers to thousands of potential clients worldwide and its receipt does not demonstrate any commitment, negotiation, or business relationship;
(3) the identity and role of the party with whom the Respondent exchanged WhatsApp messages (Annex R-4) has not been established;

(4) there is no purchase order, no signed supply agreement, no payment record, and no other objective evidence of genuine commercial commitment to the alleged lingerie project.

In conclusion, the Complainant submits that this collection of documents falls well short of the standard required to establish bonafide preparations under Policy paragraph 4(c)(i).

The Complainant also points out that the the website to which <payporter.com> resolves itself directly contradicts the Respondent's claim of a genuine commercial project, as it does not display contact information, a business name, or a means for potential customers or suppliers to make inquiries. It only displays lingerie imagery under the PayPorter brand name, with a *'Coming Soon'* message that has remained unchanged for over two years.

The Complainant submits that this website cannot credibly be characterized as a (means for) bonafide business preparation.

With respect to trademark tarnishment, the Complainant emphasizes that the fact that products or services are in a different sector and non-competing does not preclude tarnishment. The Complainant also submits that this tarnishment constitutes real-world consumer harm, consisting of confusion among consumers who are looking for information on PAYPORTER financial services and then encounter lingerie content. According to the Complainant, this erodes confidence in a licensed payment institution whose business model depends entirely on trust. Furthermore, the Complainant contends, when prospective partner institutions conducting due diligence on the Complainant before entering into cooperation agreements would encounter the <payporter.com> website displaying lingerie imagery, this would not only create confusion as to the Complainant's business activities but also serious doubts about the Complainant's reputation and professional standing. The Complainant also submits that the Respondent, by stating on the website that new brands are being introduced "under the PayPorter umbrella", is actively appropriating the "Complainant's trademark as an umbrella brand for the Respondent's own commercial activities." Thereby, the Respondent adopts the Complainant's registered trademark as a brand identifier.

7. Discussion and Findings

7.1 Procedural matters

Refiling

As this case is claimed by both of the Parties to be a refiling of the 2020 UDRP case, the Panel must determine as a threshold issue whether it should be accepted. If the Panel determines that it should not be accepted, the substance of the Complaint becomes irrelevant (*Seminole Tribe of Florida v. propertyusa, ltd*, WIPO Case No. D2019-1797).

Although the Policy itself contains no provisions dealing directly with the issue of refilings, the starting point for the Panel is the WIPO Overview 3.1, section 4.18. This defines a refiled case as "one in which a newly-filed UDRP case concerns identical domain name(s) and parties to a previously-decided UDRP case in which the prior panel denied the complaint on the merits". The disputed domain name here is the same as that in the 2020 UDRP case, but the Panel must also decide whether the Parties are the same. The Complainant is the same entity as in such case, noting that it has since changed its name to that shown in the instance of this Decision. The question therefore is whether the Respondent is the same as the respondent in the 2020 UDRP case.

The Registrar-verified Respondent is the same privacy service as in the 2020 UDRP case. On a strict view, this is the holder of the disputed domain name, which has not changed. Nevertheless, a question has arisen before the Panel as to whether the underlying holder of the disputed domain name, described in the 2020 UDRP case as Seber Holding B.V., has changed. While certain inferences could be made from the record before it, the Panel considered that it should be a straightforward matter to obtain a definitive answer on this point, and accordingly the Panel issued Procedural Order No. 1 to the Parties, requesting suitable disclosure from the Respondent. For reasons unknown to the Panel, the Respondent chose not to reply to Procedural Order No. 1. In its comments following the Respondent's failure to answer Procedural Order No. 1, the Complainant indicated that as far as it was concerned, the underlying Respondent had either remained as Seber Holding B.V., or the disputed domain name had transferred to Mr. Ulu, or it had transferred to an otherwise undisclosed third party.

In cases where the domain name registration is masked by a privacy or proxy service and the complainant credibly alleges that a relevant change in registration has occurred, it would be incumbent on the respondent to provide satisfactory evidence of an unbroken chain of registration; respondent failure to do so has led panels to infer an attempt to conceal the true underlying registrant following a change in the relevant registration. WIPO Overview 3.1, section 3.9. Here, the Respondent did not take the opportunity to add to the record regarding evidence of an (un)broken chain of registration.

The record and the most pertinent submissions of the Parties show that Seber Holding B.V. originally acquired the disputed domain name (see the Factual Background section above, entries for April 12, 2017, and May 20, 2017). From the Complaint and the Response, it would appear that both Parties assume or, in the case of the Respondent, suggest that at the time of the 2020 UDRP case Mr. Ulu was the sole shareholder and director of Seber Holding B.V. However, independent research by the Panel has found that, according to the Dutch Company Register (*Handelsregister*), Ms. S. Kiliç has been the sole shareholder and director of Seber Holding B.V. since April 12, 2017. Mr. Ulu became a director, authorized to represent the company, only on March 1, 2024. In light of these facts, the Panel finds that at the time of the 2020 UDRP case Ms. S. Kiliç owned and controlled Seber Holding B.V., which at that time was the holder of the disputed domain name.

As to the underlying registrant at the time of filing of the Complaint, the Panel has found that:

1. Mr. Ulu has signed and filed the Response (thus presumably received the notification of the Complaint), and appears to be in control of the disputed domain name at present;

2. By email of June 1, 2026, Hostnet provided Mr. Ulu's details as the only contact information for the disputed domain name, while also stating, "This domain [name] belongs to our client".

3. By email of June 2, 2026, Mr Ulu stated to the Center "I have enclosed a screenshot today from Hostnet showing the domain is registered [in] my name and I have also enclosed my ID."

4. The Respondent's Annex R-1 shows sequential annual renewal notices for the disputed domain name issued by Hostnet to Mr. Ulu (in the form of invoices specifically addressed to him and to no other natural or legal person) since at least May 30, 2022. This spans the point at which the earliest date of the change of use of the website associated with the disputed domain name to the alleged lingerie business is recorded (see the factual background section above, entries for December 3, 2024, and December 11, 2024).

The Panel concludes that the Respondent and the underlying registrant of the disputed domain name is Mr. Ulu.

Furthermore, based upon the above items numbered 1 to 4 and taking into account that the Respondent has consistently refrained from identifying itself, even upon demand of the Procedural Order, the Panel considers that the Complainant has raised a credible case that there has been a relevant transfer of the disputed domain name to a third party, which is the Respondent in the present case. Therefore, and contrary to what the Parties themselves have submitted, the Parties to the current dispute are not the same as the parties to the 2020 UDRP case.

The Panel has considered whether it would be necessary to place the outcome of its independent research before the Complainant e.g. by a further Procedural Order, in order to seek its comments. It is clear from the Complainant's contentions that it believes that Mr. Ulu was the owner and sole director of Seber Holding B.V. at the time of the 2020 UDRP case. Furthermore, the Respondent has been opaque about its identity in the Response and has refrained from a response to the Procedural Order, which may have supported this belief of the Complainant. In this context it should also be noted that the panel in the 2020 UDRP case stated (incorrectly) that Mr. Ulu was then the sole director of Seber Holding B.V. These circumstances may have contributed to the present Complaint largely proceeding on the misunderstanding that the Respondent in the present case is the same as (or controlled by) the respondent in the 2020 UDRP case and that, therefore, the present case was a refiling.

However, the true position (i.e. that Ms. S. Kiliç owned and controlled Seber Holding B.V. at the time of the 2020 UDRP case) was always available to the Complainant in the Company Register and it is the Complainant's responsibility to satisfy itself as to all such material facts before filing the Complaint. In addition, the Complainant in both the Complaint and the Supplemental Filing has explicitly kept open the possibility that the disputed domain name has been transferred to a third party, drawing consequences for bad faith registration and use of the disputed domain name. The arguments brought forward in this connection will be taken into account when discussing these topics.

Considering all of the above, the Panel has decided not to issue a Procedural Order inviting the Complainant's comments on the information in the Company Register. In this context, the Panel also considered that to do so "would not be in line with the spirit of expediency and efficiency suggested in the Policy." (*Tufco Technologies, Inc., Tufco LP, Hamco Manufacturing and Distributing LLC v. Hamco Alabama LLC*, WIPO Case No. D2011-1451). And, as the panel put it in *Robert Kennedy College v. Domain Name Proxy Service, Inc.*, WIPO Case No. D2014-0031: "complainants should 'get it right' the first time and should provide all the information necessary to prove their case from the material contained in the complaint and its annexes alone.

In view of all of these circumstances, the Panel finds that the present case is not a refiling of the 2020 UDRP case and that the case will therefore be considered on the merits. For completeness, and recognizing the fact that both of the Parties largely proceeded on the basis that the case was indeed a refiling, the Panel records its view that the outcome of the case would be the same even had the Panel concluded that the transfer between Seber Holding B.V. and Mr. Ulu was formal/technical in nature and that, due to the shared history between the *dramatis personae* on the Respondent's side of the equation, there was effectively an unbroken underlying chain of possession of the disputed domain name. This would have led to the case being considered as a refiling, whereby it would have failed in the Panel's opinion even if the refiling had been accepted and the merits had been determined on that basis.[1] Crucially, the original acquisition of the disputed domain name by Seber Holding B.V. in May/June 2017 was made in good faith in contemplation of a business venture which involved both the Complainant and the *dramatis personae* on the Respondent's side. It was not made in bad faith to target the Complainant's (then nascent) trademark.

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[1]It is in any event by no means certain that the Panel would have accepted the refiling. The basis for such was asserted by the Complainant to be, first, legally relevant developments following the 2020 UDRP case, notably the EUIPO and Court decisions. These decisions, while legally relevant, do not impact the decision in the 2020 UDRP case directly and materially. WIPO Overview 3.1, section 4.18. In brief, although according to the 2024 The Hague Court decision Mr. Ulu and Ms. Kiliç told the Court that Morpara (formerly PayPorter B.V.) had no intention of using the name PayPorter and/or the PayPorter logo again, Morpara was not the holder of the disputed domain name at the time of the 2020 UDRP case (to which it was not a party) and had never been its holder. The Court case and EUIPO administrative decisions did not directly address the ownership of the disputed domain name. There is no impact on the decision in the 2020 UDRP case as to the Respondent's rights or legitimate interests in the disputed domain name or as to the registration of the disputed domain name in bad faith. The Complainant also asserted, secondly, that refiling was appropriate in light of new material evidence, namely the change of use of the disputed domain name for the purposes of the purported lingerie business, and the subsequent renewals of the disputed domain name during such use. Such evidence is new, but it is not material, because it cannot impact the decision in the 2020 UDRP case on registration in bad faith, given that it only relates to a subsequent use (and renewal) of the disputed domain name. WIPO Overview 3.1, section 3.9. The allegation of trademark tarnishment likewise would remain the same as determined here.

7.2. Substantive Matters

In order to prevail, the Complainant must demonstrate, on the balance of probabilities, that it has satisfied the requirements of paragraph 4(a) of the Policy, namely:

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

A. Identical or Confusingly Similar

The Panel finds that the Complainant has established rights in the PAYPORTER trademark. The fact that a domain name may have been registered before a complainant has acquired trademark rights does not by itself preclude a complainant's standing to file a UDRP case, nor a panel's finding of identity or confusing similarity under the first element; see WIPO Overview 3.1, section 1.1.3.

The disputed domain name reproduces the textual elements of the Complainant's PAYPORTER trademark in their entirety, without addition or alteration. The generic Top-Level Domain ".com" may be disregarded for the purposes of comparison under the first element of the Policy; see WIPO Overview 3.1, section 1.11.1. The Panel finds the disputed domain name to be identical or confusingly similar to the Complainant's trademark. The Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

According to paragraph 4(a)(ii) of the Policy, the Complainant must prove that the Respondent has no rights or legitimate interests in the 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 3.1, section 2.1.

Paragraph 4(c) of the Policy provides that any of the following circumstances may demonstrate a respondent's rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii):

(i) before any notice to you of the dispute, your 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) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are 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.

With respect to this second element of the Policy, the Respondent has submitted - apparently referring to paragraph 4(c)(i) of the Policy - that it has a legitimate interest in the disputed domain name because, before notice of the present dispute, it had taken demonstrable preparatory steps to use the disputed domain name for a "bona fide non-financial retail project in the lingerie sector".

The Complainant's position focuses upon the EUIPO and Dutch Court decisions (and notably the fact that the disputed domain name has been renewed thereafter) together with new material evidence relating to an apparent change of use of the website associated with the disputed domain name that is now focused on a putative early-stage lingerie business.

However, neither the Respondent nor Seber Holding B.V. were a party to the cases that led to the judicial and administrative decisions in question, so that any judgement rendered did not apply to or directly affect any possible rights or legitimate interests of the Respondent. In particular, none of the relevant decisions concern the right to the disputed domain name.

As set out in WIPO Overview 3.1 section 2.2, examples of prior use, or demonstrable preparations to use the domain name, in connection with a bona fide offering of goods or services may include, inter alia, evidence of business formation-related due diligence and correspondence and other circumstances generally pointing to a lack of indicia of cybersquatting intent. Such evidence must support a claim to bona fide activity before any notice of the dispute and in that respect, clear contemporaneous (and ideally, dated) evidence of bona fide pre-complaint preparations is required. For this purpose, the Respondent has submitted a screen print of the website to which the disputed domain name resolves, which contains a place holder with two pictures of women in lingerie and the text set out in the timeline at December 11, 2024.

In addition, the Respondent has submitted a screen print of parts of a WhatsApp (or similar communication app) conversation taking place in 2025, containing inter alia a pdf of the product catalogue of a Chinese company called 'Shangmu Underwear', and a print of the underwear catalogue of a company called Foshan Shangmu Underwear Factory Co., Ltd.

From these documents it could perhaps be inferred that the Respondent since December 2024 has made some preparations for a lingerie business under the disputed domain name. However, as pointed out in the Supplemental Filing, none of these documents, nor their combination, prove concrete preparations of a business by the Respondent. The flight ticket to Beijing (Annex R-6) does not prove that actual business discussions took place, and in any event, the identity and role of the person traveling has not been established; the catalogue submitted (Annex R-5) is a generic promotional document and does not demonstrate any commitment, negotiation, or business relationship. The content of the WhatsApp messages (Annex R-4) is vague and the identity and role of the party with whom the messages have been exchanged has not been established. Supporting documents, such as agreements, orders or even communications confirming discussions and their contents have not been submitted. The only remaining potential evidence of business preparations by the Respondent is the website to which the disputed domain name resolves. This is a one pager announcing that more news is "coming soon", which has not been changed for two years. In addition, the website does not identify or provide contact details of a company or person behind the prospective lingerie business or who may be contacted for inquiries about it.

In conclusion, the Panel finds that the evidence provided by the Respondent does not support its submission that it has taken demonstrable preparatory steps to use the disputed domain name for a bona fide non-financial retail project in the lingerie sector in accordance with paragraph 4(c)(i) of the Policy. The Panel also notes that the Respondent has not invoked any other own right or legitimate interest in the context of the second element, mentioned in paragraphs 4(c)(ii) and 4(c)(iii).

In view of all of the above, the Panel concludes that, on the balance of the evidence submitted, the Complainant has made out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

C. Bad faith registration and use

Date of transfer

As set out in WIPO Overview 3.1, section 3.9, the transfer of a domain name registration from a third party to the respondent is not a renewal and the date on which the current registrant acquired the domain name is the date a panel will consider in assessing bad faith. This raises the question in this case as to which date should be considered. The Respondent has submitted a set of renewal notices from Hostnet (the reseller of the disputed domain name) to Mr. Ulu personally, the earliest of which is dated May 30, 2022. The transfer of the disputed domain name therefore has taken place sometime before this date. As the Respondent has refrained from informing the Panel of the date of transfer of the disputed domain name, the Panel has to make a reasonable inference as to when such transfer took place, on the basis of the available evidence. In the 2020 UDRP case, the Complainant sought to obtain transfer of the disputed domain name from Seber Holding B.V. This implies that at the date of the decision (November 10, 2020) Seber Holding was still the holder of the disputed domain name. The disputed domain name was not a subject of the 2022 and 2024 The Hague court cases. However, the interim judge in the 2022 The Hague case enjoined the defendants in those proceedings (PayPorter B.V. and PayPorter Retail Services B.V.) to use, inter alia, the disputed domain name. In the 2024 The Hague case, the district court found that these companies had not used the disputed domain name after March 9, 2022. It also noted that both Ms. S. Kiliç and Mr. Ulu had stated that the companies (meanwhile renamed Morpara B.V. and Morpara Retail Services B.V.) had no intention to resume the use of the PayPorter name, which presumably included the disputed domain name. In view of all these circumstances, the Panel deems it likely that the transfer of the disputed domain name from Seber Holding B.V. to Mr. Ulu took place between February 10, 2022 (date of the 2022 The Hague interim judgement) and May 30, 2022 (date of the earliest renewal notice addressed to Mr. Ulu).

Bad faith registration and use

Paragraph 4(b) of the Policy provides for a non-exhaustive list of circumstances which, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location."

As set out above, the Panel assumes that the transfer of the disputed domain name has taken place between February 10, 2022, and May 30, 2022. Whether or not there was bad faith registration has to be judged by that (approximate) date.

The Complainant has alleged bad faith registration and use of the disputed domain name by the Respondent, consisting of the annual renewal of the disputed domain name after the 2022 The Hague interim judgement. In particular, the Complainant states: "The critical factor here is not the renewal in isolation, but the combination of: (a) the [R]espondent's full awareness of the court orders and EUIPO decisions; (b) the continued retention of the domain name despite having no legitimate right to use the [PayPorter] mark; (c) its subsequent active exploitation of the domain that tarnishes the Complainant's reputation."

The first two points may be of relevance for the subject of bad faith registration, while point (c) concerns alleged bad faith use of the disputed domain name. With respect to point (a) – awareness of court orders and decisions – the Panel has already pointed out above that neither the Respondent nor Seber Holding B.V. were a party to the cases that led to the judicial and administrative decisions in question, and that none of the decisions concern the right to the disputed domain name. Therefore, whether or not the Respondent and its predecessor were aware of these judicial and administrative decisions is irrelevant for the issue of bad faith registration. Certainly, there is no reason to support the Complainant's statement that such awareness should have led the Respondent or its predecessor to voluntarily transfer the disputed domain name to the Complainant. Likewise, point (b) referred to above is not a factor for bad faith registration, as the UDRP does not require the holder of a domain name to own a corresponding trademark or any other right or legitimate interest in the disputed domain name.

For completeness' sake, the Panel has considered whether other factors would be relevant to the analysis of bad faith registration, in particular the fact that PayPorter B.V. – of which the Respondent at the time was a director – changed its name to Morpara B.V. and that, according to the 2024 The Hague Court decision, the Respondent and Ms. Kiliç told the Court that Morpara had no intention of using the name PayPorter and/or the PayPorter logo again. As these factors do not pertain to the Respondent in person, but to a company of which he was a director at the time, they do not lead to a different decision on bad faith registration.

In light of the above, the Panel finds that the Complainant has failed to establish that the disputed domain name was registered in bad faith pursuant to paragraph 4(a)(iii) of the Policy.

In view of this finding, it is not necessary to discuss bad faith use of the disputed domain name. However, with respect to point (c) above, the Panel notes the following. The Complainant submits that the Respondent's use of the disputed domain name for a lingerie business would tarnish its trademark. This is elaborated in the Complaint as follows: "The juxtaposition of the Complainant's brand - a regulated payment institution operating under the Central Bank of Türkiye (CBRT) authorization and subject to strict financial services regulation - with sexually suggestive imagery is calculated to destroy the brand's reputation for trustworthiness and integrity, which are the cornerstones of any licensed payment service." In the Supplemental Filing, the Complainant has added that use of the disputed domain name would lead to actual confusion among consumers and prospective business partners and that this would raise serious doubts about the Complainant's reputation and professional standing.

The Panel notes that the Complainant has not submitted any evidence supporting these statements, e.g. on the reputation of the trademark (nationwide or broader), the categories of customers it services, independent surveys of the likelihood of confusion among the general public etc. Without such supporting evidence, the Panel finds that in the circumstances of the case and the evidence submitted it cannot conclude that a website advertising and/or selling lingerie would necessarily tarnish a trademark used for financial services.

In its analysis, the Panel has come to the conclusion that the dispute between the Parties would be more suitably resolved in a court of competent jurisdiction, which would be better equipped through the benefit of discovery, interrogatories and witness testimony to determine the present dispute. The Panel's findings are without prejudice to the outcome of any future legal proceedings between the Parties, although the Panel can imagine that, in view of the four proceedings that have already taken place, the Parties may choose to try to solve their dispute amicably.

D. Reverse Domain Name Hijacking

The Respondent has submitted that the Complainant appears to be using the UDRP to obtain the ".com" domain name because it is commercially inconvenient that the Respondent controls it while the Complainant uses the ".com.tr" domain. The Respondent suggests that the Complainant is abusing the UDRP system to obtain a domain name to which it has no right and requests the Panel to consider whether the present refiled Complaint amounts to an abuse of the UDRP process, in light of the prior WIPO decision, the complex commercial background, and the Respondent's non-competing use of the domain.

As set out in WIPO Overview 3.1, section 4.16, Paragraph 15(e) of the UDRP Rules provides that, if "after considering the submissions the panel finds that the complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or was brought primarily to harass the domain-name holder, the panel shall declare in its decision that the complaint was brought in bad faith and constitutes an abuse of the administrative proceeding." Reverse Domain Name Hijacking ("RDNH") is furthermore defined under the UDRP Rules as "using the UDRP in bad faith to attempt to deprive a registered domain-name holder of a domain name." Panels have also referred to paragraphs 3(b)(xiii) and (xiv) of the UDRP Rules in addressing possible RDNH scenarios.

Panels have consistently found that the mere lack of success of a complaint is not itself sufficient for a finding of RDNH (in particular where the respondent may have acted inequitably). In this case, the Panel is not persuaded that the circumstances justify a finding of RDNH. The Complainant has a long-standing registration for the PAYPORTER Mark, which is reproduced in the disputed domain name. The Complainant's argument that the Respondent lacks rights or legitimate interests in the disputed domain name and registered it in bad faith was not so weak as to render the filing of the Complaint an act of bad faith. In this context, the Panel also notes the Respondent's far-reaching attempts to hide its true identity and to contribute to, or at least maintain, the incorrect assumption of both Parties that there had been a transfer of the disputed domain name between commonly controlled entities.

In these circumstances the Panel finds that the Complainant had a plausible basis for its Complaint and the Panel does not make a finding that the Complainant has engaged in Reverse Domain Name Hijacking.

8. Decision

For the foregoing reasons, the Complaint is denied.

/Andrew D. S. Lothian/
Andrew D. S. Lothian
Presiding Panelist

/Wolter Wefers Bettink/
Wolter Wefers Bettink
Panelist

/Willem J. H. Leppink/
Willem J. H. Leppink
Panelist
Date: July 18, 2026