

ADMINISTRATIVE PANEL DECISION

Zeno Tools LLC d/b/a Zeno Payments v. folo dsm
Case No. D2026-2168

1. The Parties

The Complainant is Zeno Tools LLC d/b/a Zeno Payments, United States of America ("United States"), internally represented.

The Respondent is folo dsm, United Republic of Tanzania.

2. The Domain Name and Registrar

The disputed domain name <zenopay.net> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 19, 2026. On May 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 21, 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 (Zeno Limited / Dastani Ferdinandi) and contact information in the Complaint. The Center sent an email communication on May 27, 2026, requesting the Complainant to amend its Complaint as the version they had submitted was missing several formalities. The Complainant filed a first amended Complaint on May 28, 2026. The Center sent an email communication to the Complainant on June 2, 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 a second amended Complaint on June 2, 2026.

The Center verified that the Complaint together with the amended Complaints 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 June 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 23, 2026. The Respondent sent an email communication to the Center on June 2, 2026.

The Center appointed Luca Barbero as the sole panelist in this matter on July 2, 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 Zeno Tools LLC, operating under the trade name Zeno Payments, provides payment processing services to businesses and merchants in the United States.

The Complainant is the owner of the United States trademark applications Nos. 99797948 for ZENOPAY (word mark), filed on April 30, 2026, in international classes 36 and 42; and 99800289 for ZENO PAYMENTS (word mark), filed on May 1, 2026, in international classes 36 and 42.

The Complainant is also the owner of the domain names <zenopayments.com>, registered on September 20, 2012, and <zenopay.com>, registered on December 27, 2012. The domain names have been used to promote the Complainant's services and currently they both redirect to the website "www.zenopay.com".

The Complainant claims common law trademark rights in ZENOPAY and ZENO PAYMENTS in connection with payment processing services in the United States through continuous commercial use of the signs since January 2012 and bases its claims on the following arguments and supporting evidence:

- the historical screenshots for the websites available at the Complainant's domain names <zenopay.com> and <zenopayments.com> available on the Internet archive at "www.archive.org" (Annexes 2a and 2b to the Complaint) show that: i) <zenopay.com> was redirected to "www.zenopayments.com" since at least February 2018 (when the first screenshot was archived), while as of November 2025 it has been directed to the website "www.zenopay.com"; ii) between September 26, 2015 and August 8, 2025, <zenopayments.com> was directed to the website "www.zenopayments.com". All screenshots show that the Complainant's website always displayed the "ZENO PAYMENTS" logo and an email address based on a Complainant's domain name as contact information on the top of the website;
- the Complainant has owned the domain name <zenopay.com> since December 27, 2012, as shown by copy of an email communication sent from a registrar to the Complainant's director in 2012 regarding invoicing of the registration fees for the domain name and copy of the current domain name information showing the registration date has remained unvaried, submitted as Annexes 2a and 2b to the Complaint;
- the Complainant Zeno Tools LLC was originally formed and registered in the State of Washington, United States, on January 1, 2011, as demonstrated by copy of State business registration records for the Complainant provided as Annex 3 to the Complaint;
- between September 1, 2025, and May 5, 2026, several third parties addressed password reset requests and customer service inquiries to the Complainant's support email address believing that they were contacting the Respondent's support team, as shown by copy of email communications provided in Annex 8 to the Complaint.

The disputed domain name <zenopay.net> was registered on September 5, 2024, and resolves to a website promoting a commercial payment processing platform and providing links to download a mobile application named ZenoPay Pro, which is described as an application helping to generate professional invoices, receive payments and monitor business transactions. According to the information provided at the bottom of the home page, the website is operated by Zeno Limited, which is the same entity that published the app ZenoPay Pro previously available on the Apple and Google app stores. The Complainant has provided copies of email communications showing that ZenoPay Pro was removed from both Apple and Google stores in the United States.

5. Parties' Contentions

A. Complainant

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 contends that the disputed domain name is identical to the trademark ZENOPAY in which the Complainant has unregistered rights, as it reproduces the mark in its entirety, with the mere addition of the generic Top-Level Domain ("gTLD") ".net", which is irrelevant for the identity or confusing similarity analysis.

The Complainant states that the Respondent has no rights or legitimate interests in respect of the disputed domain name since the Respondent has never received any authorization, license, or permission to use the Complainant's trademark in any form. The Complainant also states that the Respondent did not use, or make demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services as the Respondent registered the disputed domain name more than twelve years after the Complainant's first use in commerce of its trademarks and has been using it in connection with a competing payment processing business targeting United States users, without any license or authorization from the Complainant.

The Complainant further submits that the Respondent is not commonly known by the disputed domain name and is not making legitimate noncommercial or fair use of the disputed domain name, as the Respondent is using it for an active operational infrastructure for a commercial payment services platform in direct competition with the Complainant and for promotion of mobile applications under the identical ZENOPAY mark in the United States app stores.

The Complainant submits that, prior to the filing of the Complaint, it had an exchange of correspondence with the Chief Executive Officer (CEO) of Zeno Limited, in which the Complainant requested the Respondent to adopt measures to prevent United States users from downloading its application and to implement technical measures to ensure that United States merchants and businesses cannot register for or use the application, in order to avoid user confusion. However, despite the Respondent confirming its availability to implement the measures requested by the Complainant, the Respondent's application published on the Apple app store remained available for download in the United States.

The Complainant also submits that it sent trademark infringement notices to Google and Apple, following which the availability of the Respondent's application was restricted to users outside the United States, and contends that the acceptance of the Complainant's claims by the platforms confirms that the Respondent's use was not legitimate.

The Complainant states that the Respondent registered and is using the disputed domain name in bad faith since the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website, which is promoting the Respondent's payment services platform in direct competition with the Complainant.

Specifically, the Complainant claims that the Respondent had actual knowledge of the Complainant at the time of registering the disputed domain name, considering the Complainant has been operating publicly at <zenopay.com> since December 2012 whilst the Respondent registered the disputed domain name on September 2024, operating in the same field of activity and under an identical mark as the Complainant.

The Complainant also states that the Respondent appears to have deliberately chosen to cause customer confusion by indicating a support contact address almost identical to that of the Complainant, resulting in customers misdirecting support communications to the Complainant's email address between September 1, 2025, and May 19, 2026.

The Complainant claims that the Respondent's bad faith is also highlighted by the false representations made by the Respondent following receipt of the Complainant's communications, as the Respondent indicated in writing that it had implemented United States territorial restrictions, but its application remained accessible in the United States Apple app store and, when the Complainant demanded compliance, the Respondent ceased all communication. The Complainant further states that the Respondent, even after having received the Complainant's notice of trademark infringement, failed to take meaningful remedial action and, after the Respondent's original applications were removed from both platforms, published a new application named "Zenopay", which is currently available in the Apple app store and accessible from the United States.

The Complainant also submits that the Respondent's bad faith is further demonstrated by the Respondent's use of apparently fictitious registrant information for the disputed domain name and by the impersonation of the Complainant in a communication sent to the Center on June 2, 2026, where the CEO of Zeno Limited purported to speak on behalf of the Complainant, stating inter alia that "the Complainant confirms that it wishes to proceed with the Complaint".

B. Respondent

The Respondent did not substantively reply to the Complainant's contentions. The sole communication received from the Respondent in this dispute is the June 2, 2026, communication referenced above. The Complainant, however, has furnished copies of email communications exchanged by the Parties prior to the initiation of the present proceedings, in which the Respondent stated that its ZenoPay Pro application "primarily serv[ed] merchants and businesses" in United Republic of Tanzania and the broader African market. It further added that it was not aware of the Complainant's prior use of the "Zeno Payments" name at the time of registration.

6. Discussion and Findings

According to 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". Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

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

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has provided evidence of ownership of United States trademark applications for ZENOPAY and ZENO PAYMENTS, which are still pending at the time of this Decision. A pending trademark application is not sufficient by itself to establish trademark rights within the meaning of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.1](#), section 1.1.4.

However, the Panel finds the Complainant has established unregistered service mark rights for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.3. Indeed, the Panel finds that, based on the evidence submitted by the Complainant referenced in section 4 above, including through the use of its website at “www.zenopayments.com” since at least 2015, the Complainant has shown use of ZENO PAYMENTS as a distinctive identifier of the Complainant’s services.

The Panel finds that the Complainant’s unregistered trademark ZENO PAYMENTS is recognizable in the disputed domain name since the dominant element of the mark, “zenopay”, is reproduced within the disputed domain name with the mere addition of the gTLD “.net”, which can be disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), sections 1.7 and 1.11.1. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy.

Therefore, 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.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel notes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant’s mark. Moreover, there is no element from which the Panel could infer the Respondent’s rights or legitimate interests over the disputed domain name.

The Panel also finds that, under the circumstances, the disputed domain name does not appear to have been used, and to be currently used, by the Respondent in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant’s trademark. The Panel reaches this conclusion based on the following considerations:

- i) the disputed domain name is nearly identical to the Complainant’s prior domain name <zenopay.com>, which was redirected to the Complainant’s website at the domain name <zenopayments.com> (in use at least since 2015) at the time of registration of the disputed domain name. The Panel notes that the Respondent seems to operate a company Zeno Limited, as claimed, targeting consumers and businesses in the African market. However, the registration of a matching name with the competent authorities does not on its own exclude the possibility that the registrant intended to take unfair advantage of another party’s trademark rights. Further, contrary to the Respondent’s assertions made in the pre-Complaint correspondence, its ZenoPay Pro application had been available to the users in the United

States until it was removed from Apple app store and Google store in the United States. Therefore, given the totality of the circumstances of this case, and as also highlighted under the following section of the Decision, the Panel finds that the Respondent was more likely than not aware of the Complainant at the time of registration of the disputed domain name;

ii) the disputed domain name has been directed to a website promoting purported payment processing services in direct competition with the services provided by the Complainant under a similar mark ZENO PAYMENTS and using a combination of colors (green and white) similar to the one used by the Complainant, initially on its website at the domain name <zenopayments.com> and, thereafter, at <zenopay.com>;

iii) despite the infringement notice received from the Complainant, and the Respondent's asserted availability to adopt measures to avoid consumer confusion, the Respondent has not autonomously implemented any such measures, as its website appears to be still visible even from the United States, does not include any disclaimer of non-affiliation with the Complainant, and does not exclude availability of the services in the United States. Moreover, after restrictions were implemented concerning the application ZenoPay Pro for users located in the United States, the Respondent seemingly published a new application named "ZenoPay" which appears to be accessible for United States users;

iv) the Complainant has demonstrated that it received several email communications from users who requested assistance as they had issues in accessing their accounts on the Respondent's website;

v) despite being notified of the Complaint, the Respondent failed to submit a Response to rebut the Complainant's contentions and to provide evidence of the legitimacy and good faith purpose of its activities, promoted through the website at the disputed domain name and the related applications;

vi) the only communication received in these proceedings from the Respondent was drafted as if it was sent by the Complainant, a circumstance suggesting to the Panel that the message could have been written by a hallucinated Artificial Intelligence;

vii) the registrant information for the disputed domain name appears to be inaccurate and does not reflect the name and contact details indicated on the corresponding website.

Therefore, the Panel finds the second element of the Policy has also 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 disputed domain name was registered on September 5, 2024. At that time, as highlighted above, the Complainant had already registered its domain names <zenopayments.com> and <zenopay.com>, which were both redirected to the Complainant's website "www.zenopayments.com", promoting the Complainant's payment services under the mark ZENO PAYMENTS.

In view of the above and considering the use to which the disputed domain name – which in itself is nearly identical to the Complainant's domain name <zenopay.com>, from which it differs only by the gTLD ".net" – has been put, the Panel finds that the Respondent was or should have been aware of the Complainant and its activities at the time of registration of the disputed domain name.

The selection of a domain name identical to the one owned and used by the Complainant and use for a website offering commercial payment processing services in direct competition with the ones of the Complainant, using a combination of colors similar to the one used on the Complainant's website, suggests

that the Respondent was indeed aware of the Complainant and its activities and intended to create the impression of an association with the Complainant.

Based on the records, the Panel finds that, by using the disputed domain name, the Respondent intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant and its mark as to the source, sponsorship, affiliation or endorsement of the website and the services provided therein, according to paragraph 4(b)(iv) of the Policy.

The Panel also notes that, under the circumstances, the Respondent's behavior during and after its exchange of correspondence with the Complainant described above, its provision of seemingly inaccurate contact details in the registrant information, its impersonation (mistaken or otherwise) of the Complainant in the communication sent to the Center on June 2, 2026, and its failure to file a Response further support a finding of bad faith.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <zenopay.net> be transferred to the Complainant.

/Luca Barbero/

Luca Barbero

Sole Panelist

Date: July 16, 2026