

ADMINISTRATIVE PANEL DECISION

Elevate Credit Service, LLC v. Vinod Panchal, Empire Infocom
Case No. D2025-1047

1. The Parties

1.1 The Complainant is Elevate Credit Service, LLC, United States of America ("United States"), represented by Coblenz, Patch, Duffy & Bass, LLP, United States.

1.2 The Respondent is Vinod Panchal, Empire Infocom, India.

2. The Domain Name and Registrar

2.1 The disputed domain name <riseloanhub.com> (the "Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 13, 2025. At that time, publicly available Whois details did not identify the underlying registrant of the Domain Name.

3.2 On March 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 14, 2025, the Registrar transmitted by email to the Center its verification response disclosing underlying registrant and contact information for the Domain Name. The Center sent an email to the Complainant on March 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on March 21, 2025.

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

3.4 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 25, 2025.

3.5 The Respondent sent an email to the Center on March 25, 2025, that contained the following statements:

"We ... previously missed your communication regarding this matter. Additionally, our team had not conducted an in-depth review of [the Complainant's] trademark and its potential implications for our domain name. We want to emphasize that we had no intention of infringing upon [the Complainant's] trademark rights.

That said, we are open to resolving this matter amicably. If [the Complainant] is willing to cover the costs we have incurred in connection with the domain, we are prepared to transfer it. Otherwise, we are willing to cancel the domain to avoid any further disputes. Please let us know how you would like to proceed."

3.6 The Center sent an email to the Parties on March 26, 2025, regarding possible settlement, including enquiring whether the Parties wanted to agree a suspension of the proceedings, in order to allow settlement negotiations to take place. The Respondent responded in a further email the same day. That further email contained the following statement:

"... in good faith and to avoid further dispute, we have decided to cancel the [Domain Name] and have already shut down the associated website."

3.7 The Complainant did not request suspension of the proceedings. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2025. The Center informed the Parties that it would proceed with Panel Appointment on April 15, 2025.

3.8 The Center appointed Matthew S. Harris as the sole panelist in this matter on April 17, 2025. 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

4.1 The Complainant is a financial services company based in the United States specialising in non-prime or subprime lending. It (or its predecessors in business) has offered lending and credit services under the term "RISE" since at least as early as June 2013.

4.2 The Complainant owns and uses the domain name <risecredit.com> for a website that promotes its business under the "RISE" name. In the past three years that website has "averaged approximately 3.5 to 4 million sessions each year".

4.3 The Complainant is the owner of registered U.S. trade mark No. 4,472,480 with an application filing date of February 28, 2013 and a registration date of January 21, 2014 in respect of RISE as a standard character mark in respect of services in class 36.

4.4 The Domain Name was registered on November 21, 2020. It has been used since registration for a website that uses the sign "rise", both in the form of a logo that comprises that word alone or as that word combined with the words "loan" and "hub" in small and at times just perceptible text underneath. There are also various references in the text of the website that refer to "Riseloanhub". That website offers loans, with "Quick Loan Options \$500 - \$5000" at least in part directed to the subprime market, with statements such as "Bad Credit OK". That website as at March 2025 contained the following statement:

"With a wide range of US partners, top lenders compliance with state and federal regulations, and the use of industry practices, our special service guarantees expert lending services from reliable partners"

4.5 As at that same date the website also gives two contact addresses in the United States, in different parts of the website. One address is in Texas, United States, the other in New York, United States. Both addresses appear to be false. The Texas address, according to Google maps, is located in an empty field, and the New York address does not exist (and includes elements that appear to involve a reference to the Beverly Hills 90210 television series).

5. Parties' Contentions

A. Complainant

5.1 The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

5.2 Notably, the Complainant contends that the Domain Name wholly incorporates its trade mark, combined with a word that describes the services that the Complainant offers. As such it contends that the Domain Name is confusingly similar to its trade mark. Further, the Complainant contends that the Respondent is using the Domain Name and the website operating from the Domain Name to create an impression of association with the Complainant in order to sell services in competition with the Complainant.

5.3 In these circumstances, it is alleged that the Respondent lacks rights or legitimate interests (or at least that the Complainant has made out a prima facie case that there is no such right or legitimate interest) and that the Domain Name was registered and has been used in bad faith. So far as bad faith is concerned, the Complainant also contends that the Respondent's activities fall within the scope of paragraph 4(b)(iv) of the Policy. It also relies upon the Respondent's use of false addresses which is said to support a finding of bad faith.

B. Respondent

5.4 The Respondent did not file a formal Response replying to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

6.1 It is generally 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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

6.2 The Complainant has shown rights for the purposes of the Policy in a registered trade mark, comprising the term "Rise" as a word mark. [WIPO Overview 3.0](#), section 1.2.1.

6.3 The entirety of term "Rise" and consequentially the entirety of the Complainant's RISE trade mark is reproduced within the Domain Name. Accordingly, the Panel finds the mark is recognisable within the Domain Name and that the Domain Name is confusingly similar to the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

6.4 Although the addition of other terms (in this case "loanhub") and the top-level domain (in this case the ".com" generic top-level domain) may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

6.5 Accordingly, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

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

6.7 The Complainant contends that in the present case none of these circumstances apply and the Panel accepts that 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 prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name.

6.8 However, dealing with the issue more directly, and for reasons that are set out in the context of its assessment of bad faith, the Panel is satisfied that the Domain Name was registered and held with knowledge of the Complainant's marks and business and with the intention to take unfair advantage of the same. There is no right or legitimate interest in holding a domain name for such a purpose and the Panel is of the view that such activity provides positive evidence that no rights or legitimate interests exists.

6.9 Accordingly, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

6.10 The only sensible reading of the Domain Name is of the term "rise" in combination with the words "loan" and "hub" (or perhaps "loanhub" as a portmanteau) and the ".com" generic top-level domain.

6.11 The terms "loan" and "hub" (whether as separate terms or parts of a single word) are also most likely to be understood by Internet users as referring to a place or location where loans can be obtained or provided. Further, the word "rise" has no obvious descriptive meaning so far as the business of offering loans are concerned. In the circumstances and absent any argument of evidence to the contrary, the Panel accepts that the Domain Name is likely to involve a deliberate reference to the Complainant's business, and that the Domain Name inherently misleads Internet users that the owner or user of the Domain Name is offering services from or authorised by the Complainant.

6.12 The content of the website operating from the Domain Name also supports that conclusion. It shows that the Respondent is offering services in the same subprime or "non-prime" loan market as the Complainant and the reference to "US partners" makes it clear that the Respondent is targeting potential customers in the same country in which the Complainant operates. The website also prominently uses the term "Rise" as a logo, which is clearly designed to indicate that it is "Rise" who is operating the website, and the website does not otherwise clearly identify the person or entity that is responsible for the same.

6.13 As a result, the Panel accepts that the Domain Name and the website operating from the Domain Name deliberately are designed to create a false impression of association with the Complainant in order to sell or promote services in competition with the Complainant. So far as the website is concerned, the Respondent's activities fall within the scope of the example of circumstances, indicating bad faith registration and use set out in paragraph 4(b)(iv) of the Policy.

6.14 The Complainant also contends that the fame of its business is such that the Respondent must have known of the Complainant prior to registering the Domain Name. That may be so, although for the most part the Complainant's contentions in this respect are conclusionary. The Complainant does provide details of a substantial number of visitors to its own website, but the numbers provided are said to relate to the "past three years". They accordingly postdate the registration date of the Domain Name. However, the Panel is satisfied that the Respondent's knowledge and intentions at the time of registration are clear enough from the form of the Domain Name itself, and the content of the website operating from the Domain Name.

6.15 Further, the Panel accepts that the Respondent's use of false contact details on the website operating from the Domain is another factor that supports a finding of bad faith registration and use. The use of false registration details is often seen as an indicator of bad faith (see Section 3.6 of the [WIPO Overview 3.0](#)) and in the Panel's view similar considerations arise where false contact details are provided on a website operating from a domain name.

6.16 Accordingly, the Panel finds the third element of the Policy has been established.

7. Decision

7.1 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 <riseloanhub.com> be transferred to the Complainant.

/Matthew S. Harris/

Matthew S. Harris

Sole Panelist

Date: April 29, 2025