

ADMINISTRATIVE PANEL DECISION

Finsure v. Mira Holdings
Case No. D2025-1070

1. The Parties

The Complainant is Finsure, United States of America (“United States” and “U.S”), represented by Venable, LLP, United States.

The Respondent is Mira Holdings, United States, represented internally.

2. The Domain Name and Registrar

The disputed domain name <finsure.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 14, 2025. On March 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 17, 2025, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 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 amendment to the Complaint on March 19, 2025.

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 March 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2025. The Response was filed with the Center on April 14, 2025.

The Center appointed Kathryn Lee, Nathalie Dreyfus, and Andrew D. S. Lothian as panelists in this matter on May 19, 2025. 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 May 26, 2025, the Respondent issued supplemental submissions.

4. Factual Background

The Complainant is an insurance brokerage firm located in Chicago, United States. The Complainant is the owner of United States Trademark Registration Number 7663248 for FINSURE, which was filed on February 8, 2022, published for opposition on January 10, 2023, and registered on January 21, 2025. The Complainant has used the FINSURE mark in business since July 31, 2023.

The Respondent is a professional domain name investor located in the United States.

The disputed domain name was registered on January 20, 2023, and resolves to a landing page advertising the disputed domain name for sale.

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 asserts that the disputed domain name is similar, if not identical, to the FINSURE mark of the Complainant since the disputed domain name consists of "finsure" in its entirety.

The Complainant further argues that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent's use of, or demonstrable preparations to use the disputed domain name in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain name, or a legitimate noncommercial or fair use of the disputed domain name by the Respondent.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant contends that FINSURE is a distinctive mark which has no meaning other than as reference to the Complainant's financial services, and that based upon this and the Respondent's registration of the disputed domain name nearly a year after the Complainant filed its trademark application for FINSURE and mere days after the application was published for opposition, it can be inferred that the Respondent was aware of, or should have been aware of, the Complainant's trademark rights when registering the disputed domain name. The Complainant also contends that the Respondent attempted to extort the Complainant for rights to the disputed domain name by demanding that the Complainant pay USD 60,000 for transfer of the disputed domain name, and that this is clear evidence of bad faith and cybersquatting.

B. Respondent

The Respondent contends that the Complainant has not satisfied the final element concerning bad faith registration and use of the Respondent which is required under the Policy for a transfer of the disputed domain name.

First, the Respondent contends that “finsure” is a term formed by blending the common terms “finance” and “insure”, and that it is a common name used by companies in the financial services, insurtech consulting, and research services sectors. The Respondent also names a number of companies that started using this term as a business name and domain name before the Complainant was established or the Complainant’s trademark application for FINSURE filed, i.e., an Australian mortgage broking group established in 2011 using the domain name <finsure.com.au>, a US Insurtech company established in 2021 using the domain name <finsure.us>, a Namibian financial services provider established in 2010 using the domain name <finsure.net>, a South African company established in 2017 using the domain name <finsure.co.za>, etc.

Next, the Respondent explains that it is a professional domain name investor with more than 1,000 generic domain names offered for sale, and that it purchased the disputed domain name because “finsure” is a generic, memorable “two-word” blended abbreviation with a high appraisal value, which is consistent with the Respondent’s business plan; the Respondent also owns domain names such as <drugsure.com>, <fintune.com>, <finmode.com>, <finient.com>, <findental.com>, <insurewell.com>, and <stayinsure.com>.

The Respondent further contends that it learned that the disputed domain name was available on public auction at the auction site NameJet.com in January 2023 and that it won the auction and registered the disputed domain name on January 20, 2023, its expiration date.

Lastly, the Respondent clarifies that it never reached out to the Complainant for sale of the disputed domain name, but rather, that the Respondent was contacted by an Afternic broker who negotiated on the price without disclosing the identity of the prospective buyer to the Respondent. Therefore, the Respondent contends, the Respondent never knew who was inquiring to buy the disputed domain name, and further, that it is not bad faith to offer a generic domain name for sale.

6. Discussion and Findings

Unsolicited supplemental submissions

The Panel has carefully considered the unsolicited supplemental submissions filed by the Respondent following the initial Response on May 26, 2025.

Pursuant to paragraph 10 and 12 of the Rules, the Panel may, at its sole discretion, accept or consider additional unsolicited submissions.

Accordingly, the supplemental submissions are admitted and considered in full by the Panel.

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 Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Panel finds that it is unnecessary to consider this element in view of its conclusion under the third element below.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that the respondent registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant (the owner of the trademark or service mark) or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the respondent 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 the respondent has engaged in a pattern of such conduct; or
- (iii) circumstances indicating that the respondent registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the respondent is using the domain name to intentionally attempt to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on its website or location.

The Complainant's position is that the Respondent targeted the Complainant in registering the disputed domain name, and that specifically, the Respondent registered the disputed domain name after learning of the publication of the Complainant's trademark application on the United States Patent and Trademark Office "USPTO" database in order to extort the Complainant under Paragraph 4(b)(i) of the Policy.

The Panel is of the opinion that the evidence in the records as presented does not indicate that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainant's trademark.

While the Complainant filed its trademark application for the FINSURE mark on February 8, 2022, the trademark was not registered until January 21, 2025, more than two years later. Moreover, the Complainant did not start using the mark until July 31, 2023, by which point the Respondent had already held the registration for the disputed domain name for more than six months. It is well established that, under U.S. trademark law, a trademark application alone does not grant enforceable rights. Trademark protection arises only upon registration or, alternatively, through the acquisition of distinctiveness based on prior use in commerce. In this case, the Complainant has neither demonstrated any common law rights predating the Respondent's registration of the domain name, nor provided evidence that its trademark was well-known at the relevant time.

The Panel further notes that the term "finsure" appears to be a neologism resulting from the fusion of the common terms "finance" and "insurance." While not a dictionary word, it is linguistically constructed in a manner that lends itself to generic or descriptive interpretations in the context of financial or insurance-related services. This type of coined term, often referred to as a "portmanteau," may possess inherent value and commercial appeal independent of any specific trademark significance. As outlined in section 2.10.1 of the [WIPO Overview 3.0](#), a respondent may have a legitimate interest in registering a domain name composed of a descriptive or semi-descriptive term, particularly when the term has not yet acquired distinctiveness and is not used in a manner targeting the complainant.

The Complainant suggests that the Respondent decided to register the disputed domain name after learning of the publication of the Complainant's trademark application. While this is not completely implausible, the Panel finds that it would be extremely unlikely, as this scenario also calls for the disputed domain name to have happened to come up for auction a mere ten days after the publication date, and for the Respondent to have obtained it in the hope that the Complainant would later seek to buy it from the Respondent if the FINSURE mark became registered and the Complainant commenced use of the mark. Rather, the simpler and more likely explanation is that the Respondent, a business that buys and sells domain names, saw that the disputed domain name was available for purchase on public action, and purchased it, considering its investment potential. Indeed, based on the evidence submitted by the Respondent, the term "finsure" has been used by a number of businesses in various sectors from well before the registration of the disputed domain name and even the establishment of the Complainant's business. Based on this, it seems likely that the term itself has perceived value which was the motivation for the Respondent to obtain the disputed domain name. Besides, records indicate that the disputed domain name came up for auction at its expiration, and therefore there was no correlation between the date of publication of the Complainant's trademark application and the date of registration of the disputed domain name.

Based on the above, the Panel finds no evidence that the Respondent registered the disputed domain name in bad faith under Paragraph 4(b)(i) of the Policy, nor any other basis for finding bad faith on the part of the Respondent, and accordingly, the Panel finds the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the 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 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. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.0](#), section 4.16.

Here, records show that the Complainant reached out to the Respondent and offered up to USD 50,000 for purchase of the disputed domain name. Such a substantial offer would be unlikely if the Complainant considered the Respondent to have targeted its mark in registering the disputed domain name like it claimed in the Complaint and it were confident in the chances of success in a UDRP proceeding. Based on the facts, the Panel is of the view that the Complainant attempted to purchase the disputed domain name from the Respondent as it was fully aware that it could not succeed as to the bad faith element required to succeed in a UDRP proceeding and only filed the Complaint when it judged the negotiations to be unsuccessful.

This conduct is consistent with findings in *Gold Coast Tourism Corporation Ltd. v. Digimedia.com L.P.*, WIPO Case No. [D2013-1733](#), where the panel held that the complainant's use of the UDRP as a fallback strategy, following unsuccessful negotiations to acquire the domain, constituted an abuse of process and amounted to Reverse Domain Name Hijacking. The panel emphasized that such use of UDRP proceedings to pressure a domain name holder after failed commercial attempts is an improper use of the administrative mechanism. Therefore, the Panel finds that the Complaint was brought in bad faith, in an attempt at Reverse Domain Name Hijacking, and constitutes an abuse of the administrative proceeding.

7. Decision

For the forgoing reasons, the Complaint is denied. Moreover, the Panel finds that the Complaint has been brought in bad faith and constitutes an attempt at Reverse Domain Name Hijacking.

/Kathryn Lee/
Kathryn Lee
Presiding Panelist

/Nathalie Dreyfus/
Nathalie Dreyfus
Panelist

/Andrew D. S. Lothian/
Andrew D. S. Lothian
Panelist
Date: June 2, 2025