

ADMINISTRATIVE PANEL DECISION

Scribd, Inc. v. Kıvanç Soydan
Case No. D2025-1621

1. The Parties

The Complainant is Scribd, Inc., United States of America ("United States"), represented by IPLA, LLP, United States.

The Respondent is Kıvanç Soydan, Türkiye.

2. The Domain Name and Registrar

The disputed domain name <scribdownloader.com> is registered with Name.com, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 22, 2025. On April 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 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 (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 24, 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 April 29, 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 May 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 22, 2025.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on May 26, 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

The following facts are undisputed.

The Complainant is a Delaware (United States) corporation which owns and operates the domain name <scribd.com> which leads to a website with over 1,950,000 paying subscribers. According to publicly available information, Scribd.com is an online platform that provides access to millions of digital books, audiobooks, magazines, documents, and more. It functions as a subscription-based service, similar to a digital library, where members can read and listen to unlimited content while their subscription is active. Moreover, the Complainant operates an audiobook app, EVERAND, which is both successful in the Apple app store and the Google Play store.

The Complainant conducts its operation under the SCRIBD trademark, which has been registered in many jurisdictions worldwide, including the United States trademark (word) SCRIBD with No. 3777227, registered on April 20, 2010 for classes 9, 35, 38 and 42 and the United States trademark (word) SCRIBD with no. 5898302 registered on October 29, 2019 for classes 9, 35, 38 and 42.

These trademark registrations predate the registration of the disputed domain name.

The disputed domain name was registered on March 16, 2024 and resolves to a website which offers a “downloader” tool. The website to which the disputed domain name leads mentions as follows: “a tool built specially for students in need, unlocks all the books and audiobooks on Scribd for free with Scribd audiobook downloader online free, even without a membership” and “benefit from Scribd Downloader Online Free Tool”. The Complainant also filed evidence showing that, when the disputed domain name is accessed through a protected software environment, it is blocked as unsafe by Microsoft.

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 the following.

The Complainant has continuously used, and owned trademark registrations for the SCRIBD trademark in connection with its computer software goods and services since at least as early as 2009.

The disputed domain is identical or confusingly similar to the Complainant’s registered trademarks because the disputed domain name contains the SCRIBD trademark and incorporates it in its entirety, differing by only one added letter “c”. The slight misspelling of the Complainant’s SCRIBD trademark by adding the letter “c” in the middle of “scribd” is a classic example of typosquatting, and only requires a user to accidentally strike the “c” key twice in a row. Moreover, a minor addition to or a common misspelling of a complainant’s trademark is insufficient to avoid confusion.

Moreover, the addition of a descriptive term such as “downloader” does not distinguish the disputed domain name from the Complainant’s SCRIBD trademark. Further, adding descriptive terms creates stronger ties to the Complainant’s SCRIBD trademark.

Furthermore, the Respondent has no rights or legitimate interests with respect to the disputed domain name. The Respondent is not commonly known by the disputed domain name. The Complainant is not aware of any trademark rights, domain name rights or other rights that the Respondent has relating to the SCRIBD trademark. The Respondent has no license, permission, or authorization to use the disputed domain name.

The disputed domain name alleges to offer a tool to download the Complainant's content without proper compensation. Such use does not represent a legitimate or bona fide offering of goods or services.

The disputed domain name has been registered in bad faith. The disputed domain name was registered solely to create the impression to provide access to the Complainant's content for free by acting as a proxy. Such use indicates that the Respondent was well aware of the Complainant and the SCRIBD trademarks.

Moreover, the Respondent intended to profit from and/or harm the Complainant's SCRIBD trademark and reputation when registering the disputed domain name with the sole purpose of capitalizing on the Internet users traffic intended for the Complainant's website.

Moreover, the disputed domain name was registered in bad faith because the Respondent knew of the Complainant's SCRIBD trademark rights and purposely added the term "downloader" to redirect traffic away from the Complainant's own website and lure consumers to its website on the pretext of circumventing the Complainant's subscription requirements, such as payment. Accordingly, the Respondent's use of the disputed domain name for illegal activity constitutes bad faith.

B. Respondent

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

6. Discussion and Findings

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 Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here downloader, may bear on assessment of the second and third elements, the Panel finds the addition of such term and an additional "c" within the Complainant's trademark does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.8.

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 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 3.0](#), 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 use of the Complainant's trademark to purportedly offer free download of the Complainant's paid subscription content does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Panels have held that the use of a domain name for illegal activity here, alleged and not rebutted unauthorized access to the Complainant's protected content, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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

C. Registered and Used in Bad Faith

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

In the present case, the Panel finds that, given the reference to the Complainant's services on the website to which the disputed domain name resolves, and the fact that the disputed domain name incorporates a misspelling of the Complainant's trademark, it is beyond any doubt that the Respondent has been aware of the existence of the Complainant and its trademark when registering the disputed domain name.

The Respondent used the disputed domain name providing alleged access to the Complainant's paid subscription content and hereby targeting the Complainant by giving Internet users the impression that they would be able to access the Complainant's content without subscription or payment. Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1. Panels have held that the use of a domain name for illegal activity, here alleged and not rebutted unauthorized access to the Complainant's protected content, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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

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 <scscribdownload.com> be transferred to the Complainant.

/Willem J. H. Leppink/

Willem J. H. Leppink

Sole Panelist

Date: June 4, 2025