

ADMINISTRATIVE PANEL DECISION

Pepperstone Operations Pty Ltd v. Georgii Islamov
Case No. D2025-2559

1. The Parties

The Complainant is Pepperstone Operations Pty Ltd, Australia, represented by IntegriShield, United States of America.

The Respondent is Georgii Islamov, Germany.

2. The Domain Name and Registrar

The disputed domain name <pepperstone.finance> (“Disputed Domain Name”) is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 1, 2025. On July 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 1, 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 (Domain Administrator, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 2, 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 July 10, 2025.

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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 6, 2025.

The Center appointed Ganna Prokhorova as the sole panelist in this matter on August 18, 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 Complainant is a well-known provider of financial services, specializing in online trading (foreign exchange, CFDs, and related financial products). Founded in 2010 in Melbourne, Australia, the Complainant has grown into a global financial services company.

The Complainant operates its official website at “www.pepperstone.com” and has used the PEPPERSTONE name and mark in commerce since at least 2015. The Complainant is the owner of numerous trademark registrations for the name PEPPERSTONE in various jurisdictions, including International Trademark Registration No. 1263493 for PEPPERSTONE, registered on July 16, 2015, in Class 36 and covering Germany, in particular.

The Disputed Domain Name was registered on February 16, 2025. At the time the Complaint was filed, it resolved to an active website displaying the Complainant’s logo in the top-left corner, together with the slogan “Financial independence together with Pepperstone”. The website was presented in English and purported to offer financial services. By the time of this Decision, the Disputed Domain Name resolves to a pay-per-click (“PPC”) parking page.

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:

(1) the Disputed Domain Name is confusingly similar to the Complainant’s trademark. The Complainant has conducted business under its trademark PEPPERSTONE since 2015, thereby establishing its brand in the financial and lending industry. The Disputed Domain Name reproduces the Complainant’s mark and is used for a financial ecommerce business in the same industry. The Disputed Domain Name was registered well after the Complainant had built its financial ecommerce brand. This use creates confusion for consumers seeking the Complainant’s legitimate services;

(2) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name. The Respondent has not been commonly known by the mark PEPPERSTONE, nor has it acquired any trademark or service mark rights in that name. Instead, the Respondent is using the Disputed Domain Name to operate a financial ecommerce website that misleads consumers seeking the Complainant’s services. Such use cannot confer any rights or legitimate interests.

(3) The Disputed Domain Name was registered and is being used in bad faith. It was registered after the Complainant had established its financial business under the PEPPERSTONE mark. The Respondent uses the Disputed Domain Name to attract Internet users for commercial gain by creating confusion as to affiliation with the Complainant. The site replicates the Complainant’s branding and logo, and links to the Complainant’s own YouTube channel, further evidencing bad faith.

Based on the above grounds, the Complainant requests that the Disputed Domain Name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on the Complainant to make out its case and it is apparent, both from the terms of the Policy and the decisions of past UDRP panels, that the Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer the Disputed Domain Name. In UDRP cases, the standard of proof is the balance of probabilities.

To succeed in a UDRP complaint, the Complainant has to demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, 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 has been registered and is being used in bad faith.

The Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules. Even if the Respondent has not replied to the Complainant's contentions, the Complainant still bears the burden of proving that all these requirements are fulfilled. Concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in the Complaint as true. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistent with the consensus views captured therein.

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 3.0](#), section 1.7.

The Panel finds that the Complainant has established rights in the PEPPERSTONE mark. The Complainant has demonstrated ownership of a valid trademark registration for PEPPERSTONE in numerous jurisdictions including Germany, where the Respondent resides. This satisfies the threshold requirement that the Complainant have a protectable trademark right. Under UDRP jurisprudence, a trademark registration is prima facie evidence of rights in the mark. [WIPO Overview 3.0](#), section 1.2.1.

The Disputed Domain Name is identical to the Complainant's PEPPERSTONE mark. The Disputed Domain Name incorporates the Complainant's mark PEPPERSTONE in its entirety, without alteration or misspelling. The only addition is the generic Top-Level Domain (gTLD) ".finance", which is typically disregarded in the assessment under the first element. [WIPO Overview 3.0](#), section 1.11.

Accordingly, 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.

In this case, the Complainant has made a prima facie showing that the Respondent lacks any rights or legitimate interests in the Disputed Domain Name. There is no evidence that the Respondent owns any trademark or business name corresponding to “Pepperstone”.

Moreover, when the gTLD is descriptive or relates to terms associated with the complainant (such as, as the case may be with “.finance”), it is generally accepted that the respondent’s selection of such gTLD would tend to support a finding that the respondent obtained the domain name to take advantage of the complainant’s mark and as such that the respondent lacks rights or legitimate interests in the domain name. [WIPO Overview 3.0](#), section 2.14. Hence, the Panel believes that the “.finance” gTLD of the Disputed Domain Name is particularly likely to support an absence of rights or legitimate interests.

Furthermore, the nature of the Respondent’s use of the Disputed Domain Name is not bona fide. The Respondent has been using the Disputed Domain Name to host a website, which copies the Complainant’s branding and offers services overlapping with the Complainant’s offerings. Having carefully learned the provided evidence, the Panel believes that the website was designed to deceive users into believing it was an official site of the Complainant, presumably for the Respondent’s own commercial gain. UDRP panels have consistently held that using a domain name to impersonate a complainant or suggest sponsorship or endorsement by a complainant does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. See [WIPO Overview 3.0](#), section 2.5.

The Respondent also does not qualify for any of the other safe-harbor examples of rights or legitimate interest set out in Paragraph 4(c) of the Policy. There is no evidence that the Respondent is making a legitimate noncommercial or fair use of the Disputed Domain Name. To the contrary, the evidence indicates a commercial motive attracting users for financial services sign-ups or investments. The Respondent’s intent appears to be to trade on the Complainant’s goodwill. The composition of the Disputed Domain Name (the identical trademark plus the gTLD “.finance”) and the content of the website strongly suggest the Respondent sought to create a false association with the Complainant for profit. Such behavior negates any claim to legitimacy.

Since the Complainant’s prima facie case has not been rebutted by the Respondent, who failed to respond, the Panel has no evidence before it to support any rights or legitimate interests on the part of the Respondent. As noted in [WIPO Overview 3.0](#), section 2.1, once a complainant makes a prima facie case, the burden of production shifts to the respondent. Here, the Respondent’s silence leaves the Complainant’s allegations undisputed.

Accordingly, 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 notes that the Respondent registered the Disputed Domain Name long after the Complainant had established and registered its PEPPERSTONE trademark. Furthermore, the gTLD “.finance” of the Disputed Domain Name directly relates to the Complainant’s sector, reinforcing the conclusion that the Respondent deliberately targeted the Complainant. Given the composition of the Disputed Domain Name, the Respondent could not credibly have been unaware of the Complainant’s rights. See [WIPO Overview 3.0](#), section 3.2.2.

The Respondent has used the Disputed Domain Name for a website impersonating the Complainant, displaying its logo and branding and even linking to the Complainant’s YouTube channel. Such use demonstrates an intentional attempt to attract Internet users for commercial gain by creating a likelihood of confusion, which is evidence of bad faith under paragraph 4(b)(iv) of the Policy.

The Respondent has provided no explanation or evidence of any good-faith use. Panels have consistently found that the absence of any credible explanation or rebuttal supports a finding of bad faith. See [WIPO Overview 3.0](#), section 4.3. Accordingly, the Panel finds that the Disputed Domain Name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

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

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 <pepperstone.finance> be transferred to the Complainant.

/Ganna Prokhorova/

Ganna Prokhorova

Sole Panelist

Date: August 28, 2025