

ADMINISTRATIVE PANEL DECISION

Spectra Holdings, LLC v. Samuel Freelancer
Case No. D2025-3236

1. The Parties

Complainant is Spectra Holdings, LLC, United States of America (“United States” or “U.S.”), represented by Adams and Reese LLP, United States.

Respondent is Samuel Freelancer, United States.

2. The Domain Name and Registrar

The disputed domain name <spectracapitalbank.com> is registered with Cosmotown, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 12, 2025. On August 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 16, 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 (Private Whois) and contact information in the Complaint. The Center sent an email communication to Complainant on August 18, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on the same day.

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 Respondent of the Complaint, and the proceedings commenced on August 22, 2025. In accordance with the Rules, paragraph 5, the due date for response was September 11, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 15, 2025.

The Center appointed Bradley A. Slutsky as the sole panelist in this matter on September 25, 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

Complainant is a limited liability company incorporated in the Commonwealth of Puerto Rico, with its headquarters in San Juan, Puerto Rico. Established as a specialized commercial real estate debt asset management company, Complainant provides, inter alia, capital investment services, fund investment and management services, mortgage lending and financing services, mortgage brokerage services, and commercial lending services. These services are offered to accredited investors and borrowers worldwide through three U.S. locations and online.

Complainant has registered the following United States trademarks:

Mark	Goods/Services	Jurisdiction	Reg. No.	Registration Date
SPECTRA	Investment management in the fields of mortgage loans etc.	U.S.	7,509,188	September 17, 2024
SPECTRA CAPITAL	Capital investment services etc.	U.S.	7,393,180	May 21, 2024
SPECTRA LENDING	Financial services, namely, money lending etc.	U.S.	7,393,181	May 21, 2024

These marks have been in use since at least 2023. Complainant promotes its services through a number of websites including <spectra.holdings>, <spectracapital.com>, and <spectralending.com>, as well as through social media platforms such as LinkedIn, Instagram, and X.

Respondent is Samuel Freelancer of Seattle, Washington, United States. The disputed domain name, <spectracapitalbank.com>, was registered on June 24, 2025, through Cosmotown, Inc. The domain resolves to a website for Spectra Capital Bank and purports to offer financial services including online banking, loans, and brokerage services. The site includes a registration portal requesting account credentials and a contact page soliciting name, email, and phone number, among other information. The site lists a United Kingdom address for Spectra Capital Bank.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that the disputed domain name is identical or confusingly similar to its registered trademarks, which are used in connection with Complainant's services. Complainant notes that the disputed domain name wholly incorporates its SPECTRA and SPECTRA CAPITAL marks, and that the addition of the generic term "bank" does not diminish (but rather exacerbates) the confusing similarity.

Complainant further maintains that Respondent has no rights or legitimate interests in the disputed domain name, that Respondent is not affiliated with, licensed by, or authorized to use Complainant's marks, and that there is no evidence that Respondent is commonly known by the name "Spectra Capital Bank" nor is Respondent making any bona fide offering of goods or services under that name. Instead, Complainant asserts that Respondent has used the disputed domain name to host a website that uses Complainant's marks and advertises financial services that directly compete with those offered by the Complainant.

Complainant also alleges that Respondent's website is a sham – designed to mislead consumers and lend legitimacy to a fraudulent operation. Complainant asserts that much of the site's content appears to be copied from other suspicious websites that are linked to known scam entities. Complainant further asserts that Respondent's website includes features such as account login prompts and contact forms that solicit personal information, suggesting that the disputed domain name is being used to facilitate phishing attacks. Complainant alleges that Respondent was aware of Complainant's marks and is using them to lend legitimacy to this allegedly fraudulent website. Complainant concludes that Respondent's actions are intended to disrupt Complainant's business and mislead consumers for commercial gain. Based on the foregoing, Complainant argues that the disputed domain name was registered and is being used in bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Pursuant to paragraph 15(a) of the Rules, a panel in UDRP proceedings "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".

Under paragraph 4(a) of the Policy, Complainant must prove the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) 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.

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 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.

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 SPECTRA and SPECTRA CAPITAL marks are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to these marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of another term (here, bank) may bear on assessment of the second and third elements, the Panel finds the addition of such term 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](#), section 1.8. The addition of the ".com" generic Top-Level Domain ("gTLD") also does not avoid confusing similarity. The gTLD in a domain name "is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test." [WIPO Overview 3.0](#), section 1.11.1. The disputed domain name thus is confusingly similar to Complainant's marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

“Any of the following circumstances, in particular but without limitation, if found by the Panel to be proved based on its evaluation of all evidence presented, shall demonstrate [Respondent’s] rights or legitimate interests to the domain name[s] for purposes of paragraph 4(a)(ii):

(i) before any notice to [Respondent] of the dispute, [Respondent’s] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or

(ii) [Respondent] (as an individual, business, or other organization) [has] been commonly known by the [disputed] domain name, even if [Respondent has] acquired no trademark or service mark rights; or

(iii) [Respondent is] making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue”. Policy, paragraph 4(c).”

Although the overall burden of proof in UDRP proceedings is on 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 Respondent. As such, where a complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

There is no evidence that Respondent has used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services, or has been commonly known by the disputed domain name, or is making a legitimate noncommercial or fair use of the disputed domain name.

The evidence submitted by Complainant and not rebutted by Respondent indicates that Respondent purports to be offering financial services that directly compete with those of Complainant, but in fact is conducting a scam operation to obtain money and/or personal information from unsuspecting consumers who are lured in by the reputation associated with Complainant’s marks. Complainant also avers (and Respondent does not contest) that “Respondent has never been authorized by Complainant to register or use Complainant’s Spectra Marks or to apply for or use any domain name incorporating the Spectra Marks.” Such use does not constitute a bona fide offering of goods or services, nor legitimate noncommercial or fair use. See [WIPO Overview 3.0](#), section 2.13.1 (“Panels have categorically held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or illegal pharmaceuticals, phishing, distributing malware, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent.”); see also *Spectra Holdings, LLC v. Benny King*, WIPO Case No. [D2025-1475](#) (finding no rights or legitimate interests where the respondent’s website used Complainant’s marks to advertise competing financial services and collect user data); *New York University v. Name Redacted*, WIPO Case No. [D2025-1994](#) (“The Respondent’s use of the disputed domain name to resolve to a website offering sham education services does not create any rights or legitimate interests in the disputed domain name.”); *JJA v. Forest Paul*, WIPO Case No. [D2025-0477](#) (finding no rights or legitimate interests

where (1) the respondent was not affiliated with the complainant or authorized or licensed to use the complainant's trademark or register a domain name incorporating the complainant's trademark, (2) "[t]he disputed domain name resolves to a website that impersonates the Complainant by reproducing its trademark and copyrighted content while offering similar products, (3) the domain name was used for illegal activity (impersonation / passing off), and (4) the domain name creates a risk of implied affiliation, sponsorship, and/or endorsement").

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. Specifically, "the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

(i) circumstances indicating that [Respondent has] registered or [Respondent has] acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of [Respondent's] documented out-of-pocket costs directly related to the domain name; or

(ii) [Respondent has] 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 [Respondent has] engaged in a pattern of such conduct; or

(iii) [Respondent has] registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, [Respondent has] intentionally attempted to attract, for commercial gain, Internet users to [Respondent's] 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 [Respondent's] website or location or of a product or service on [Respondent's] website or location." Policy, paragraph 4(b).

Given that the scenarios described in UDRP paragraph 4(b) are non-exclusive and merely illustrative, even where a complainant may not be able to demonstrate the literal or verbatim application of one of the above scenarios, evidence demonstrating that a respondent seeks to take unfair advantage of, abuse, or otherwise engage in behavior detrimental to the complainant's trademark would also satisfy the complainant's burden. [WIPO Overview 3.0](#), section 3.1.

In the present case, the Panel notes that the disputed domain name incorporates Complainant's registered trademarks SPECTRA and SPECTRA CAPITAL and resolves to a website offering financial services that are identical or closely related to those of Complainant. Further, the available evidence – unrebutted by Respondent – indicates that Respondent's website is a scam operation designed to collect money and/or personal information from consumers who were expecting to find Complainant's legitimate business. Given Complainant's trademark registrations, domain name portfolio, and online presence, and given Respondent's use of the disputed domain name to create and maintain a website purporting to offer the same or similar services as Complainant, it is implausible that Respondent was unaware of Complainant at the time of registration. The deliberate use of Complainant's marks to attract Internet users to a deceptive website constitutes bad faith under paragraphs 4(b)(iii) and 4(b)(iv) of the Policy. See *Spectra Holdings, LLC v. Benny King, supra* ("Respondent's use of the disputed domain name was intended to attract and mislead Internet users searching for the Complainant's website and to direct them to a website from which the Respondent most probably derives commercial revenue by creating a likelihood of confusion with the Complainant's trademark. Such use constitutes bad faith under the paragraph 4(b)(iv) of the Policy.");

[WIPO Overview 3.0](#), section 3.1.4 (“given that the use of a domain name for per se illegitimate activity such as the sale of counterfeit goods or phishing can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith.”).

Accordingly, the Panel finds that 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 <spectracapitalbank.com> be transferred to Complainant.

/Bradley A. Slutsky/

Bradley A. Slutsky

Sole Panelist

Date: October 9, 2025