

ADMINISTRATIVE PANEL DECISION

Questrade, Inc. v. John Deecon, TrafficDomains INC
Case No. D2025-3544

1. The Parties

The Complainant is Questrade, Inc., Canada, represented internally.

The Respondent is John Deecon, TrafficDomains INC, Malaysia.

2. The Domain Name and Registrar

The disputed domain name <questrads.biz> is registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 2, 2025. On September 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 3, 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 (Respondent Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 8, 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 September 8, 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 September 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 1, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on October 6, 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 Canadian online brokerage and wealth management firm, established in 1999. According to its website, it currently has USD 50 billion in assets under administration.

The Complainant is the owner of the Canadian trademark QUESTRADE with registration No. TMA647490, applied for on August 21, 2002, and registered on September 7, 2005, for services in International Classes 36, 38 and 42, with claimed first use as of June 1, 2000 (the “QUESTRADE trademark”).

The Complainant operates its official website at the domain name <questrade.com>.

The disputed domain name was registered on August 25, 2025. It resolves to a website that offers escape rooms entertainment provided by a business that the website refers to as “Rading Quest”, “Quest Rading”, “Quest Rading Canada” or “Escape Quest Rading”, and an email address set up at a different domain name. The website also indicates a physical address located on the same street in Toronto, Canada, where the Complainant is located.

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.

The Complainant states that the disputed domain name is confusingly similar to its QUESTRADE trademark, because it almost wholly incorporates it.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is a scammer who has created a false website through the usage of artificial intelligence (“AI”) and offers non-existent services to get verification by Google of the website at the disputed domain name with an intent to later initiate an ad campaign with phishing content targeting the Complainant’s clients. The Complainant notes that the Respondent has no rights under the QUESTRADE trademark and has never been commonly known by the name “Questrade”.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. According to it, the website at the disputed domain name is offering non-existent services, being wholly created through AI, without real contact information or a verifiable physical address of where its alleged services (escape rooms) are provided. The Complainant maintains that the Respondent is not an unrelated individual coincidentally registering a generic term for a legitimate business, but passively holds the disputed domain name expecting it to be validated and turned into an ad on Google with the intent to make it an active phishing hub. The Complainant notes that the passive holding of a domain name that is identical to a well-known trademark can be considered bad faith use, especially when coupled with the strength of the complainant’s trademark, the registrant’s use of false information with the intent to lure people, the failure to provide evidence of any good faith use or preparations for such use, and the general implausibility of any legitimate use by the registrant.

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 the QUESTRADE trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the QUESTRADE trademark is recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.7. As also discussed in section 1.9 of the [WIPO Overview 3.0](#), a domain name that consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. Here, the "questrads" element of the disputed domain name appears as an obvious misspelling of the Complainant's QUESTRADE trademark, and the Respondent has not provided any arguments why it should be regarded otherwise. Accordingly, the disputed domain name is confusingly similar to the QUESTRADE trademark for the purposes of the Policy.

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

B. Rights or Legitimate Interests and Bad Faith

In the present case, the Panel considers that the relevant facts and circumstances would benefit from a joint discussion of the second and the third elements of the Policy. [WIPO Overview 3.0](#), section 2.15.

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 disputed domain name appears as a confusingly-similar misspelling of the Complainant's QUESTRADE trademark, and the Respondent has not provided any plausible explanation about its composition and intended use, considering also that the name of the business advertised on its website is indicated there in different variations neither of which coincides with the disputed domain name.

The address of the Respondent provided to the Registrar includes the name of a city in Poland but indicates Malaysia, while the physical address indicated on the website at the disputed domain name is on the same street in Toronto as the address of the Complainant. There is no explanation of these discrepancies by the Respondent, and its contact details appear to be false, rather than pertaining to a real business in a concrete physical location, as would be expected of an entity offering escape room experiences.

The Complainant maintains that the Respondent's website is created by AI and that the Respondent does not actually offer any escape room services. These contentions of the Complainant have not been denied by the Respondent, and the same has not provided any evidence that it indeed offers the advertised services in Toronto or anywhere else. The Panel used several different online checkers for AI-generated content¹, and all of them returned a result that the text on the website at the disputed domain name is AI-generated.

Considering the above, the Panel concludes that it is more likely than not that the Respondent had knowledge of the Complainant when registering the disputed domain name and targeted with it the Complainant's QUESTRADE trademark in an attempt to exploit the goodwill of this trademark for commercial gain without an intent to carry out any legitimate activities independent of the Complainant's trademark. Such conduct cannot give rise to rights or legitimate interests in the disputed domain name, and supports a conclusion that the disputed domain name was registered and is being used in bad faith.

The Panel therefore finds that the second and third elements of the Policy have 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 <questrads.biz> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: October 9, 2025

¹ These include GPTZero, Copyleaks, Scribber, QuillBot and BrandWell.