

## **ADMINISTRATIVE PANEL DECISION**

Enova International Inc. v. Christina Costa, EffiTools LLC  
Case No. D2025-3578

### **1. The Parties**

Complainant is Enova International Inc., United States of America (“United States”), represented by Squire Patton Boggs (US) LLP, United States.

Respondent is Christina Costa, EffiTools LLC, United States.

### **2. The Domain Name and Registrar**

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

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 4, 2025. On September 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 5, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on September 5, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on September 5, 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 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. Respondent sent an email communication to the Center on September 16, 2025.

The Center appointed Georges Nahitchevsky as the sole panelist in this matter on October 9, 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, Enova International Inc., is a Chicago, Illinois based financial services company. Complainant owns and uses the name and mark ENOVA for its services which consist of personal loans, lines of credit and small business loans. Complainant owns two trademark registrations in the United States for its ENOVA mark (Registration Nos. 4452632 and 4452633), both of which issued to registration on December 17, 2013. Complainant also owns and uses the domain name <enova.com> for a website concerning Complainant and its services.

Respondent, who is based in the United States, registered the disputed domain name on February 18, 2025. At some point thereafter, Respondent used the disputed domain name for a website with the name and title "Enova Data Bank" which purported to provide various services for businesses, including lead generation and marketing strategies, data insights, and merchant cash (cash advances).

On August 6, 2025, Complainant's representative sent Respondent (using the email address on Respondent's website) and the Registrar of the disputed domain name, a demand letter concerning Respondent's use of the ENOVA mark in the disputed domain name and associated website. Respondent does not appear to have responded to that letter. Currently, Respondent's website at the disputed domain names is no longer accessible.

#### **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 it has rights in the ENOVA mark by virtue of its use of the mark since 2011 and by virtue of its trademark registrations for the ENOVA mark. Complainant also contends that it is a market leader in consumer loans and thus enjoys a strong reputation in the relevant industry.

Complainant asserts that the disputed domain name is confusingly similar to its trademark as it fully incorporates the ENOVA mark with the non-distinctive descriptive terms "data" and "bank".

Complainant asserts that Respondent does not have rights or legitimate interests in the disputed domain name as Respondent (i) has received no authorization or permission from Complainant to use the ENOVA mark, (ii) has no basis for claiming rights in ENOVA, and (iii) has used the ENOVA mark, which has been in use for over thirteen years by Complainant, for Respondent's benefit.

Lastly, Complainant argues that Respondent has registered and used the disputed domain name in bad faith as Respondent is using the disputed domain name to attract and redirect Internet users to Respondent's website that features the ENOVA mark with a logo that is similar to a logo owned by Complainant to promote its various services including cash advances to business owners. In that regard, Complainant contends that Respondent is attempting to pass itself off as connected to Complainant to sell its alleged services for Respondent's benefit and/or to collect personal information from potential victims believing they are interacting with Complainant.

## **B. Respondent**

Respondent did not formally reply to Complainant's contentions. Respondent, however, sent the Center an email on September 16, 2025, in which Respondent asserted that "this domain is being used for a completely different marketing purpose and has nothing to do with the word 'bank' or any other financial institution". Respondent also noted in the email that the website at the disputed domain name was "now ranking better than the first time".

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (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 was registered and is being used in bad faith.

### **A. Identical or Confusingly Similar**

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)") at section 1.7. Complainant has provided evidence that it owns trademark registrations for the ENOVA mark and that such issued to registration well before Respondent registered the disputed domain name.

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 a complainant's trademark and the disputed domain name.

Here, the disputed domain name fully incorporates the ENOVA mark at the head of the disputed domain name. Although the addition of the descriptive terms "data" and "bank" at the tail of the disputed domain name may bear on the 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 ENOVA mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel thus finds that 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 a 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 that 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.

Here, the disputed domain name's composition looks to be referring to Complainant as it contains Complainant's ENOVA mark associated with the terms "data" and "bank" which are related to Complainant's activity. The website at the disputed domain name includes a circular logo that is reminiscent of the logo used by Complainant and the ENOVA name and mark is displayed in significantly larger font and size than the words "data bank". While Respondent's website purports to offer several services that do not appear to be offered by Complainant, Respondent's website does claim to offer cash advances to business owners, a service that Complainant offers and is known for. Thus, in all, it appears more likely than not that the disputed domain name and associated website may likely mistakenly be seen by consumers as related to Complainant and its services or at the very least be seen as a new offering by Complainant. Such use of the disputed domain name to promote Respondent's services, including services that directly compete with Complainant, for Respondent's benefit is not legitimate. [WIPO Overview 3.0](#), section 2.5.3.

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.

Given that Respondent has used the disputed domain name to attract and redirect web users to Respondent's website to offer services that include competing loan services to businesses, it appears that Respondent's actions have been done opportunistically and in bad faith. The website at the disputed domain name emphasizes the ENOVA mark and includes a logo that is arguably similar to Complainant's circular logo, thus suggesting that Respondent was aware of Complainant when Respondent registered and started using the disputed domain name to promote its services. This is reinforced by the composition of the disputed domain name which contains the Complainant's ENOVA mark with the terms "data" and "bank" which are related to Complainant's activity. Indeed, Respondent's admission in its September 16 email to the Center that the website at the disputed domain name is "now ranking better than the first time" further suggests that use of the ENOVA name and mark in the disputed domain name, which has been in use since 2011, has benefited Respondent.

The Panel thus 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 <enovadatabank.com> be transferred to Complainant.

*/Georges Nahitchevansky/*

**Georges Nahitchevansky**

Sole Panelist

Date: October 23, 2025