

ADMINISTRATIVE PANEL DECISION

Modulus Financial Engineering, Inc. v. Michelle Black, EasyCreatine
Case No. D2025-3951

1. The Parties

The Complainant is Modulus Financial Engineering, Inc., United States of America (“United States”), represented by Jaburg & Wilk, P.C., United States.

The Respondent is Michelle Black, EasyCreatine, United States.

2. The Domain Name and Registrar

The disputed domain name <modulusai.app> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 28, 2025. On September 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 29, 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 (Unknown Respondent / Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 30, 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 30, 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 October 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 23, 2025. At the Respondent’s request, the due date for Response was extended under the Rules, paragraph 5(b), until October 27, 2025. A third party sent email communications to the Center on October 21, October 23, and October 24, 2025. Accordingly, the Center notified the parties about the commencement of panel appointment process on October 30, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on November 3, 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 corporation organized under the laws of the State of Arizona and headquartered in Scottsdale, Arizona, United States. The Complaint describes the Complainant's business by reference to its trademark registrations, which indicate that the Complainant offers "software and technology services, including artificial intelligence applications for finance, healthcare, science, aerospace, defense, and other standard AI domains", under the MODULUS and MODULUS AI marks.

The Complaint does not mention the Complainant's websites, but the Panel notes that the Complainant operates apparently identical websites at "www.modulusglobal.com" and "www.modulus.ai" (the "Complainant's Websites"). These websites advertise the Complainant's information technology consulting services, particularly in artificial intelligence and "ultra high performance ["HPC"] computing" since 1997. This business must have commenced under the auspices of a predecessor entity, as the online database of the Arizona Corporation Commission shows that the Complainant was formed on April 28, 2004¹.

The Complainant holds the following United States trademark registrations:

Mark	Registration No.	Registration Date	International Class(es)
MODULUS (word)	4755560	June 16, 2015	9 and 42
MODULUS AI (word)	7360459	April 16, 2024	42

The Complainant's Websites list many well-known clients (including NASA, Microsoft, Goldman Sachs, The University of Chicago, and the NASDAQ Stock Market), as well as news and media features.

The disputed domain name was created on August 6, 2025, and is registered to the Respondent Michelle Black, listing the organization EasyCreatine, a postal address in the State of Texas, United States, and a Gmail contact email address.

At the time of this Decision, the disputed domain name resolves to a landing page with a "Website Suspended" message. Screenshots of the website to which the disputed domain name formerly resolved (the "Respondent's Website") show that it was headed "Modulus", followed by "Private AI on your data". The website advertised an "AI Assistant" software product downloadable from the site, either as a free "demo" or in a full version, to provide "Enterprise-grade AI trained on your business data". The copyright notice was in the name of "AI Assistant Generator", and it does not appear that the website operator was otherwise identified.

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.

¹Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.8.

Notably, the Complainant contends that the disputed domain name is confusingly similar to its MODULUS and MODULUS AI marks. The Complainant asserts that the Respondent has no permission to use those marks, is not known by a corresponding name, and cannot legitimately use the disputed domain name to confuse and divert consumers to a competing site. The Complainant presumes that the Respondent was aware of the Complainant and its marks because the Respondent advertises competing services involving artificial intelligence software. The Complainant argues that this reflects bad faith in attempting to misdirect Internet users for commercial gain and disrupt the business of a competitor.

B. Respondent

The Respondent did not reply to the Complainant's contentions. The Center received emails requesting an extension from a person indicating that the disputed domain name was evidently registered by his son, in the name of the person's wife and his son's company, EasyCreatine. The Center granted an automatic extension, but no substantive Response was submitted.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark (here, the registered word marks MODULUS and MODULUS AI) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the marks are reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the MODULUS AI mark and confusingly similar to the MODULUS mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "ai", the common abbreviation for "artificial intelligence") to the MODULUS mark 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 Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

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.

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.

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 Respondent's Website formerly associated with the disputed domain name purported to offer a "Modulus AI Assistant" software product and customer service, but the Respondent has not come forward to demonstrate that this was a bona fide offering of goods or services or represents demonstrable plans to do so, as envisioned by the Policy, paragraph 4(c)(i). The website did not identify the website operator or feature full ecommerce capabilities for completing purchases, and the Respondent did not submit evidence of sales or preparations for doing business under a corresponding name. [WIPO Overview 3.0](#), section 2.2.

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 the composition of the disputed domain name and the content of the Respondent's Website indicate awareness of the Complainant's MODULUS AI mark in particular. The Panel notes that the term "modulus" is a dictionary word with several meanings in mathematics and physics. An Internet search or a search of the WIPO Global Brand Database reveals that there are numerous "Modulus" companies and trademarks, typically having to do with technology, engineering, or design. Thus, it would be more difficult to infer bad faith targeting of the Complainant, absent other evidence, in the case of a domain name composed of the term "modulus" or incorporating that term combined with other terms unrelated to the Complainant and its business. But in the present case, the disputed domain name is composed of the term "modulus" plus "ai", the abbreviation for "artificial intelligence". MODULUS AI is precisely the Complainant's registered trademark and the Complainant's featured area of specialty. Moreover, the Respondent used the disputed domain name for a website advertising an AI software product and related services, seemingly in competition with similar services available from the Complainant. As discussed in the preceding section, the Respondent's Website did not appear to be complete in terms of finalizing ecommerce features, but it had the appearance of being designed to permit downloads of an AI software product, either in a demonstration version or a paid version.

In light of these facts, the Panel finds it probable that the Respondent was aware of the Complainant and its MODULUS AI mark. The Panel concludes, on balance, that the Respondent registered and uses the disputed domain name in an attempt to attract Internet users for commercial gain by creating confusion with the Complainant's mark (Policy paragraph 4(b)(iv)) and to disrupt the business of a competitor (paragraph 4(b)(iii)). The inference of bad faith in this case is reinforced by the facts that the Respondent did not identify itself on the Respondent's Website and failed to reply to the Complaint in these proceedings.

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 <modulusai.app> be transferred to the Complainant.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: November 17, 2025