

ADMINISTRATIVE PANEL DECISION

Bitcipher Labs LLP v. Vladislav Zaharchuk
Case No. D2025-4083

1. The Parties

The Complainant is Bitcipher Labs LLP, India, represented by Cyril Amarchand Mangaldas, India.

The Respondent is Vladislav Zaharchuk, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <coin-switch-kuber.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 October 7, 2025. On October 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 9, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on October 9, 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 October 14, 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 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 11, 2025.

The Center appointed Mihaela Maravela as the sole panelist in this matter on November 13, 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

According to information in the Complaint, the Complainant is engaged in the business of providing virtual digital asset (“VDA”) exchange aggregator services through its application Coinswitch / Coinswitch Kuber. The Complainant has over 25 million users. The Complainant’s platform enables users to buy, sell and trade a wide range of VDA, and also offers real-time prices and liquidity from other VDA exchanges, enabling users to compare the prices and trade VDAs across various exchanges.

The Complainant is the owner of various registered trademarks for COINSWITCH or COINSWITCH KUBER, such as the Indian trademark no. 5091342 for COINSWITCH registered on August 17, 2021, covering services in class 42, or the Indian trademark no. 5091341 for COINSWITCH KUBER registered on August 17, 2021, covering services in class 42. The Complainant has been using the domain name <coinswitch.co> since 2017 for conducting commercial activities and communicating with consumers.

The disputed domain name was registered on October 10, 2022, and according to information in the Complaint it was used to redirect to a platform operating under the name “ChangeHero”, providing similar VDA services. It currently directs to an error 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 the disputed domain name is identical to the Complainant’s COINSWITCH KUBER trademark as it incorporates the Complainant’s trademark in its entirety and the addition of hyphens does not prevent a finding of confusing similarity.

As regards the second element, the Complainant argues that it has never licensed, authorized / permitted to use, or otherwise granted the Respondent any right to use the COINSWITCH or COINSWITCH KUBER trademarks, or to register any domain name incorporating these marks. There is no business relationship, partnership, joint venture, or other commercial arrangement between the Complainant and the Respondent that would confer any rights or legitimate interests in the disputed domain name. Further, the Complainant submits that the disputed domain name is being used to impersonate the Complainant and create a false impression of affiliation, sponsorship, or endorsement, because when users visit the disputed domain name, they are automatically redirected to the Respondent’s competing VDA exchange platform demonstrating that the disputed domain name serves no legitimate purpose other than to capitalize on consumer confusion. Moreover, the Respondent is not commonly known by the disputed domain name.

With respect to the third element, the Complainant submits that the specialized nature of the services offered by the Complainant, combined with the Complainant’s market leadership and the Respondent’s redirection to a competing service, establishes clear knowledge of the commercial value and distinctiveness of the Complainant’s trademarks. The Respondent’s conduct of using the disputed domain name to intentionally attract Internet users for commercial gain creates confusion with the Complainant’s trademarks.

B. Respondent

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

6. Discussion and Findings

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

Since the Respondent's mailing address is stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue.

Having considered all the circumstances of the case, the Panel is of the view that it should. There is no suggestion before the Panel that notification of the Complaint did not reach the Respondent, for example the notifications sent via the email appear as successfully sent. The Panel also notes that the Complainant has specified in the Complaint that any challenge made by the Respondent to any decision to transfer or cancel the disputed domain name shall be referred to the jurisdiction of the Courts of the location of the principal office of the concerned registrar, in this case, Phoenix, Arizona, the United States of America.

It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant's goodwill in its trademarks.

The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceeding takes place with due expedition the Panel will proceed to a Decision accordingly.

The applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence", and the Panel can draw certain inferences in light of the particular facts and circumstances of the case. See section 4.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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.

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

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The addition of hyphens does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy.

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.

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.

According to unrebutted evidence in the case file, the disputed domain name redirected to a third party website where competing services were offered. The Complainant contends that it has never licensed or otherwise permitted the Respondent to use the trademark COINSWITCH or COINSWITCH KUBER. The Respondent’s use of the disputed domain name in the above circumstances is not in connection with a bona fide offering of goods or services as contemplated by the first circumstance of paragraph 4(c) of the Policy.

Given also the nature of the disputed domain name, that includes the Complainant’s COINSWITCH KUBER trademarks in its entirety with addition of hyphens between each word composing the trademark, and therefore carries a risk of implied affiliation and cannot constitute fair use as it effectively impersonates or suggests sponsorship or endorsement by the Complainant, such use does not confer in the Panel’s view rights or legitimate interests to the Respondent. [WIPO Overview 3.0](#), section 2.5.1.

Also, there is no evidence that the Respondent is commonly known by the disputed domain name in the meaning of the second circumstance of paragraph 4(c) of the Policy. Moreover, the use of the disputed domain name is not a legitimate noncommercial or fair use as contemplated by the third circumstance of paragraph 4(c) of the Policy.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The disputed domain name was registered some years after the Complainant had obtained registration of its COINSWITCH KUBER trademarks. The disputed domain name is confusingly similar to the Complainant’s trademark. The website to which the disputed domain name redirected offered competing products or

services. Under these circumstances, the Panel considers that the Respondent has registered the disputed domain name with knowledge of the Complainant and its trademark and that it targeted that trademark.

As regards the use of the disputed domain name, paragraph 4(b)(iv) of the Policy has direct bearing to the present case: "(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to his website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the said website location or of a product or service on that website location."

The conduct of the Respondent falls under the above provisions. The disputed domain name is confusingly similar to the COINSWITCH KUBER trademark of the Complainant. The website to which the disputed domain name redirected offered services similar to those of the Complainant. Internet users will likely be confused as to the source of the products or services offered on such website.

In the Panel's view, the circumstances of the case represent evidence of registration and use in bad faith of the disputed domain name. The Respondent failed to bring evidence to the contrary.

As regards the fact that the disputed domain name is currently inactive, Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's trademark, the composition of the disputed domain name, and the prior use of the disputed domain name, and finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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 <coin-switch-kuber.com> be transferred to the Complainant.

/Mihaela Maravela/
Mihaela Maravela
Sole Panelist
Date: November 24, 2025