

ADMINISTRATIVE PANEL DECISION

AllSouth Federal Credit Union v. Name Redacted
Case No. D2025-4418

1. The Parties

Complainant is AllSouth Federal Credit Union, United States of America (“United States”), represented by Nelson Mullins Riley & Scarborough LLP, United States.

Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <allsouthunion.credit> is registered with Sav.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 27, 2025. On October 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 28, 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) and contact information in the Complaint. The Center sent an email communication to Complainant on October 29, 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 October 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”).

¹Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted Respondent’s name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on October 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 19, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on November 20, 2025.

The Center appointed Scott R. Austin as the sole panelist in this matter on November 24, 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

Without contest by Respondent, Complainant asserts in its Complaint as amended, and its Annexes attached provide evidence sufficient to support that:

Complainant is a federally chartered credit union in business since 1960 under its predecessor in interest organized under the name "Fort Jackson Federal Credit Union," and since 2004 has provided a range of financial services under the trademarks ALLSOUTH and ALLSOUTH FEDERAL CREDIT UNION (collectively, the "ALLSOUTH Marks").

Complainant claims common law and statutory trademark rights through the use of its ALLSOUTH Marks in connection with financial services, credit union or banking services, including checking and savings accounts, credit card services, online and mobile banking, teller and ATM services, and loan products, including, for example, vehicle loans, personal loans, and home loans and payment processing services. Complainant asserts it has provided its services through 23 locations in the Midlands of South Carolina and served over 100,000 customers worldwide.

Complainant holds trademark registrations for the ALLSOUTH Marks in the United States in connection with Complainant's financial services, including:

- 1) United States Registration No. 2,977,711, ALLSOUTH FEDERAL CREDIT UNION, registered on July 26, 2005, for "financial services, namely credit union services" in International Class 36.
- 2) United States Registration No. 2,977,865, ALLSOUTH FEDERAL CREDIT UNION (and Star Design), registered on July 26, 2005, for "financial services, namely credit union services" in International Class 36.
- 3) United States Registration No. 6,118,269, ALLSOUTH, registered on August 4, 2020, for "credit union services" in International Class 36.

Complainant has also registered a number of domain names that incorporate the ALLSOUTH Marks, including <allsouth.org>, created on October 28, 2003, and used to access the official ALLSOUTH Marks website at "www.allsouth.org" (the "Official ALLSOUTH Mark Website") which Complainant uses to promote its financial and credit union services in connection with the ALLSOUTH Marks.

The disputed domain name was created on August 20, 2025, and as of the date of the filing of the Complaint, was used to redirect consumers to a "copycat" website purported to be and held itself out as the Official ALLSOUTH Mark Website advertising financial services featuring banking and loan services under the ALLSOUTH Marks, including a "Secure Member Login" ("Respondent's Website"). Respondent's Website superficially offers financial services under the ALLSOUTH Marks and also appears to be using Respondent's Website in furtherance of an illegal phishing scheme to collect users' personal and financial information. Subsequent to the filing of the Complaint, Respondent's Website appears to have been deactivated as the disputed domain name currently resolves to an inactive website.

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. Complainant contends that the disputed domain name is identical or confusingly similar to Complainant's ALLSOUTH Marks, that Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the disputed domain name was registered and is being used in bad faith. Notably, Complainant contends its ALLSOUTH Marks are widely recognized and well known based on its multiple service locations and online platform in use for its financial services, serving "over 100,000 customers worldwide". Complainant further contends that Respondent's copycat Website combined with the disputed domain name being confusingly similar to Complainant's ALLSOUTH Marks and official domain name, adding only the generic Top-Level Domain ("gTLD") ".credit" which should be taken into consideration here because the applicable gTLD and the Second-Level portion of the disputed domain name in combination contain the relevant trademark, to create consumer confusion or false association with Complainant and supports targeting as grounds for bad faith registration and use.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules provides that the Panel is to reach its decision on the basis of the statements and documents submitted in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

The onus is on Complainant to make out its case, and it is apparent, both from the terms of the Policy and the decisions of past UDRP panels, that Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer a domain name. As the proceedings are administrative, the standard of proof under the Policy is often expressed as the "balance of the probabilities" or "preponderance of the evidence" standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.2.

Thus, for Complainant to succeed, it must prove within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

- 1) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- 2) Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- 3) the disputed domain name has been registered and is being used in bad faith.

The Panel finds that Complainant has met its burden in all three elements of the Policy and will deal with each of these elements in more detail below.

A. Identical or Confusingly Similar

To prove this element, Complainant must first establish that there is a trademark or service mark in which it has rights. Ownership of a nationally registered trademark constitutes prima facie evidence that the complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.0](#), section 1.2.1. It is evident that Complainant possesses widely recognized rights in the ALLSOUTH Marks. Complainant has been utilizing the ALLSOUTH Marks since 2004, promoting its financial services through a range of credit union and banking services. The ALLSOUTH Marks, in

continuous use for decades, are protected by common law rights and incontestable statutory United States trademark registrations, thereby solidifying Complainant's exclusive rights. Sufficient evidence has been submitted in the form of electronic copies of valid and subsisting national trademark registration documents in the name of Complainant and therefore, Complainant has demonstrated it has rights in the ALLSOUTH Marks. *Id.*; see *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#).

With Complainant's rights in the ALLSOUTH Marks established, the remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to Complainant's ALLSOUTH Marks. It is well accepted that the first element functions primarily as a standing requirement and that the 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.

A side-by-side comparison between the ALLSOUTH Marks and the disputed domain name shows that the disputed domain name incorporates the dominant portion of Complainant's ALLSOUTH FEDERAL CREDIT UNION Mark and the entirety of Complainant's ALLSOUTH Mark, appended by the trailing term "union" followed by the gTLD ".credit." Prior UDRP panels have held that a domain name which wholly incorporates a complainant's registered mark is sufficient to establish identity or confusing similarity for purposes of the Policy despite the addition of other words to such encompassed marks. [WIPO Overview 3.0](#), section 1.8 ("Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element"); see also, *BNP Paribas v. Ronan Laster*, WIPO Case No. [D2017-2167](#); *WhatsApp Inc. v. Moose Scheib*, WIPO Case No. [D2019-0541](#); *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

Complainant further argues Respondent's configuration of the disputed domain name using the financial industry related gTLD ".credit" should be considered by the Panel even though gTLDs such as ".com" or ".org" are typically disregarded as technical requirements. In this configuration, a consensus of prior UDRP panels has held that the meaning of the gTLD may be relevant to panel assessment of the second and third elements and where the second-level portion of the domain name in combination with the gTLD contains the relevant trademark, panels may consider the domain name in its entirety for purposes of assessing confusing similarity. Although the term "federal" is omitted and the terms "credit" and "union" reversed, Complainant's argument appears relevant, especially where the gTLD selected does relate to Complainant's industry, as it does here. See [WIPO Overview 3.0](#), Section 1.11.3.

While Respondent's creation of the disputed domain name by appending the financial industry term ".credit" to Complainant's ALLSOUTH Mark in its entirety as used for Complainant's credit union financial services does not prevent a finding of confusing similarity between the disputed domain name and Complainant's ALLSOUTH Mark for the purposes of the first element of the Policy, the additional term selected as the gTLD will also bear on assessment of the second and third elements. [WIPO Overview 3.0](#), section 1.11.2.

Accordingly, the Panel finds the disputed domain name is confusingly similar to the ALLSOUTH Marks in which Complainant has rights. Complainant has satisfied its burden under paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Under the second element of the Policy, Complainant has to make out a prima facie case that the respondent does not have rights to or legitimate interests in the disputed domain name, and if successful the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights to or legitimate interests in the disputed domain name. If the respondent fails to come forward with such evidence, a complainant may be deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1. See also *The American Automobile Association, Inc. v. Privacy-Protect.org et al.*, WIPO Case No. [D2011-2069](#).

Paragraph 4(a)(ii) of the Policy also directs an examination of the facts to determine whether a respondent has rights or legitimate interests in a domain name. Paragraph 4(c) lists a number of ways in which a respondent may demonstrate that it does have such rights or legitimate interests.

The first example, under paragraph 4(c)(i), is where “before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services”.

Here, the annexes to the Complaint show that although the disputed domain name currently resolves to an inactive website and is passively held, at the time of the filing of the Complaint, Respondent’s Website was configured by Respondent to pass itself off as Complainant’s Official ALLSOUTH Mark Website providing credit union financial services or a website sponsored or endorsed by Complainant through incorporating Complainant’s ALLSOUTH Marks into its disputed domain name. Complainant contends Respondent created such configuration to capitalize on Complainant’s established goodwill and brand recognition, as an apparent “bait and switch,” luring consumers with the widely recognized ALLSOUTH Marks to Respondent’s Website but then offering Respondent’s competing credit union services that have no connection with Complainant or ALLSOUTH Marks whatsoever, to generate revenues from the sale of Respondent’s competing services for Respondent’s commercial benefit. Complainant contends that Respondent’s use of the disputed domain name is in furtherance of an illegal activity, namely, impersonation/passing off Respondent’s Website as the Official ALLSOUTH Mark Website and possibly/probably also harvesting of personal information under false pretenses through the website and the email address listed on Respondent’s Website.

Prior UDRP panels have held that the use of a domain name to confuse and attract Internet users through misuse of a well-known trademark, and the provision of content which promotes goods and services impersonating or competitive to Complainant cannot be considered use in connection with a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy. See e.g., *The Clorox Company v. WhoisGuard Protected, WhoisGuard, Inc. / Enos Villanueva, Melissa Rosenberg, Yang Ming*, WIPO Case No. [D2021-0603](#) and *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

Prior UDRP panels have also held that the use of a domain name for illegal activity involving impersonation and fraud (e.g., impersonation/passing off, phishing, unauthorized account access/hacking, or other types of fraud) can never confer rights or legitimate interests on a respondent. See [WIPO Overview 3.0](#), section 2.13. See also, *Springer Nature Limited v. Registration Private, Domains By Proxy, LLC / Collections Springer Nature*, WIPO Case No. [D2020-0955](#).

Applying the foregoing decision to these facts this Panel finds the disputed domain name is not being used in connection with a bona fide offering of goods or services sufficient to demonstrate Respondent has any rights or legitimate interests in the disputed domain name under the factors specified by paragraph 4(c)(i) of the Policy.

The second example, under paragraph 4(c)(ii), is a scenario in which a respondent is commonly known by the disputed domain name. Complainant states that it operates credit union and banking and related online financial services but has no connection to Respondent or Respondent’s Website accessed through the disputed domain name. Complainant and Respondent, therefore, have no commercial relationship. Neither has Complainant granted Respondent any license or authorization to use the ALLSOUTH Marks for any purpose, including as a domain name. Prior UDRP panels have found absence of authorization of use of a complainant’s trademark in a disputed domain name constitutes a prima facie showing under paragraph 4(a)(ii) of the Policy. *Spencer Douglass, MGA v. Bail Yes Bonding*, WIPO Case No. [D2004-0261](#). Prior panels have also found a lack of rights or legitimate interests under the second element of the Policy based on such circumstances. See, e.g., *Charles Schwab & Co., Inc. v. Josh Decker d/b/a I GOT YOUR TIX*, WIPO Case No. [D2005-0179](#); *Guerlain S.A. v. H I Investments*, WIPO Case No. [D2000-0494](#).

Complainant also shows that Respondent is not commonly known by the disputed domain name because the original Respondent listed in the Whois record submitted with the initial Complaint displayed “Redacted for Privacy”. The Registrar identified the underlying registrant in its verification process, who has been substituted in the amended Complaint as Respondent. Neither the original nor the substitute bears any resemblance to the disputed domain name whatsoever. Moreover, Complainant asserts with evidence that it is most likely Respondent has wrongfully hijacked the identity of a third party in registering the disputed domain name. Thus, there is no evidence in this case to suggest that Respondent is commonly known by the disputed domain name, that it is licensed or otherwise authorized to use Complainant’s trademark, or that it has acquired any trademark rights relevant thereto. Prior UDRP panels have found a lack of rights or legitimate interests under the second element of the Policy based on such circumstances. As such, the Panel finds this sub-section of the Policy is of no help to Respondent and the facts presented here support a lack of rights or legitimate interests in the disputed domain name. See *Expedia, Inc. v. Dot Liban, Hanna El Hinn*, WIPO Case No. [D2002-0433](#).

Finally, given Respondent’s illegitimate use of the disputed domain name to create confusion with the well-known ALLSOUTH Marks to pass itself off as Complainant for Respondent’s commercial benefit, Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, and therefore cannot benefit from subsection paragraph 4(c)(iii) of the Policy.

In light of the above, and with no Response or other submission in this case to rebut Complainant’s assertions and evidence, the Panel finds that the facts of this case demonstrate that Respondent has no rights or legitimate interests in the disputed domain name. Complainant has successfully met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Finally, Complainant must prove, by a preponderance of the evidence, that the disputed domain name has been registered and used in bad faith under paragraph 4(a)(iii) of the Policy. See, e.g., *Hallmark Licensing, LLC v. EWebMall, Inc.*, WIPO Case No. [D2015-2202](#).

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances that point to bad faith conduct on the part of a respondent. The panel may, however, consider the totality of the circumstances when analyzing bad faith under Policy, paragraph 4(a)(iii) and may make a finding of bad faith that is not limited to the enumerated factors in Policy, paragraph 4(b). See *Do the Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#).

First, Complainant contends that its ALLSOUTH Marks are well known within the credit union industry and to the general public given their longevity of use and online market presence, especially in the United States. Complainant further contends that the fact that the disputed domain name incorporates the ALLSOUTH Marks in its entirety, shows Respondent’s actual knowledge of the ALLSOUTH Marks. The ALLSOUTH Marks have been in use for financial services and products for over 21 years dating back to 2004 and the ALLSOUTH Mark, incorporated in its entirety into the disputed domain name has been registered in the United States for over four years before Respondent registered the disputed domain name. Complainant registered its <allsouth.org> domain name used to access its Official ALLSOUTH Mark Website in 2003. Prior UDRP panels have found that where, as here, it would be implausible to believe that Respondent selected and was using the disputed domain name for any other purpose than to target Complainant’s mark and trade on Complainant’s trademark rights and reputation, Respondent was disrupting Complainant’s business by diverting business and prospective business away from Complainant and its financial services. Such activity constitutes bad faith registration and use. See *Galderma Holding S.A. v. Withheld for Privacy Purposes Privacy service provided by Withheld for Privacy ehf / Yves Aya*, WIPO Case No. [D2021-0981](#); see also *Philip Morris Products S.A. v. Rich Ardeia*, WIPO Case No. [D2020-0528](#).

Complainant next argues Respondent targeted it and its ALLSOUTH Marks in selecting the gTLD “.credit” to append to the ALLSOUTH Marks used by Complainant’s to identify its wide range of financial services, because the term “credit” is associated with the “credit union”, loans, bank accounts and related competing

financial services available on Respondent's Website. These circumstances support a finding of bad faith registration, because the Panel may reasonably conclude that Respondent employs the gTLD ".credit" to aid in creating consumer confusion allowing Respondent to impersonate Complainant and falsely associate its ALLSOUTH competing credit union services featured on Respondent's Website to further its illegitimate phishing scheme which constitutes bad faith use by Respondent.

Prior UDRP panels have held that a respondent's selection of a disputed domain name that comprises a complainant's mark in its entirety demonstrates a respondent's actual knowledge to support a finding of bad faith in registering and using the disputed domain name. See, e.g., *Lloyds Bank Plc v. Marc Wiese*, WIPO Case No. [D2015-0914](#); see also, *Heineken Brouwerijen B.V. v Mark Lott*, WIPO Case No. [D2000-1487](#). Moreover, panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a well-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See [WIPO Overview 3.0](#), section 3.1.4.

Finally, as noted in 6B. above, Respondent has intentionally configured the disputed domain name to enhance confusing similarity to Complainant's ALLSOUTH Mark by adding the term "union" coupled with the gTLD ".credit" to the ALLSOUTH Mark and using the ALLSOUTH Mark on Respondent's Website to create a false association to direct or redirect consumers to Respondent's Website purportedly offering credit union financial services. Prior UDRP panels have found these facts demonstrate a clear indication that Respondent abused Complainant's ALLSOUTH Mark by incorporating it into the disputed domain name to create a likelihood of confusion as to the source, sponsorship, affiliation or endorsement of Respondent's Website to intentionally attract Internet users to its Website for Respondent's own commercial gain and, therefore, registered and used the disputed domain name in bad faith in violation of paragraph 4(b)(iv) of the Policy. See, e.g., *AXA SA v. Yang Ji Feng* WIPO Case No. [D2017-1299](#); *Royal Bank of Canada v. China Capital Investment Limited*, WIPO Case No. [D2017-1025](#); and *Travelscape, LLC v. WhoisGuard Protected, WhoisGuard, Inc. / Irwin Periola*, WIPO Case No. [D2020-2741](#).

The Panel finds Complainant's arguments and evidence persuasive and has received no arguments or evidence from Respondent to the contrary. Considering all the circumstances, the Panel concludes that Respondent has registered and used the disputed domain name in bad faith and Complainant has satisfied paragraph 4(a)(iii) 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 <allsouthunion.credit> be transferred to Complainant.

/Scott R. Austin/

Scott R. Austin

Sole Panelist

Date: November 28, 2025