

## **ADMINISTRATIVE PANEL DECISION**

Berry Solutions Ltd v. Evan Beer

Case No. D2025-4906

### **1. The Parties**

The Complainant is Berry Solutions Ltd, Malta, represented by Office Freylinger S.A., Luxembourg.

The Respondent is Evan Beer, Seychelles.

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

The disputed domain name <mycashlib.com> is registered with Nicenic International Group Co., Limited (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 25, 2025. On November 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 25, 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 the Complainant on November 26, 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 November 28, 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 December 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 24, 2025.

The Center appointed Anton Polikarpov as the sole panelist in this matter on January 2, 2026. 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 private company with a focus on IT and payment orchestration services that connects merchants with multiple acquirers, simplifying integration, routing, and transaction management.

The Complainant's key identifiers are protected as trademarks in different jurisdictions, including:

- Luxembourg Trademark No. 987081 for CASHLIB, registered on February 24, 2016, covering goods and services in Classes: 9, 36 and 38;
- United Kingdom Trademark No. UK00918191315 for CASHLIB, registered on June 16, 2020, covering goods and services in Classes: 9, 35, 36, 38, and 42;
- European Union Trade Mark No. 018191315 for CASHLIB, registered on June 16, 2020, covering goods and services in Classes: 9, 35, 36, 38, and 42; and
- European Union Trade Mark No. 019179831 for , registered on December 20, 2025, covering goods and services in Classes: 9, 35, 36, 38, and 42.

The Complainant also holds the domain name <cashlib.com> since March 10, 2015.

The disputed domain name was registered on September 27, 2024. At the date of this Decision, the disputed domain name resolves to a website that is a copycat version of the Complainant's authentic platform, and which is primarily intended to obtain access to the unique 16-digit PIN code used for payments on resources participating in the relevant program.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant believes that it has satisfied each of the three elements required under the Policy for a transfer of the disputed domain name, namely:

- the disputed domain name is identical or confusingly similar to the trademarks in which the Complainant has established rights;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name was registered and is being used in bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

Under the Policy, the burden of proof for the transfer of the disputed domain name lies entirely with the Complainant.

However, the Respondent is also expected to actively participate in the administrative proceeding, at least by providing a reasoned response to the arguments made by the Complainant.

According to paragraph 5(f) of the Rules, “if a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint”. Paragraph 14(b) of the Rules provides that “if a Party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under, these Rules or any request from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate”.

In view of the foregoing, the Panel rules as follows.

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

The available records confirm the existence of registered rights to the CASHLIB marks. The trademarks have been used for a long time in the digital space and are an integral part of the Complainant's authentic platform. In view of the established formal requirements in relation of having trademark rights to file a UDRP case, the Panel notes that threshold requirement is satisfied (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 1.2.1).

The disputed domain name incorporates the CASHLIB mark in its entirety as the dominant and clearly recognizable element. The sole additional prefix “my”, which is a short and commonly used term in domain names to suggest personalization, user access, or affiliation, does not prevent a finding of confusing similarity (see the [WIPO Overview 3.0](#), sections 1.7 and 1.8).

For the purposes of comparison, a generic Top-Level Domain (here “.com”) is not usually taken into account, as it is technically required (see [WIPO Overview 3.0](#), section 1.11.1).

Hence, in the Panel's view, the first element of the Policy has been satisfied, because the disputed domain name is confusingly similar to the Complainant's trademarks.

#### **B. Rights or Legitimate Interests**

To the Panel's mind, the Complainant has presented a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name and has not been commonly known by it.

In such a situation, it is well accepted that the burden of production on this element shifts to the Respondent to come forward with relevant evidence demonstrating its point (see [WIPO Overview 3.0](#), section 2.1).

However, the Respondent failed to describe any reason set out in paragraph 4(c) of the Policy or otherwise provide credible supporting evidence.

In this case, the Respondent not only copied the content of the Complainant's authentic platform, using its trademarks, but also completely reproduced further aspects, such as the company name, contact info, location, license number, copyright notice, and terms and conditions.

Such actions clearly indicate an intention to impersonate the Complainant and therefore do not in any way constitute a bona fide offering of goods or services.

Likewise, the Panel notes the presence on the website at the disputed domain name of forms inviting users to provide personal and banking details, as well as a unique 16-digit PIN code. In the circumstances of this case, and taking into account the overall impersonation features discussed above, this use supports the conclusion that the Respondent is not making a bona fide offering of goods or services and is instead seeking to take unfair advantage of Internet users by phishing for sensitive information. In this regard, the use of a domain name for illegal activity can never confer rights or legitimate interests upon a respondent (see [WIPO Overview 3.0](#), section 2.13).

Accordingly, the Panel concludes that the second element of the Policy has been met.

### **C. Registered and Used in Bad Faith**

In this case the disputed domain name has been formed by reproducing the CASHLIB mark in its entirety, with the addition of the prefix “my”. The Complainant’s trademark rights have been established well before the registration of the disputed domain name.

In the absence of any explanation from the Respondent regarding the choice of the disputed domain name, the Panel finds it reasonable to infer that the Respondent was aware of the Complainant’s trademark at the time of registration and deliberately selected the disputed domain name in order to capitalize on the goodwill and reputation attached to the CASHLIB marks. Such use is likely to mislead Internet users into believing that the Respondent is affiliated with, or endorsed by, the Complainant.

As to use: the available records show that the disputed domain name resolves to a website that mimics the Complainant’s authentic platform (see, e.g., *Curo Intermediate Holdings Corp. v. Dhruvin Shah*, WIPO Case No. [D2016-1282](#); *Arkema France v. Aaron Blaine*, WIPO Case No. [D2015-0502](#)).

The Panel further notes, as set forth in detail in Section B. Rights or Legitimate Interests, that the only apparent purpose of the Respondent’s conduct is either to defraud customers who believe they are dealing with the Complainant, or to attract customers based on confusion between the Respondent and the Complainant. Such conduct is deceptive, illegal, and in previous UDRP decisions has been found to be evidence of use in bad faith (see, e.g., *Berry Solutions Ltd. v. SYLLA AROUN*, WIPO Case No. [D2025-4530](#); *BlockFi Inc. v. morgan sarah, Holland Broadbridge*, WIPO Case No. [D2022-4538](#)).

Similarly, the Panel finds reasonable the arguments in the Complaint that discrepancies between the Respondent’s name, email address, telephone number, and physical address adds multiple layers of inconsistency and implausibility. Taken together, these factors further suggest that the Respondent is acting in bad faith.

Consequently, for the purposes of the Policy, the Panel concludes that the disputed domain name has been registered and is being used in bad faith and that the third element of the Policy has also been met.

### **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and paragraph 15 of the Rules, the Panel orders that the disputed domain name, <mycashlib.com>, be transferred to the Complainant.

*/Anton Polikarpov /*

**Anton Polikarpov**

Sole Panelist

Date: January 16, 2026