

ADMINISTRATIVE PANEL DECISION

Clover Network, LLC v. Jay Sperlin
Case No. D2026-0367

1. The Parties

Complainant is Clover Network, LLC, United States of America (“United States” or “U.S.”), represented by Fiserv, Inc, United States.

Respondent is Jay Sperlin, United States.

2. The Domain Name and Registrar

The disputed domain name <clovercapytal.com> (the “Domain Name”) 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 January 29, 2026. On January 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 29, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on January 30, 2026, 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 February 2, 2026.

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 February 3, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was February 23, 2026. A third party sent email communications to the Center on February 20 and 23, 2026, expressing its willingness to transfer the Domain Name. The Center notified the Parties of the commencement of the panel appointment process on February 24, 2026.

The Center appointed John C. McElwaine as the sole panelist in this matter on March 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

Complainant is a company that provides point-of-sale payment systems and related merchant financial services. Now a part of Fiserv, Inc., Complainant offers payment processing solutions and merchant cash advance services under the marks CLOVER and CLOVER CAPITAL, serving small and mid-sized businesses worldwide. Complainant owns numerous trademark registrations for CLOVER and CLOVER CAPITAL, including the following:

- CLOVER, U.S. Reg. No. 4227414, registered on October 16, 2012, in International Class 36;
- CLOVER, European Union Trade Mark No. 011782554, registered on August 21, 2013, in International Class 42; and
- CLOVER CAPITAL, Mexican Reg. No. 2749410, registered on September 4, 2024, in International Class 36.

Complainant has used the CLOVER mark since at least 2012 and the CLOVER CAPITAL mark since at least 2020 in connection with merchant financing services. Collectively, Complainant's registered and common law trademark rights in CLOVER and CLOVER CAPITAL are referred to as the "CLOVER Marks".

The Domain Name was registered on October 19, 2023. The Domain Name resolved to a website featuring a login interface with a box to input an email address to proceed, under the heading "Business Application", displaying "CLOVER CAPYTAL Small Business funding" indication with a logo, further displaying logos of Trustpilot and Google reviews, and a "BBB Accredited Business" seal. The Domain Name was used to send an email to a Complainant customer, allegedly offering capital restructuring services, featuring an "Apply Now" link which directed to the website at the Domain Name.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

With respect to the first element of the Policy, Complainant asserts that the Domain Name is virtually identical and confusingly similar to Complainant's CLOVER Marks. Complainant points out that the Domain Name incorporates the distinctive CLOVER mark in its entirety and merely adds a misspelled version of the word "capital", which does not prevent a finding of confusing similarity. Complainant notes that the overall impression of the Domain Name is nearly identical to CLOVER CAPITAL. Complainant argues that the substitution of the letter "i" with "y" amounts to deliberate typosquatting intended to exploit typographical errors, and that such a minor spelling variation still leaves Complainant's CLOVER mark immediately recognizable in the Domain Name.

With respect to the second element of the Policy, Complainant submits that Respondent has no rights or legitimate interests in the Domain Name. Complainant has never authorized or licensed Respondent to use the CLOVER Marks, and Respondent is not commonly known by the name "Clover" or "Clover Capytal". According to Complainant, Respondent is using the Domain Name to impersonate Complainant and confuse Internet users for Respondent's own commercial gain, which is not a bona fide offering of goods or services. Complainant asserts that the website at the Domain Name falsely purports to offer "Clover Capital" funding, even using deceptive trust badges to appear legitimate. Complainant argues that such fraudulent use of the

Domain Name, including sending misleading “apply now” emails to Complainant’s customers, is inherently illegitimate and evinces no rights or interests on the part of Respondent.

With respect to the third element of the Policy, Complainant contends that Respondent registered and is using the Domain Name in bad faith. Given Complainant’s longstanding use and multiple registrations of the CLOVER Marks, Complainant argues that Respondent was undoubtedly aware of Complainant’s marks when registering the virtually identical Domain Name in 2023. The timing of the registration of the Domain Name, over a decade after Complainant’s first CLOVER mark was registered, and the deliberate misspelling of Complainant’s CLOVER CAPITAL mark indicates an intent to capitalize on Complainant’s reputation. Complainant submits that Respondent’s website demonstrates a clear attempt to impersonate Complainant and creates confusion for commercial gain, which is evidence of bad faith under paragraph 4(b)(iv) of the Policy. Also, by using the Domain Name to send deceptive emails and operate a misleading website, Respondent has sought to attract Internet users by trading on the goodwill of Complainant’s marks. Indeed, Complainant points out that at least one actual customer was fooled into believing Respondent’s solicitation was from Complainant, underscoring the fraudulent intent behind Respondent’s conduct.

B. Respondent

Respondent did not submit a formal Response. In email communications to the Center on February 20, 2026, a purported junior underwriter of Respondent stated that he wished to “inform the WIPO Arbitration and Mediation Center that I do not intend to submit a formal Response to the Complaint. Pursuant to the options provided in the Written Notice, I hereby consent to the remedy requested by the Complainant (Clover Network, LLC) and agree to the transfer of the disputed domain name. Please advise on the next steps required to facilitate this transfer with the Registrar.” When questioned as to who the email sender was, they responded that they were “an employee for the company” and wanted to transfer the Domain Name.

6. Discussion and Findings

As an initial matter, although a respondent may agree to transfer the domain name, there is no evidence before the Panel that the purported junior underwriter has the authority to transfer the Domain Name to Complainant, and in any event, noting, inter alia, the use of the Domain Name, the Panel considers it appropriate to render a decision on the merits.

Paragraph 4(a) of the Policy requires that, in order to succeed in this UDRP proceeding, Complainant must prove its assertions with evidence demonstrating:

- (i) the 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 Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

Having considered the Complaint, the Policy, the Rules, the Supplemental Rules, and applicable principles of law, the Panel’s findings on each of the above-cited elements are as follows.

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 Complainant’s trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7. 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 3.1](#), section 1.2. On this point, Complainant has provided evidence that it is the owner of several registrations for the CLOVER Marks.

The remaining question under the first element is whether the Domain Name is identical or confusingly similar to Complainant's mark. The Domain Name is plainly a close misspelling of the CLOVER CAPITAL trademark. As discussed in the [WIPO Overview 3.1](#), section 1.9, the consensus view is that "[a] domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element". Similarly, previous UDRP panels have consistently held that "a mere addition or a minor misspelling of Complainant's trademark does not create a new or different mark in which Respondent has legitimate rights". *Express Scripts, Inc. v. Whois Privacy Protection Service, Inc. / Domaindeals, Domain Administrator*, WIPO Case No. [D2008-1302](#). ("Such insignificant modifications to trademarks is commonly referred to as 'typosquatting' or 'typo-piracy,' as such conduct seeks to wrongfully take advantage of errors by users in typing domain names into their web browser's location bar.") The spelling errors used in typosquatting have been found to produce domain names that are confusingly similar to the marks which they mimic. See, e.g., *Yahoo! Inc. and GeoCities v. Data Art Corp., DataArt Enterprises, Inc., Stonybrook Investments, Global Net 2000, Inc., Powerclick, Inc., and Yahoo Search, Inc.*, WIPO Case No. [D2000-0587](#). Here, the Domain Name is confusingly similar to the CLOVER CAPITAL trademark, merely substituting the letter "i" in "capital" with the letter "y".

The first element of the Policy has been satisfied.

B. Rights or Legitimate Interests

Complainant must make a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name, after which the burden of production shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests (although the burden of proof always remains on Complainant). See section 2.1 of the [WIPO Overview 3.1](#).

Complainant has stated that it has not authorized Respondent to use the CLOVER Marks. There is no relationship between Complainant and Respondent that would give rise to any permission to use the CLOVER Marks.

The registration data information provided by the Registrar shows the registrant name as "Jay Sperlin," which bears no resemblance to the Domain Name or the term "Clover Capytal". This strongly suggests that Respondent is not commonly known by the Domain Name or by any name similar to Complainant's marks.

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 Domain Name, such as those enumerated in the Policy¹ or otherwise. Instead, the record demonstrates that Respondent has engaged in conduct that negates any claim to legitimate interests. Specifically, Respondent has operated a website that was alleged to trade off the goodwill and reputation of Complainant's CLOVER Marks, and sent a fraudulent email to at least one customer of Complainant (making use of the CLOVER Marks – spelled with an "i"), thereby misleading Internet users into believing there is an affiliation with or authorization by Complainant. Such impersonation is inconsistent with bona fide use. Panels have consistently held that impersonation of a complainant or its business through a domain name and associated website negates any claim to rights or legitimate interests. See *On AG, On Clouds GmbH v. Nguyen Luu, Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf, Vuong Hoang, AN NGUYEN, NEO CORP., and Ngoc Tam Nguyen*, WIPO Case No. [D2021-1714](#) ("a [disputed domain name's] use cannot be deemed bona fide if the disputed domain names constitute trademark infringement"), citing *Sai Machine Tools Pvt. Ltd. v. Mr. Sudhir Jaiswal, Shree Sai Extrusion Technik Pvt. Ltd*, WIPO Case No. [D2018-2560](#) ("bona fide use is predicated on

¹ The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a disputed domain name: "(i) 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; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue."

honest adoption of the name' and respondent failed to show such honest adoption; rather, respondent's use was infringing and therefore not bona fide").

Moreover, Respondent had the opportunity to demonstrate any rights or legitimate interests, but failed to do so. Respondent has not provided any justification that could fall under the safe harbors of the Policy paragraph 4(c). For instance, there is no evidence of any legitimate business or brand of Respondent known as "Clover Capytal". There is also no evidence that Respondent is making a fair use of the Domain Name.

Based on the foregoing, Complainant has made a prima facie showing of Respondent's lack of any rights or legitimate interests, and Respondent has failed to come forward to rebut that showing. The Panel finds that Respondent does not have rights or legitimate interests in the Domain Name and that Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, Complainant must show that Respondent registered and is using the Domain Name in bad faith. A non-exhaustive list of factors constituting bad faith registration and use is set out in paragraph 4(b) of the Policy.

Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with Complainant's CLOVER Marks as to the source, sponsorship, or affiliation of the website and the services offered on it. The Domain Name was registered in 2023, long after Complainant established its rights in the CLOVER Marks and had begun using CLOVER CAPITAL for its funding services. The evidence shows that Complainant's brand was well-known in the payment and small-business finance industry, and a simple trademark search or Internet search for "Clover Capital" would have readily informed Respondent of Complainant's rights. The Panel concludes that Respondent was almost certainly aware of Complainant's marks and business when registering the Domain Name. Indeed, the deliberate misspelling "capytal" suggests an attempt to evade detection while still targeting Complainant's trademark. See, e.g., *Wal-Mart Stores, Inc. v. Longo*, WIPO Case No. [D2004-0816](#) (finding that typosquatting was "presumptive of registration in bad faith").

Respondent's use of the Domain Name underscores its bad faith. The website at the Domain Name appears designed to collect contact information and then to send deceiving emails to visitors and has tricked at least one person into believing that Respondent is associated with Complainant. By soliciting sensitive information from Complainant's customers under false pretenses, Respondent is engaging in fraudulent behavior. Such conduct is a strong indication of bad faith. Previous UDRP panels have consistently found that impersonation of a complainant to confuse users and potentially perpetrate fraud is evidence of registration and use in bad faith. See [WIPO Overview 3.1](#), section 3.4. In this case, one of Complainant's customers was actually misled by Respondent's email into divulging information, demonstrating the success of Respondent's deceptive tactics. Such exploitation of Complainant's mark to lure customers constitutes bad faith use. See *On AG, On Clouds GmbH v. Nguyen Luu, Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf, Vuong Hoang, AN NGUYEN, NEO CORP., and Ngoc Tam Nguyen*, WIPO Case No. [D2021-1714](#) ("[t]he Panel's finding not only that the Respondents are infringing the Complainants' trademarks but also runs afoul of principles articulated in sections 2.4 and 2.5 (including subsections) of the WIPO Overview is dispositive of [the issue of bad faith]").

Finally, the Panel notes that Respondent has not come forward with any explanation for its choice of the Domain Name or its use. Respondent's failure to assert any defense or claim of entitlement to the Domain Name further underscores Respondent's failure to assert any rights or legitimate interests in the Domain Name.

Accordingly, 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 Domain Name, <clovercapytal.com>, be transferred to Complainant.

/John C McElwaine/

John C McElwaine

Sole Panelist

Date: March 16, 2026