

ADMINISTRATIVE PANEL DECISION

Center Peak Financial Services, LLC v. web master, Expired domain caught by auction winner.Maybe for sale on Dynadot Marketplace
Case No. D2026-0644

1. The Parties

The Complainant is Center Peak Financial Services, LLC, United States of America ("United States"), represented by Galvani Smith PLLC, United States.

The Respondent is web master, Expired domain caught by auction winner.Maybe for sale on Dynadot Marketplace, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <centerpeakfinancial.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 14, 2026. On February 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 18, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 the Respondent of the Complaint, and the proceedings commenced on February 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 20, 2026.

The Center appointed Adam Taylor as the sole panelist in this matter on April 1, 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 has provided financial services under the mark CENTER PEAK since August 2025.

The Complainant owns a United States registered trade mark trade mark No. 8,099,342 for CENTER PEAK FINANCIAL, filed on February 24, 2025 (at 7:32:07 p.m. ET), registered on January 13, 2026, in class 36.

The Complainant operates a website at “www.centerpeakfs.com”.

The disputed domain name was registered on February 25, 2025, at 00:33:07 UTC.

The disputed domain name has been used to resolve to a webpage offering the disputed domain name for sale for USD 2,988.

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.

B. Respondent

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

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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

While the UDRP makes no specific reference to the date of acquisition of trade mark rights, panels have held that they must be in existence at the time the complaint is filed. The fact that, as here, a domain name may have been registered before a complainant has acquired registered trade mark rights does not by itself preclude a complainant's standing to file a UDRP case, nor a panel's finding of identity or confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.1.3.

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 recognised that proving that 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 3.1](#), 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.

As to paragraph 4(c)(i) of the Policy, the Panel does not consider that use of the disputed domain name for a website offering the disputed domain name for sale constitutes a bona fide offering in the circumstances outlined in section 6C below where the Panel has concluded that the Respondent registered the disputed domain name for the purpose of sale to the Complainant.

Nor is there any evidence that paragraphs 4(c)(ii) or (iii) of the Policy are relevant in the circumstances of this case.

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.

While the disputed domain name predates the Complainant’s trade mark, where the facts of the case establish that the respondent’s intent in registering the domain name was to unfairly capitalise on the complainant’s nascent (typically as yet unregistered) trade mark rights, panels have been prepared to find that the respondent has acted in bad faith. Such scenarios include registration of a domain name following the complainant’s filing of a trade mark application. [WIPO Overview 3.1](#), section 3.8.2.

Here, the Panel notes that the disputed domain name exactly reflects the distinctive mark for which the Complainant had applied only one minute before the disputed domain name was registered. In these circumstances, the Panel has little difficulty concluding that the Respondent’s offer to sell the disputed domain name via a webpage at the disputed domain name was directly aimed at the Complainant’s then-nascent trade mark rights and that, accordingly, the Respondent registered the disputed domain name for sale to the Complainant for an amount likely in excess of the Respondent’s out-of-pocket costs in accordance with paragraph 4(b)(i) of the Policy.

The Panel also observes that the Respondent’s name seeks to imply that the disputed domain name was an expired domain name purchased at an auction. However, the Panel notes that the Whois record for the disputed domain name shows a “Creation Date” of February 25, 2025, with no “Updated Date” prior to the filing of the Complaint – which suggests that the disputed domain name is a new registration, and was not obtained in an expired auction.

Further, the Panel also notes that the Respondent has been involved in a number of other UDRP proceedings with adverse decisions against it, including those involving similar misconduct (e.g., *The Captain’s Bakery (Cayman) Limited v. Web Master, Expired domain caught by auction winner. Maybe for*

sale on Dynadot Marketplace and Domain Administrator, Buy this domain on Dan.com ----, WIPO Case No. [D2025-5447](#), and Century Italia Srl v. web master, Expired domain caught by auction winner. Maybe for sale on Dynadot Marketplace, WIPO Case No. [D2026-0385](#)). The Panel finds that this pattern of abusive conduct supports a finding of registration and use of the disputed domain name in bad faith.

The Panel finds the third element of the Policy has been established.

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 <centerpeakfinancial.com> be transferred to the Complainant.

/Adam Taylor/

Adam Taylor

Sole Panelist

Date: April 15, 2026