

ADMINISTRATIVE PANEL DECISION

Gemini IP, LLC v. mark white, Gemini-la
Case No. D2026-0908

1. The Parties

Complainant is Gemini IP, LLC, United States of America (“United States”), represented by Lee & Hayes, PC, United States.

Respondent is mark white, Gemini-la, United States.

2. The Domain Name and Registrar

The Disputed Domain Name <gemini-la.com> is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 3, 2026. On March 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 3, 2026, 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 March 4, 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 March 4, 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 March 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 30, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on March 31, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on April 15, 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 well-known cryptocurrency exchange and financial platform that allows individuals and institutions to buy, sell, trade, and securely store digital assets such as Bitcoin and Ethereum. It was founded in 2014 by Cameron and Tyler Winklevoss and operates as a regulated digital asset exchange and custodian.

Complainant is also the owner of the following trademark registrations of the GEMINI Mark on the United States Patent and Trademark Office ("USPTO") Principal Register and worldwide for use in association with its various goods and services related to cryptocurrency, including without limitation:

United States Registration No. 4906313 for GEMINI registered on February 23, 2016 in international class 36;

United States Registration No. 5932688 for GEMINI registered on December 10, 2019 in international classes 35 and 36; and

United States Registration No. 5892193 for GEMINI registered on October 22, 2019 in international class 9.

Complainant owns the domain name <gemini.com> which was registered on February 14, 1994.

The Disputed Domain Name was registered on August 21, 2025, resolves to a website which has an "Expired" notice, but has been enrolled in a mail exchange (MX) which allows for the sending and receiving of email.

5. Parties' Contentions

A. Complainant

Complainant contends that it has consistently and continuously used the GEMINI Mark, plus advertises and sells its goods and services throughout the United States and worldwide under the GEMINI Mark.

Complainant further contends that, as a result of Complainant's promotion, use, and sale of branded goods and services under the GEMINI Mark, Complainant has built up valuable goodwill in the GEMINI Mark.

Complainant further contends that the Disputed Domain Name contains the entirety of the GENIMI Mark and is, therefore, confusingly similar to the GEMINI Mark, for purposes of the Policy. The additional term "-la" is merely a geographical reference to Los Angeles which is the geographic location of Respondent's fraudulent activity.

Complainant submits that, while the Disputed Domain Name resolves to a website which currently displays a landing page entitled "Expired," Respondent is still able to utilize the Disputed Domain Name and has in fact used the Disputed Domain Name to impersonate Complainant. Specifically, Respondent is currently utilizing the Disputed Domain Name to trick job applicants into providing their personal information to Respondent.

Complainant further submits that Respondent's use of the Disputed Domain Name is intentionally confusing and deceptive in that it causes the public to believe Respondent is acting on behalf of or under the authority of Complainant. Furthermore, the Disputed Domain Name violates Complainant's trademark rights in the GENIMI Mark.

Complainant further submits that it has not provided Respondent with authority to use the GEMINI Mark, or to own, operate, maintain, or register any website in its name, or to utilize a web address confusingly similar to the GEMINI Mark.

Complainant further submits that the unauthorized use of the GEMINI Mark by Respondent cannot give rise to a bona fide offering of goods and services or to any other legitimate use. Complainant further submits that Respondent has never been commonly known by the Disputed Domain Name.

Complainant alleges that Respondent has registered and used the Disputed Domain name to conduct a fraudulent scheme to trick job applicants into divulging personal information, which constitutes bad faith.

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

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the GEMINI Mark in which Complainant has rights; and
- ii) that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

[WIPO Overview 3.1](#), section 1.2.1 states that registration of the GEMINI Mark prima facie satisfies the threshold requirement of Complainant having trademark rights for purposes of standing to file a UDRP case.

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

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 GEMINI Mark and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The entirety of the GEMINI Mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the GEMINI Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here “-la,” may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the GEMINI Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 Respondent may demonstrate rights or legitimate interests in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the GEMINI Mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. 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 Disputed Domain Name such as those enumerated in the Policy or otherwise.

Panels have held that the use of the Dispute Domain Name for illegitimate activity, here claimed as a fraudulent phishing scheme targeting job applicants, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.1](#), section 2.13.1.

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

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

- (i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the GEMINI Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or

(ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the GEMINI Mark from reflecting the GEMINI Mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the Disputed Domain Name, you [Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the GEMINI Mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that the Disputed Domain Name was registered and used in bad faith, but other circumstances may be relevant in assessing whether Respondent's registration and use of the Disputed Domain Name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such active ("behind the scenes") uses are considered distinct from the passive holding doctrine discussed above, and can include a range of bad faith activity or scams such as sending email, phishing, identity theft, or malware distribution. (In some such cases, the respondent may even host a copycat version of the complainant's website.) Many such cases involve the respondent's use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information from prospective job applicants, or to solicit payment of fraudulent invoices by the complainant's actual or prospective customers. [WIPO Overview 3.1](#), section 3.4.

Panels have held that the use of the Domain Name for illegitimate activity, here claimed as a fraudulent phishing scheme targeting job applicants, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

The Panel finds that 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 <gemini-la.com> be transferred to the Complainant.

/Richard W. Page/

Richard W. Page

Sole Panelist

Date: April 29, 2026