ARBITRATION
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WIPO
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# ADMINISTRATIVE PANEL DECISION
Bread Financial Payments, Inc. v. Leslie Thompson
Case No. D2026-1450

## 1. The Parties

Complainant is Bread Financial Payments, Inc., United States of America ("United States"), represented by Porter Wright Morris & Arthur, LLP, United States.

Respondent is Leslie Thompson, United States.

## 2. The Domain Name and Registrar

The disputed domain name <breadfinancialsystems.net> is registered with Squarespace Domains LLC (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 3, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 7, 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 April 8, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 8, 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 April 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 30, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 5, 2026.

Center appointed Lorelei Ritchie as the sole panelist in this matter on May 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 publicly-traded company based in the United States. Having rebranded in March 2022, Complainant has since then offered financial, banking, and related services under the mark BREAD FINANCIAL, in addition to its other portfolio of marks.

Complainant is the owner of several registrations for the BREAD FINANCIAL mark. These include, among others, United States Registration Nos. 7300264 and 7300266 (both registered February 6, 2024), and 7305646 (registered February 13, 2024), each of which claims an effective filing date in December 2021.

The disputed domain name was registered on February 13, 2026. The disputed domain name is not currently linked to an active website. Respondent nevertheless has no affiliation with Complainant, nor any license to use its marks.

## 5. Parties' Contentions

### A. Complainant

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant's trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it has invested significantly in its BREAD FINANCIAL mark, having "spent over $145 million on marketing" in 2024 alone, and resulting in "extensive and strong" rights in the mark. Complainant notes that it trades as (BFH) on the New York Stock Exchange. Complainant further contends that it communicates with consumers online about its offerings under the BREAD FINANCIAL mark via its primary website, located at "www.breadfinancial.com". Complainant contends that the disputed domain name incorporates in full Complainant's BREAD FINANCIAL mark, with the inclusion only of the dictionary term "systems" which consumers will likely understand as a component of the services offered by Complainant under the BREAD FINANCIAL mark.

Complainant asserts that Respondent lacks rights or legitimate interests in the disputed domain name, and rather has registered and is using it in bad faith, presumably for Respondent's own commercial gain. In this regard, Complainant contends that Respondent has set up mail exchange servers associated with the disputed domain name, with a likely intent to impersonate Complainant and defraud consumers in a "phishing" scheme.

### B. Respondent

Respondent did not reply to 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 trademark and the disputed domain name.

WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7. Complainant has shown rights in respect of the BREAD FINANCIAL mark, for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1. The Panel finds that the BREAD FINANCIAL mark is recognizable within the disputed domain name. Although the addition of other terms (here "systems") 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 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 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 recognized that proving 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.

Complainant has established rights to the mark incorporated in the disputed domain name. Respondent has not put forward any claims or evidence that would suggest rights or legitimate interests for purposes of the Policy. The Panel finds that Complainant has provided sufficient evidence of Respondent's lack of "rights or legitimate interests" in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

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

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. As noted in Section 4 of this Panel's decision, the disputed domain name is not currently linked to an active website. It is nevertheless well established that having a passive website (including a "under construction" webpage as in this case) does not necessarily shield a respondent from a finding of bad faith. See WIPO Overview 3.1, section 3.3, which notes that the "non-use of a domain name" does not necessarily negate a finding of bad faith.

Rather, a panel must examine "the totality of the circumstances", including, for example, whether a complainant has a well-known trademark, and whether a respondent conceals his/her identity and/or replies to the complaint. Complainant has established prior rights in the BREAD FINANCIAL mark, as well as a degree of renown via its marketing efforts and its status on the New York Stock Exchange. The Panel notes that in addition to using a privacy service, Respondent did not provide a full and accurate mailing address to the Registrar, and Respondent did not submit any reply to Complainant's contentions in this proceeding.

The Panel finds sufficient evidence that Respondent registered and used the disputed domain name in bad faith for purposes of 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 <breadfinancialsystems.net> be transferred to Complainant.

*/Lorelei Ritchie/*
**Lorelei Ritchie**
Sole Panelist
Date: May 21, 2026