

## **ADMINISTRATIVE PANEL DECISION**

Questrade, Inc. v. Santhosh Valarani  
Case No. D2026-1914

### **1. The Parties**

The Complainant is Questrade, Inc., Canada, represented internally.

The Respondent is Santhosh Valarani, Canada.

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

The disputed domain name <themarginnews.com> 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 May 4, 2026. On May 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 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 (Unknown/ Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 8, 2026, 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 May 11, 2026.

The Respondent sent an email communication to the Center on May 9, 2026.

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 May 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2026. The Respondent did not submit any formal response.

The Center appointed Christiane Féral-Schuhl as the sole panelist in this matter on June 17, 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 Canadian investment firm and execution-only broker that provides financial services throughout Canada.

The Complainant is the owner of the Canadian wordmark QUESTRADE, No. TMA647,490, registered on September 7, 2005, and renewed on September 7, 2020, for products and services classes 36, 38, and 42.

Moreover, the Complainant owns the domain name <themargin.news>, registered on December 18, 2025, which is used to promote financial-market news while marketing the Complainant's brand and affiliated companies.

The disputed domain name was registered on January 2, 2026. The disputed domain name <themargin.news> redirected Internet users to <sherwoods.news>, a media website operated by a competitor of the Complainant.

#### **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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's domain name.

The Complainant further argues that the disputed domain name automatically redirected Internet users to the website of one of the Complainant's direct competitors and that the Respondent has no rights or legitimate interests in the disputed domain name, other than to harm the Complainant's business and divert Internet users away from the Complainant's website to those of its competitors.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith because it redirects Internet users directly to the website of a direct competitor of the Complainant. The Complainant further notes that, throughout its existence, the disputed domain name has either been passively held or used to redirect users to a media website operated by one of the Complainant's direct competitors.

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

The Respondent did not reply to the Complainant's contentions regarding the three elements required under the Policy. In an email to the Center dated May 9, 2026, the Respondent indicated that it had no affiliation with the disputed domain name.

## **6. Discussion and Findings**

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

The Complainant contends that the disputed domain name is confusingly similar with its own domain name.

As noted in section 1.3 of the [WIPO Overview 3.1](#), to establish unregistered or common law trademark rights for purposes of the UDRP, a complainant must demonstrate that the relevant sign has become a distinctive identifier which consumers associate with the complainant's goods or services. Relevant evidence may include, inter alia, the duration and nature of use of the mark, the volume of sales under the mark, the nature and extent of advertising, the degree of actual public recognition, and consumer surveys.

In the present case, the Panel concludes that the Complainant has failed to establish trademark rights in the term "The Margin". The Complainant only relies on its ownership and use of the domain name <themargin.news>, which was registered on December 18, 2025, approximately fifteen days before the registration of the disputed domain name. The Complainant has provided neither argument nor evidence showing that its domain name <themargin.news> had acquired distinctiveness or secondary meaning as of the date of registration of the disputed domain name.

In particular, the Complainant has not provided evidence regarding the extent of its use of the domain name <themargin.news>, the level of public recognition associated with it, or any other circumstances demonstrating that consumers had come to associate <themargin.news> with the Complainant's goods or services. The Complainant has not even specified the date from which the domain name <themargin.news> has been in use, given that it was registered barely 15 days before the disputed domain name. The mere registration of the domain name <themargin.news>, less than fifteen days before the disputed domain name, is insufficient to establish unregistered or common law trademark rights for purposes of the Policy.

The Panel further notes that the Complainant has neither asserted nor produced any evidence that it held registered trademark rights in the term "The Margin", or that it had been conducting business under that name prior to the registration of the disputed domain name before the end of December 2025. In these circumstances, the Panel does not consider that the issuance of a Procedural Order would be justified. The record contains no indication that further submissions would be likely to remedy these fundamental deficiencies or otherwise assist the Panel in its assessment of the first element of the Policy.

The Panel finds the first element of the Policy has not been established.

Because each of the three elements of the Policy must be established by the Complainant in order to prevail, the failure to establish any one of them is sufficient for the Complaint to be denied. Accordingly, the Panel need not address the second and third elements of the Policy.

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

In view of the Panel's determination above under Paragraph 4(a)(i) of the Policy, it is unnecessary for the Panel to address the issue of the Respondent's rights or legitimate interests with respect to the disputed domain name under Paragraph 4(a)(ii) of the Policy.

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

In view of the Panel's determination above under Paragraph 4(a)(i) of the Policy, it is unnecessary for the Panel to address the issue of whether the disputed domain name was registered and is being used in bad faith under Paragraph 4(a)(iii) of the Policy.

## 7. Decision

For the foregoing reasons, the Complaint is denied.

*/Christiane Féral-Schuhl/*

**Christiane Féral-Schuhl**

Sole Panelist

Date: July 1, 2026