ADMINISTRATIVE PANEL DECISION

Questrade, Inc. v. Santhosh Valarani
Case No. D2026-2066

1. The Parties

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

The Respondent is Santhosh Valarani, Canada.

2. The Domain Names and Registrar

The disputed domain names <questcoin.net>, <questradecoin.com> and <questradecrypto.com> are 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 13, 2026. On May 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 18, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names 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 19, 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 amendment to the Complaint on May 28, 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 the Respondent of the Complaint, and the proceedings commenced on June 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 30, 2026.

The Center appointed Christopher J. Pibus as the sole panelist in this matter on July 7, 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.

The Panel issued a Procedural Order on July 14, 2026, directing the Complainant to provide additional information about the Respondent and his possible connection to the Complainant's business. On July 21, 2026, the Complainant provided the requested information. The Respondent was given an opportunity to file a reply but failed to do so.

4. Factual Background

The Complainant carries on business as one of the Canada's largest independent discount brokerages. Founded in 1999 with headquarters in Toronto, Ontario, Canada, the Complainant has operated under the Questrade name since that time providing an online trading platform for Canadian clients, now holding USD 20 billion in assets under management.[1]

The Complainant's primary trademark is QUESTRADE, registered in the Canadian Trademarks Office as TMA647490, dated September 7, 2005, for Classes 36, 38 and 42. In addition, the Complainant has built a portfolio of QUEST-formative marks in Canada, including registrations for QUEST WEALTH (TMA1088826 dated December 1, 2020); QUESTMORTGAGE BETTERRATE (TMA1205327 dated October 25, 2023); QUEST TRUST (TMA1086046 dated October 23, 2020); QUEST INSURANCE (TMA1325569 dated June 20, 2025); and QUESTBANK (TMA1301260 dated March 26, 2025). The Complainant also holds a portfolio of QUEST-formative domain names, including <questrade.com> which is associated with its principal client-facing website.

The Respondent is an individual residing in Canada, who, according to the Complainant, served as an employee of the Complainant for several years. The Complainant further claims that in the course of his employment the Respondent was aware of the Complainant's existing domain names and plans for future registrations. In particular, the Complainant has provided (limited) evidence that on July 18, 2025, it initiated bulk purchasing of QUEST-formative domain names using combinations of the word "quest/questrade" and "crypto", including <questradacrypto.com> and <qestradecrypto.com>. Shortly thereafter, on the same day, the Respondent registered the disputed domain names under privacy protection; when the Complainant subsequently discovered his identity as registrant, the Complainant terminated the Respondent's employment for cause.

The disputed domain names have been passively held by the Respondent since registration and appear to be available for purchase.

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 names.

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[1] Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") section 4.8.

Notably, the Complainant contends that the Respondent's behaviour in covertly registering the disputed domain names, using privacy protection to conceal his identity, and while serving as an employee of the Complainant, is a flagrant example of bad faith targeting of the Complainant's business and its QUESTRADE trademark. In its Supplemental Filing filed in response to the Procedural Order No. 1, the Complainant confirmed that the Respondent was its employee "up until his termination for cause". It claimed that it was during that time that the Respondent registered the disputed domain names, knowing that they were confusingly similar with the Complainant's own purchased domain names.

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 trademark and the disputed domain name. WIPO Overview 3.1, section 1.7.

The Complainant has shown rights in respect of a trademark or service mark, namely QUESTRADE, for the purposes of the Policy. The Panel also acknowledges the Complainant's portfolio of a family of QUEST-formative marks. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain names (two having incorporated it entirely, and one having incorporated its dominant feature). Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms here, "coin" and "crypto", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant claims that the Respondent was never authorised to register the disputed domain names. Instead, according to the Complainant, the Respondent registered them in his personal capacity while employed with the Complainant (although the precise dates of that employment have not been identified), having been exposed to the Complainant's internal confidential information and business plans, on the same day – and shortly after – the Complainant had itself purchased a portfolio of domain names similar to the disputed domain names. The Respondent has not sought to refute the Complainant's allegations and evidence. Based on the Complainant's uncontested evidence, the Panels considers it reasonable to infer, on the balance of probabilities, that the Respondent selected the disputed domain names with the Complainant in mind, due to their similarity to the Complainant's trademark and corresponding domain names, and by offering them for sale has intended to capitalize on the reputation and goodwill inherent therein.

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.

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

In the present case, the Panel notes that the Respondent was an employee of the Complainant at the material time who was fully aware of his employer's QUESTRADE marks, and who was seemingly aware of the Complainant's new filing strategy in July 2025 for domain names combining QUESTRADE and "quest" with "crypto" and "coin". The Parties' prior relationship and the Respondent's knowledge of the Complainant, the sequence of events - the timing of registration of the disputed domain names on exactly the same day when the Complainant made its bulk filing of 18 similar combinations – in the circumstances where the Respondent has not come forward to advance any claimed entitlement, is strong evidence of bad faith misconduct targeting the Complainant.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's QUESTRADE trademark in the Canadian market, the composition of the disputed domain names, the circumstances of registration, their for-sale nature and the absence of any response. The Panel finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Panel finds that the 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 names <questcoin.net>, <questradecoin.com>, and <questradecrypto.com> be transferred to the Complainant.

/Christopher J. Pibus/
Christopher J. Pibus
Sole Panelist
Date: July 29, 2026