ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Bread Financial Payments, Inc. v. Haimin Xu
Case No. D2026-2692

1. The Parties

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

The Respondent is Haimin Xu, China.

2. The Domain Name and Registrar

The disputed domain name <breadfinanical.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 June 19, 2026. On June 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 22, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 24, 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 June 24, 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 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 17, 2026.

The Center appointed Aaron Newell as the sole panelist in this matter on July 22, 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 publicly-traded Ohio-based financial services business that has operated by reference to the name Bread Financial since March 2022, having formally changed its name from “ADS Alliance Data Systems, Inc.” to Bread Financial Payments, Inc. on March 23, 2022.

The Complainant provides personal loans and credit card services as well as other financial services. The primary domain name at which it offers its services is <breadfinancial.com>.

The Complainant has protected its BREAD FINANCIAL trademark with various trademark registrations, including:

i) United States Trademark Registration No. 7300264 BREAD FINANCIAL (word mark) filed December 13, 2021, and registered February 6, 2024, in class 36;

ii) United States Trademark Registration No. 7305646 BREAD FINANCIAL (word mark) filed December 14, 2021, and registered February 13, 2024, in class 42; and

iii) United States Trademark Registration No. 7300266 BREAD FINANCIAL (word mark) filed December 14, 2021, and registered February 6, 2024, in class 9.

The disputed domain name was registered on March 23, 2022, the same day on which the Complainant announced its name change from ADS Alliance Data Systems, Inc. to Bread Financial Payments, Inc. The Complainant has provided evidence demonstrating that the disputed domain name was in fact registered approximately eight minutes following the public announcement of the name change.

At the time of filing the Complaint, and at the time of writing this decision, the disputed domain name resolved to a rotating set of third-party websites that offer various services unrelated to those of the Complainant, as well as a website that featured an offer to sell the disputed domain name alongside pay-per-click advertising links.

The Respondent appears to be an individual based in China. It did not file a response to the Complaint or otherwise engage with the proceedings.

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:

i) the disputed domain name is confusingly similar to its registered trademark rights in the name BREAD FINANCIAL because the disputed domain name is a typographical variant and intentional misspelling of BREAD FINANCIAL where “financial” is misspelled as “finanical”, is an example of typosquatting, and is therefore fundamentally confusingly similar to the Complainant’s registered trademark rights;

ii) the Respondent does not have rights or legitimate interests in the disputed domain name because the

Respondent was aware of the Complainant and its interest in the Bread Financial name at the time that the disputed domain name was registered, the Respondent has no relationship with the Complainant, is not affiliated with the Complainant and the Complainant has not licensed, authorized or otherwise granted permission to the Respondent to register or claim ownership of the disputed domain name or to use the Complainant's trademarks, and the websites that load at the disputed domain name do not give rise to a legitimate interest or rights in the disputed domain name as the Respondent is not, by virtue of these websites, acting as a good faith provider of goods or services;

iii) the disputed domain name was registered and is being used in bad faith because the disputed domain name is an example of typosquatting and therefore inherently indicative of bad faith, the disputed domain name is being used for commercial gain by way of the various third party websites to which it resolves, and the disputed domain name was registered only minutes after the public announcement of the Complainant's name change to Bread Financial.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which it has rights;

ii) that the 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.

The Respondent's default does not automatically result in a decision in favor of the Complainant.

Paragraph 5(f) of the Rules does however provide that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

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.

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.

The Panel is satisfied that the disputed domain name is confusingly similar to the Complainant's registered trademark. The disputed domain name, which differs from the Complainant's trademark only by way of inversion of the second letter "i" and the letter "c" in the word "financial", is an example of typosquatting and is confusingly similar to the Complainant's registered trademark BREAD FINANCIAL. WIPO Overview 3.1, section 1.9.

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 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.

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.

These circumstances include the registration and use of a domain name to intentionally attract, for commercial gain, Internet users to the disputed domain name by creating a likelihood of confusion with a complainant's trademark.

In the present circumstances, the Panel finds that the Respondent's bad faith is obvious from the disputed domain name itself insofar as it is indicative of typosquatting and is inherently intentionally confusing with the Complainant's rights. The Panel also notes the overarching circumstances of the registration of the disputed domain name, noting that it was registered only minutes after the Complainant's announcement that it was rebranding to Bread Financial.

In these circumstances, and again noting that the Respondent failed to rebut any of the Complainant's contentions, there is no conceivable good faith reason for the Respondent's registration of the disputed domain name, which is inherently and intentionally structured to confuse Internet users and take advantage of the Complainant.

The Panel further notes that in the circumstances of the present matter it is not relevant to its assessment whether the Complainant enjoyed registered trademark rights or longstanding use of its BREAD FINANCIAL trademark at the time of the Respondent's registration of the disputed domain name.

The Complainant has established that at the time of filing the Complaint it owned relevant rights as set out above, and therefore meets the threshold requirement under paragraph 4(a)(i) of the Policy. WIPO Overview 3.1, section 1.1.3.

It has also established that notwithstanding its Bread Financial name being launched mere minutes prior to the registration of the disputed domain name the Complainant was targeted by the Respondent who registered the disputed domain name as an intentionally-misleading typo-variant on the Complainant's just-announced trademark. Again, the Respondent does not refute any of the Complainant's assertions in this regard, and WIPO Overview 3.1, section 3.8.2 sets out as follows:

3.8.2 Domain names registered in anticipation of trademark rights

As an exception to the general proposition described above in 3.8.1, in certain limited circumstances where the facts of the case establish that the respondent's intent in registering the domain name was to unfairly capitalize on the complainant's nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith.

Such scenarios include registration of a domain name: (i) shortly before or after announcement of a corporate merger, (ii) further to the respondent's insider knowledge (e.g., a former employee), (iii) further to significant media attention (e.g., in connection with a product launch or prominent event), or (iv) following the complainant's filing of a trademark application.

The announcement of a rebrand is another such scenario. In addition, the Complainant's trademark applications for its BREAD FINANCIAL mark were filed in December 2021, just over three months before the Respondent registered the disputed domain name, further supporting a finding of bad faith.

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 name <breadfinanical.com> be transferred to the Complainant.

/Aaron Newell/
Aaron Newell
Sole Panelist
Date: August 5, 2026