ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
CC Serve Corporation v. Shi Lei
Case No. D2026-3497

1. The Parties

The Complainant is CC Serve Corporation, United States of America ("United States"), represented by Troutman Pepper Locke LLP, United States.

The Respondent is Shi Lei, China.

2. The Domain Name and Registrar

The disputed domain name <fortivacteditcard.com> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 7, 2026. On August 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 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 the Complainant on August 10, 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 August 10, 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 August 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 7, 2026.

The Center appointed Roger Staub as the sole panelist in this matter on September 11, 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 company specializing in financial services and technology solutions with a focus on providing tailored credit and lending products. Through the FORTIVA brand, the Complainant offers comprehensive credit solutions for consumers with less-than-perfect credit, offering credit cards, personal loans, and retail financing options. The Complainant submits that it began using the FORTIVA mark in the United States at least as early as October 13, 2010, and that, as a result of its exclusive use and substantial advertisement and promotion of the FORTIVA mark, the mark has acquired strong commercial distinctiveness and goodwill.
The Complainant owns the following trademark registrations consisting of the element "FORTIVA":

- United States Trademark Registration No. 5189925 for FORTIVA registered on April 25, 2017, in Class 36; and

- United States Trademark Registration No. 4176279 for FORTIVA registered on July 17, 2012, in Class 36.

Further, the Complainant owns a domain name <myfortiva.com>, which the Complainant submits that it has actively used to route customers to its flagship website since 2018.

The disputed domain name was registered on June 24, 2017.

The disputed domain name resolves to a website featuring content titled "Log In to Your Fortiva Credit Card Account" with pay-per-click ("PPC") advertising links for credit cards and financial services.

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 the following:

First, the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The disputed domain name incorporates the Complainant's service mark in its entirety and adds the characters "cteditcard." The addition of "cteditcard" is an apparent misspelling or typosquatting variant of "credit card," which describes the Complainant's core services. On a standard QWERTY keyboard, "R" is directly next to "T."

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent registered the disputed domain name long after the Complainant registered the FORTIVA mark with the United States Patent and Trademark Office and began using the mark. The Respondent is not a licensee of the Complainant, nor is the Respondent otherwise authorized to use the FORTIVA mark for any purpose. To the Complainant's knowledge, the Respondent does not own any trademark applications or

registrations for FORTIVA. The use of the disputed domain name to host PPC advertising links that trade on the Complainant's mark and relate to the Complainant's own area of business constitutes neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use.

Third, the disputed domain name was registered and is being used in bad faith. The disputed domain name was created less than two months after the Complainant obtained its second U.S. trademark registration for the FORTIVA mark. This strongly suggests that the Respondent was monitoring the Complainant's trademark activity and registered the disputed domain name to exploit the mark. The practice of typosquatting constitutes obvious evidence of the bad faith registration of the disputed domain name. The use is designed to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark. The Respondent is a well-known serial cybersquatter who has been the subject of numerous prior UDRP proceedings. The FORTIVA mark is unique and is inherently distinctive in its industry such that it is impossible that the Respondent independently devised the word "FORTIVA" combined with a misspelling of "credit card" for the disputed domain name that hosts credit card advertising.

B. Respondent

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

6. Discussion and Findings

According to the Policy, to qualify for a transfer, the Complainant must prove each of the following:

First, the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Third, the disputed domain name has been registered and is being used in bad faith.

Since the Respondent did not submit a response, the Panel may choose to accept the reasonable contentions of the Complainant as true. This Panel will determine whether those facts constitute a violation of the Policy that is sufficient to order the transfer of the disputed domain name (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. D2006-0292).

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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is 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, the misspelled term “cteditcard”) may bear on the 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 and 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.

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 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.

Having reviewed the record, the Panel notes (i) the distinctiveness of the Complainant’s trademark, (ii) the composition of the disputed domain name, which consists of the Complainant’s service mark and a misspelled generic word, which relates to the services offered by the Complainant under its service mark, (iii) the fact that the disputed domain name was registered just two months after the Complainant obtained a trademark registration in the United States, (iv) the disputed domain name having been used to guide Internet users to a website with PPC advertising links for services competing with the Complainant’s own services, (v) the failure of the Respondent to submit a response and (vi) the fact that the Respondent has been the subject of numerous prior UDRP proceedings. All this suggests that the disputed domain name has been registered and used with the intent to mislead and attract Internet users for commercial gain, which denotes 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 <fortivacteditcard.com> be transferred to the Complainant.

/Roger Staub/
Roger Staub
Sole Panelist
Date: September 25, 2026