

ADMINISTRATIVE PANEL DECISION

I. O., EOLabs LLC v. Ethan Bonner
Case No. DCO2025-0008

1. The Parties

The Complainants are I. O., Cyprus, and EOLabs LLC, Saint Vincent and the Grenadines, both represented by Abion AB, Sweden.

The Respondent is Ethan Bonner, United States of America.

2. The Domain Name and Registrar

The disputed domain name <expertsoption.co> (the “Domain Name”) is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 28, 2025. On January 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 30, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (REDACTED FOR PRIVACY, Whois Privacy Protection Foundation) and contact information in the Complaint. The Center sent an email communication to the Complainants on January 30, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on February 7, 2025.

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 February 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 3, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on March 7, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The first Complainant, I. O., is the manager and owner of the second Complainant EOLabs LLC. The second Complainant operates the website “www.expertooption.com”, which is used in relation to the Expert Option trading platform. The platform was launched in 2014 and together with the application, which became one of the top 3 most downloaded financial apps worldwide on Google Play. It currently has more than 70 million registered active users.

The first Complainant owns trademark registrations for EXPERTOPTION in numerous jurisdictions all over the world, for example European Union trademark No. 15757784 (registered on December 13, 2016) and International trademark No. 1774434 (registered on November 13, 2023). He also owns domain names, such as <expertooption.com> and <eolabs.net>.

The Domain Name was registered on February 16, 2024. The Complainants document that the Respondent has used the Domain Name to host a website displaying the first Complainant’s trademark EXPERTOPTION and with content referring to the second Complainant. The Respondent’s website displayed sentences such as “Expert Option is fully automated trading platform that gives you full control of your investment” and “Trade in the world’s financial markets, with a simple and user friendly online platform”, and displayed similar colors to the second Complainant’s website at “www.expertooption.com”. The Domain Name has also resolved to a webpage containing pay-per-click (“PPC”) links. At the time of drafting the Decision, the Domain Name resolved to an error page.

5. Parties’ Contentions

A. Complainants

The Complainants request the consolidation of the Complainants, based on a common grievance against the Respondent. The first Complainant has authorized the second Complainant to use his trademark EXPERTOPTION for commercial activity.

The Complainants provide evidence of trademark registrations and argues that the only difference between the first Complainant’s trademark and the Domain Name is the addition of an extra letter “s” in the middle. The Complainants believe this addition does not prevent a finding of confusing similarity between the Domain Name and the first Complainant’s trademark. The Complainants argue that the Domain Name has been registered on purpose as a misspelling of the first Complainant’s trademark to confuse Internet users looking for the second Complainant.

The Complainants argue that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Respondent is not authorized, licensed, or permitted to register or use a domain name incorporating the first Complainant’s trademark. The Domain Name was registered several years after the registrations of the first Complainant’s trademarks. The Respondent’s use of the Domain Name is not a bona fide commercial use nor a legitimate noncommercial or fair use. The Respondent has aimed at making Internet users believe that the Domain Name is directly linked to, or operated by, the Complainants.

The Complainants argue that the Respondent had knowledge of the Complainants when the Respondent registered the Domain Name. The Respondent registered the Domain Name many years after the registrations of the first Complainant’s trademarks. The Complainants have a strong online presence. Moreover, the misspelling of the first Complainant’s trademark reflects the Respondent’s intention to create an association, and a subsequent likelihood of confusion, with the first Complainant’s trademark. The

Respondent's use of the Domain Name underlines the Respondent's intent to create a likelihood of confusion with the Complainants.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Procedural Issue - consolidation of the Complainants

The Complainants have requested consolidation of multiple complainants. The Complainants have a specific common grievance against the Respondent. The Panel grants the request. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.1. The Complainants will hereafter be referred to as the Complainant in singular form.

7. Discussion and Findings

A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Domain Name. See [WIPO Overview 3.0](#), section 1.7.

The Complainant has established that it has rights in the trademark EXPERTOOPTION. The Domain Name differs from the trademark in the addition of a "s" in the middle of the Domain Name. This addition does not prevent a finding of confusing similarity, and the Complainant's trademark EXPERTOOPTION remains recognizable within the Domain Name. See [WIPO Overview 3.0](#), sections 1.7 and 1.8. For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the country code Top-Level Domain; see [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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. While 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 often-impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 Domain Name. The Respondent is not affiliated or related to the Complainant. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name in connection with a bona fide offering of goods or services. The Respondent's use of the Domain Name is rather evidence of bad faith, see below.

Based on the available record, 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.

Based on the use and composition of the of the Domain Name, it appears likely that the Respondent had actual knowledge of the Complainant when the Respondent registered the Domain Name. The said use and composition of the Domian Name reflects the Respondent's intention to create confusion with the Complainant's trademark, and serves as evidence of bad faith use under the paragraph 4(b)(iv) of the Policy.

For the reasons set out above, the Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy.

The third element of the Policy has been established.

8. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders the Domain Name <expertsoption.co> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: March 21, 2025