



**URS | DETERMINATION**  
(URS Procedure 9, URS Rules 13)

**URS DISPUTE NO. EF90D65B**

Determination DEFAULT

**I. PARTIES**

Complainant(s): Soldo Software Ltd  
Complainant(s)'s authorized representative(s): Bugnion S.p.A. (IT)

Respondent(s): Domain Admin, Privacy Protect, LLC (PrivacyProtect.org) (US)

**II. THE DOMAIN NAME(S), REGISTRY OPERATOR AND REGISTRAR**

Domain Name(s): SOLDO.UNO  
Registry Operator: Dot Latin LLC  
Registrar: PDR Ltd. d/b/a PublicDomainRegistry.com

**III. PROCEDURAL HISTORY**

Complaint submitted: 2021-12-20 09:53  
Lock of the domain name(s): 2021-12-20 22:15  
Notice of Complaint: 2021-12-21 09:42  
Default Date: 2022-01-05 00:00  
Notice of Default: 2022-01-05 17:52  
Panel Appointed: 2022-01-05 17:55  
Default Determination issued: 2022-01-05 21:00

**IV. EXAMINER**

Examiner's Name: Guido Maffei

The Examiner certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as the Examiner in this administrative proceeding.

**V. RELIEF SOUGHT**

The Complainants request that the domain name be suspended for the balance of the registration period.

The Respondent has not submitted a Response.

**VI. STANDARD OF REVIEW**

Clear and convincing evidence.

**VII. DISCUSSIONS AND FINDINGS**

## **A. Complainant:**

The Complainant is a UK company, SOLDO SOFTWARE LTD, owner of different trademark registrations consisting of or including the word SOLDO and protecting said word in classes 9 and 36.

The Complainant is the owner of the following trademarks SOLDO:

- International Trademark Registration No. 1276725 “SOLDO” (word), registered on July 28, 2015, for classes 9 and 36 and designating Germany, Spain, France, Italy and the United States of America;
- UK Trademark Registration No. UK00003093873 “SOLDO” (word), registered on August 14, 2015, for classes 9 and 36;
- EUTM Registration No. 13725528 “SOLDO” (figurative), registered on June 4, 2015 for classes 9 and 36.

The mark SOLDO is well-known worldwide for financial services offered via the internet, including payment cards, spend control system and budget control system working with different currencies. Furthermore, the Complainant contends that on January 29, 1998, he registered the domain name <soldo.com> which redirects to the Complainant’s official website at which the Complainant’s services are promoted.

Additionally, the Complainant notes that the Respondent registered the contested domain name <soldo.uno> on June 16, 2021, and that the Complainant’s trademarks were registered well before the registration of the disputed domain name.

According to the Complainant, the domain name in dispute is identical to the prior rights owned by the Complainant on SOLDO. This in consideration of the fact that the disputed domain name fully includes the well-known trademark SOLDO. Furthermore, the Complainant states that it has never authorized the Respondent to use the mark SOLDO. Finally, it is the Complainants view that the registration and use of the disputed domain name is in bad faith since it resolves to a website promoting the launch of a cryptocurrency and the related monetary transaction services based on it. Therefore, in the Complainant’s view (i) the Respondent registered the domain name primarily for the purpose of disrupting the business of the Complainant, by offering services related to its same field of activities and (ii) the Respondent by using the disputed domain name in the above mentioned way is intentionally attempting to attract internet users to the website corresponding to the disputed domain name creating a likelihood of confusion with the Complainant’s trademark SOLDO as to the source, sponsorship, affiliation or endorsement of said website.

## **B. Respondent:**

The Respondent did not submit a Response.

## **C. Procedural findings:**

Having reviewed the communications records, the Examiner finds that MFSD has discharged its responsibility under the URS Procedure paragraphs 3 and 4 and URS Rules paragraph 4.

In accordance with URS Procedure Paragraph 9(d), in absence of a Response, the language of the Determination shall be English.

## **D. Findings of fact:**

The disputed domain name was registered on June 16, 2021.



The Complainant has demonstrated to be the owner of the following trademark registrations for SOLDO:

- International Trademark Registration No. 1276725 “SOLDO” (word), registered on July 28, 2015, for classes 9 and 36 and designating Germany, Spain, France, Italy and the United States of America;
- UK Trademark Registration No. UK00003093873 “SOLDO” (word), registered on August 14, 2015, for classes 9 and 36;
- EUTM Registration No. 13725528 “SOLDO” (figurative), registered on June 4, 2015, for classes 9 and 36.

#### **E. Reasoning:**

##### **1. The domain name(s) is(are) identical or confusingly similar to a word mark**

The Complainant has established that it has rights in the trademark SOLDO at least since 2015. The Complainant trademark, therefore, was registered well before the registration of the disputed domain name (June 16, 2021). The disputed domain name is composed of (i) the Complainant’s SOLDO trademark and (ii) the top-level domain name “. uno”. In consideration of the above, it is clear that the only relevant part of the disputed domain name is the Complainant’s SOLDO mark, as it is well established case law that the top-level domain name (in this case .uno) should be disregarded when comparing a domain name with a previous trademark (see *Playboy Enterprises International, Inc. v. John Taxiarchos*, WIPO Case No. D2006-0561; *Burberry Limited v. Carlos Lim*, WIPO Case No. D2011-0344; *Magnum Piercing, Inc. v. The Mudjackers and Garwood S. Wilson, Sr.*, WIPO Case No. D2000-1525).

Therefore, the Examiner believes that the disputed domain name is identical to the Complainant’s trademark and consequently the Examiner finds that requirement set forth under Paragraph 1.2.6.1. of the URS Procedure has been satisfied.

##### **2. Respondent has no rights or legitimate interests to the domain name(s)**

The Complainant provided prima facie evidence that the Respondent does not have rights or legitimate interests in respect of the disputed domain name as it was never authorized to use it by the Complainant. The Respondent, in the absence of any response, has not shown any facts or elements to justify rights or legitimate interests in the disputed domain name.

Based on the above, the Examiner finds that the Respondent lacks any rights or legitimate interests with respect to the disputed domain names as per the requirement set forth under Paragraph 1.2.6.2. of the URS Procedure.

##### **3. The domain name(s) was(were) registered and is(are) being used in bad faith**

The Respondent registered the disputed domain name years after the registration and use of the Complainant’s SOLDO trademark. In consideration of the reputation achieved by such mark, it is clear that the Respondent was aware of the Complainant’s trademark when he registered the disputed domain name. Moreover, the Respondent appears to have attempted to benefit commercially from the appropriation of the SOLDO trademark in the disputed domain name. The use made by Respondent of the famous mark SOLDO, which is well-known for financial services, clearly indicates that the disputed domain name was chosen by the Respondent to take

advantage of the reputation of the Complainant's trademark. This finding leads to the obvious conclusion that the disputed domain name has been registered in bad faith (Research In Motion Limited v. Privacy Locked LLC/Nat Collicot - WIPO Case No. D2009-0320; The Gap, Inc. v. Deng Youqian - WIPO Case No. D2009-0113; AXA S.A. v. P.A. van der Wees - WIPO Case No. D2009-0206; BHP Billiton Innovation v. Ravindra Bala - WIPO Case No. D2008-1059).

The Examiner also finds that, by offering services related to the same field of activities of the Complainant, the Respondent has intentionally attempted to attract Internet users to its website for commercial gain, by causing a likelihood of confusion with the SOLDO trademark as to the source, sponsorship, affiliation or endorsement of its website and the services promoted therein. This is a clear bad faith use of the disputed domain.

Therefore, the Examiner finds that the requirement set forth under Paragraph 1.2.6.3. of the URS Procedure has been satisfied by the Complainant.

#### **4. Abusive Complaint**

The Examiner finds that the Complaint was neither abusive nor contained material falsehoods.

### **VIII. DETERMINATION**

#### A. Demonstration of URS elements

Demonstrated

#### B. Complaint and remedy

Complaint: Accepts

Domain Name(s): SOLDO.UNO Suspends for the balance of the registration period

#### C. Abuse of proceedings

Finding of abuse of proceedings: Not finds

#### D. Publication

Publication: Publish the Determination

### **SIGNATURE**

Name: Guido

Surname: Maffei

Date: 2022-01-05