

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Paycom Payroll, LLC v. Pay.com US, Inc. d/b/a Pay.com et al.

Paycom Payroll · No. CIV-23-735-G · Decided March 24, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma denied Defendants’ motion to dismiss in a trademark dispute brought by Paycom Payroll, LLC against Pay.com US, Inc. and Paycomcy Limited. The Court held that Defendants purposefully directed activities toward Oklahoma and that Plaintiff’s claims arose from those contacts, supporting specific personal jurisdiction. The Court also declined to dismiss Plaintiff’s cybersquatting claim, finding that issues concerning confusing similarity and bad-faith intent required a fact-intensive inquiry.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Vaal B. Kode
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	March 24, 2026
DOCKET	CIV-23-735-G
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6) to dismiss Plaintiff's amended complaint for lack of personal jurisdiction and failure to state a claim for cybersquatting.
STANDARD OF REVIEW	For a pretrial Rule 12(b)(2) motion decided without an evidentiary hearing, the plaintiff must make a prima facie showing of personal jurisdiction; uncontroverted complaint allegations are accepted as true. For Rule 12(b)(6), well-pleaded factual allegations are accepted as true and viewed in the plaintiff's favor, but legal conclusions must be supported by factual allegations and the complaint must plausibly state a claim.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Paycom Payroll, LLC v. Pay.com US, Inc. d/b/a Pay.com, Paycomcy Limited d/b/a Pay.com

TOPICS

personal jurisdiction

motions to dismiss

trademark infringement

trademark law

civil procedure

PRACTICE AREAS

civil procedure

intellectual property

trademark law

commercial litigation

QUESTIONS PRESENTED

1. Whether Defendants were subject to specific personal jurisdiction in Oklahoma under Federal Rule of Civil Procedure 4(k)(1)(A) and the Due Process Clause.
2. Whether Plaintiff's claims arose out of or related to Defendants' Oklahoma-directed activities.
3. Whether exercising personal jurisdiction would offend traditional notions of fair play and substantial justice.
4. Whether Plaintiff plausibly stated an Anti-Cybersquatting Protection Act claim under 15 U.S.C. § 1125(d).

HOLDINGS

1. The Court may exercise specific personal jurisdiction over both Defendants because they purposefully directed activities at Oklahoma, Plaintiff's injuries arose from those forum-related activities, and Defendants did not present a compelling case that jurisdiction would be unreasonable.
2. Plaintiff plausibly stated a claim under the Anti-Cybersquatting Protection Act, and dismissal was improper because the allegations supported plausible trademark distinctiveness, confusing similarity, and bad-faith intent while factual disputes remained.

KEY QUOTATIONS

“The Due Process Clause authorizes personal jurisdiction if the defendant “purposefully established minimum contacts within the forum state” and the exercise of jurisdiction “comport[s] with traditional notions of fair play and substantial justice.””

“The Court therefore finds that the determination of bad faith will require a fact-intensive inquiry that is not appropriately conducted in connection with the Motion to Dismiss.”

FACTUAL BACKGROUND

Paycom Payroll, an Oklahoma company operating the paycom.com website and owning federal PAYCOM trademark registrations, alleged that Pay.com US and Paycomcy marketed payment-processing services in Oklahoma through pay.com. Defendants sent automated follow-up emails to at least 35 Oklahoma businesses that began the account-creation process, using Pay.com branding and inviting recipients to respond. Paycom alleged that Defendants' use of PAY.COM, PAYCOMCY, and PAYCOM marks caused consumer confusion and infringed its trademarks. Paycom also alleged that Defendants registered or used the pay.com domain name in bad faith in violation of the Anti-Cybersquatting Protection Act.

PROCEDURAL HISTORY

Paycom Payroll filed an amended complaint asserting federal and state trademark, unfair-competition, and cybersquatting claims. The Court permitted limited jurisdictional discovery, after which the parties completed briefing on Defendants' motion to dismiss. The Court denied the motion in its entirety and ordered the matter set for a status and scheduling conference.

DISPOSITION

other

CASES CITED

- Dudnikov v. Chalk & Vermilion Fine Arts, Inc., 514 F.3d 1063, 1069-74 (10th Cir. 2008)
- Doe v. Nat'l Med. Servs., 974 F.2d 143, 145 (10th Cir. 1992)
- Old Republic Ins. Co. v. Cont'l Motors, Inc., 877 F.3d 895, 903-04, 908, 917 n.35 (10th Cir. 2017)
- Dental Dynamics, LLC v. Jolly Dental Grp., LLC, 946 F.3d 1223, 1228-29 (10th Cir. 2020)
- Shrader v. Biddinger, 633 F.3d 1235, 1240-41, 1248 (10th Cir. 2011)
- Daimler AG v. Bauman, 571 U.S. 117, 127 (2014)
- Goodyear Dunlop Tires Operations, S.A. v. Brown, 564 U.S. 915, 919 (2011)
- Omi Holdings, Inc. v. Royal Ins. Co. of Can., 149 F.3d 1086, 1090-91, 1096 (10th Cir. 1998)
- SelectHealth, Inc. v. Risinger, 18 F. Supp. 3d 1268, 1272 (D. Utah 2014)
- XMission, L.C. v. PureHealth Rsch., 105 F.4th 1300, 1304, 1306, 1309-11 (10th Cir. 2024)
- XMission, L.C. v. Fluent LLC, 955 F.3d 833, 847 (10th Cir. 2020)
- Calder v. Jones, 465 U.S. 783 (1984)
- Inspired by Design, LLC v. Sammy's Sew Shop, LLC, 200 F. Supp. 3d 1194, 1206-07 (D. Kan. 2016)
- Fuld v. Pal. Liberation Org., 606 U.S. 1, 13 (2025)
- Newsome v. Gallacher, 722 F.3d 1257, 1265, 1271 (10th Cir. 2013)
- Utah Lighthouse Ministry v. Found. for Apologetic Info. & Rsch., 527 F.3d 1045, 1057-58 (10th Cir. 2008)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 679 (2009)
- Burnett v. Mortg. Elec. Registration Sys., Inc., 706 F.3d 1231, 1235 (10th Cir. 2013)
- Coca-Cola Co. v. Purdy, 382 F.3d 774, 783 (8th Cir. 2004)
- Vulcan Golf, LLC v. Google Inc., 552 F. Supp. 2d 752, 764 (N.D. Ill. 2008)
- Carnivale v. Staub Design, LLC, 700 F. Supp. 2d 660, 669 (D. Del. 2010)
- Crystal Tones, LLC v. Pyromatics Corp., No. 25-CV-235, 2026 WL 353520, at *18 (D. Colo. Feb. 9, 2026)

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