

## **ADMINISTRATIVE PANEL DECISION**

Principal Financial Services, Inc. v. principal cred  
Case No. D2025-0935

### **1. The Parties**

Complainant is Principal Financial Services, Inc., United States of America (“United States”), represented by Neal & McDevitt, United States.

Respondent is principal cred, United States.

### **2. The Domain Name and Registrar**

The Disputed Domain Name <principalcred.com> is registered with NetEarth One Inc. d/b/a NetEarth (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 6, 2025. On March 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 10, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 Respondent of the Complaint, and the proceedings commenced on March 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 3, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on April 8, 2025.

The Center appointed Richard W. Page as the sole panelist in this matter on April 14, 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 by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

Complainant is a publicly traded (NASDAQ-PFG) multinational financial services institution offering, through its licensees, member companies, and affiliates, a broad range of services in the financial, insurance, investment, banking, retirement, global asset management, real estate, and healthcare sectors, among others. Complainant is particularly well-established in the banking industry with substantial operations and a strong market presence in this sector. Complainant owns the well-established and famous family of PRINCIPAL service marks (the “PRINCIPAL Mark”) in many jurisdictions throughout the world, including specific registrations for banking and financial services. Complainant enjoys the benefits of registration of many of the marks within the PRINCIPAL Mark, for example without limitation:

United States Registration No. 1,562,541 PRINCIPAL registered on October 24, 1989 in international class 36;

United States Registration No. 3,095,382 for PRINCIPAL BANK (with design) registered on May 23, 2006 in primary international class 036; and

United States Registration No. 5,039,159 for PRINCIPAL BANK registered on September 13, 2016 in primary international class 036.

In addition, Complainant owns registrations for several domain names, including without limitation, <principal.com> and <principalbank.com>. Complainant has used the PRINCIPAL Mark in connection with a variety of products and services since at least as early as 1985. Complainant, via a predecessor-in-interest, has used the PRINCIPAL Mark in connection with financial analysis and consulting, management of securities and securities brokerage services since at least as early as 1960.

The Disputed Domain Name was registered on January 9, 2025 and resolves to a website which displays Complainant’s customer service phone number, offers similar products and services as Complainant, and has been established in a mail exchange (MX) to allow email.

#### **5. Parties’ Contentions**

##### **A. Complainant**

Complaint contends that it has invested well in excess of one billion United States dollars in the PRINCIPAL Mark over the years, which the consuming public has come to associate with Complainant, and which has come to represent the high quality of products and services that Complainant’s licensees, affiliates, and member companies offer. Complainant further contends that the PRINCIPAL Mark is among Complainant’s most valuable assets.

Complainant submits that Respondent’s registration and use of the Disputed Domain Name constitutes cybersquatting under the Policy, as all three required elements are clearly established. Complainant further submits that the Disputed Domain Name incorporates the entire PRINCIPAL Mark with the mere addition of the term “cred,” which is an obvious reference to “credit” and banking services. Complainant further submits that the term is consistent with confusing similarity given Complainant’s established presence in banking and financial services for many decades. Complainant further submits that Respondent cannot demonstrate any rights or legitimate interests in the Disputed Domain Name because it has not used the Disputed Domain Name in connection with a bona fide offering of goods or services, has not been authorized by Complainant to use the PRINCIPAL Mark, and is not making legitimate noncommercial or fair use of the Disputed Domain Name.

The Panel notes that there is no evidence in the record that Respondent is commonly known by or done any legitimate business under the Disputed domain Name.

Complainant further submits that Respondent has used the website to which the Disputed Domain Name resolves to imitate Complainant and to display content purporting to offer banking and financial services identical or similar to those of Complainant. Most tellingly, Respondent has placed Complainant's actual customer service phone number at the bottom of Respondent's website, which unequivocally demonstrates that Respondent has deliberately targeted Complainant and is attempting to create confusion among Internet users.

Complainant further submits that there has never been any relationship between Complainant and Respondent that would give rise to any license, sponsorship, permission, or authorization for Respondent to use the PRINCIPAL Mark in the Disputed Domain Name, at any website, or for any other purpose.

Complainant alleges that Respondent has registered and used the Disputed Domain Name in bad faith, as evidenced by its deliberate targeting of the famous PRINCIPAL Mark in the financial sector, its display of Complainant's actual phone number, the establishment of MX records associated with the Disputed Domain Name indicating potential preparation for phishing or fraudulent communications, and the recent timing of the registration long after the PRINCIPAL Mark became famous in the financial services marketplace.

Complainant further alleges that it sent a cease and desist letter to Respondent at its purported physical location, which was returned as undeliverable. This further demonstrates Respondent operation is not legitimate. This is particularly concerning given that financial services are especially susceptible to fraud, and consumers are vulnerable to deception when dealing with that they believe to be established financial institutions.

Complainant further alleges that Respondent will not be able to provide any evidence of legitimate noncommercial or fair use of the Disputed Domain Name and that Respondent will not be able to provide any evidence of demonstrable preparation to use the Disputed Domain Name in connection with a bona fide offering of goods or services. Respondent's use of the Disputed Domain Name to imitate Complainant, to display content purporting to offer identical or similar banking and financial services, and to display Complainant's actual customer service phone number is in bad faith.

Complainant further alleges that the PRINCIPAL Mark is so closely linked and associated with Complainant that Respondent's use of this, particularly with the addition of "cred" which directly related to credit and banking services, strongly implies bad faith. This is especially true because the Disputed Domain Name is so obviously connected with such a well-known name and the related products. The very use by someone with no connection to the products suggests opportunistic bad faith. Respondent knew or should have known of Complainant's rights in the PRINCIPAL Mark at the time Respondent registered the Disputed Domain Name.

Complainant further alleges that the use of Complainant's actual customer service phone number on Respondent's website shows that Respondent has intentionally attempted to attract Internet users through impersonation to its website for commercial gain, which is in violation of paragraph 4(b)(iv) of the Policy.

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable."

Even though Respondent has failed to file a Response or to contest Complainant's assertions, the Panel will review the evidence proffered by Complainant to verify that the essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following three essential elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the PRINCIPAL Mark in which Complainant has rights; and,
- ii) that 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.

#### **A. Identical or Confusingly Similar**

[WIPO Overview 3.0](#), section 1.2.1 states that registration of the trademark is prima facie evidence of Complainant having enforceable rights in the PRINCIPAL Mark.

Complainant has shown rights in respect of the PRINCIPAL Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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 PRINCIPAL Mark and the Disputed Domain Name. [WIPO Overview 3.0](#), section 1.7.

The entirety of the mark PRINCIPAL is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the PRINCIPAL mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, "cred", may bear on 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 PRINCIPAL mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

#### **B. Rights or Legitimate Interests**

The Policy paragraph 4(c) allows three nonexclusive methods for the Panel to conclude that Respondent has rights or a legitimate interest in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the PRINCIPAL Mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or

control of Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation, and passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 the Disputed Domain Name in bad faith:

- (i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the PRINCIPAL Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or
- (ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the PRINCIPAL Mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- (iii) you [Respondent] have registered the Disputed Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the Disputed Domain Name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the PRINCIPAL Mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

In the present case, the Panel notes that Respondent has included Complainant's customer service phone number on its Respondent's website and offered products and services similar to Complainant. The Panel finds that Complainant has shown the requisite elements of paragraph 4(b)(iv) of the Policy.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that the Disputed Domain Name was registered and used in bad faith, but other circumstances may be relevant in assessing whether Respondent's registration and use of the Disputed Domain Name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The Panel finds the presence of the additional factor that Respondent knew or should have known of Complainant's rights in the PRINCIPAL Mark when Respondent registered the Disputed Domain Name. [WIPO Overview 3.0](#), section 3.2.2.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here claimed impersonation, and passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

The Panel finds that 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 <principalcred.com> be transferred to Complainant.

*/Richard W. Page/*

**Richard W. Page**

Sole Panelist

Date: April 28, 2025