

ADMINISTRATIVE PANEL DECISION

Community Investment Management LLC v. Ron Soden, Partisan Records Case No. D2025-2067

1. The Parties

Complainant Community Investment Management LLC, United States of America, ("United States") represented by Shartsis Friese LLP United States.

Respondent is Ron Soden, Partisan Records, United States.

2. The Domain Name and Registrar

The disputed domain name <cirn-llc.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 24, 2025. On May 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 27, 2025, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on May 27, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on May 27, 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 Respondent of the Complaint, and the proceedings commenced on May 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 19, 2025.

Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 20, 2025.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on June 25, 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 company based in the United States. Since at least 2013, Complainant has offered credit investment management services under its name Community Investment Management, LLC, and using an acronym of this term, CIM, as a mark for services offered by Complainant. Although Complainant has not alleged ownership of any registered trademark, Complainant has provided evidence of use of the stylized term CIM from 2013 through the present. Complainant also uses this mark on its website, located at <www.cim-llc.com>. Complainant uses its website and emails associated with the domain name <cim-llc.com> to communicate with customers online.

The disputed domain name was registered on March 31, 2025. Although the disputed domain name does not appear to resolve to an active website, Respondent has used an email associated with the disputed domain name to send messages that impersonate Complainant, including the exact stylized CIM mark used by Complainant, and posing as an employee of Complainant in correspondence with customers thereof. Respondent has no affiliation with Complainant, nor any license to use its marks.

5. Parties' Contentions

A. Complainant

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant's trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it owns rights to the mark CIM, which Complainant uses in connection with its credit investment management services.

Complainant contends that Respondent has merely substituted the letters "r" and "n" which together look like the "m" in Complainant's mark, and that Respondent has sent messages impersonating Complainant in an intent to confuse consumers, presumably for Respondent's own commercial gain.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7. Complainant has shown rights in respect of a trademark or service mark, CIM, for the purposes of the Policy. Furthermore, the fact that Respondent has targeted Complainant's mark (by sending fraudulent emails purporting to be originated by a Complainant's employee, reproducing the stylized term CIM) supports that CIM has achieved significance as a source identifier of the Complainant's services for the purposes of the Policy, [WIPO Overview 3.0](#), section 1.3. The Panel finds that the misspelling by Respondent does not prevent a finding of confusing similarity between the disputed domain name and Complainant's mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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 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 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the 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 illegal activity, including fraudulent communications as here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds that Complainant has provided sufficient evidence of Respondent’s lack of “rights or legitimate interests” in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

D. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith.

As noted in Section 4, above, Respondent has used an email associated with the disputed domain name to send messages that impersonate Complainant, including the exact stylized CIM mark used by Complainant, and posing as an employee of Complainant in correspondence with customers thereof. Prior UDRP Panels have held that such use of a domain name for illegal activity constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Therefore, the Panel finds sufficient evidence that Respondent registered and used the disputed domain name in bad faith for purposes of paragraph (4)(a)(iii) 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 <cim-llc.com> be transferred to Complainant.

/Lorelei Ritchie/

Lorelei Ritchie

Sole Panelist

Date: July 1, 2025