

## **ADMINISTRATIVE Panel DECISION**

Lyrical Asset Management LP v. Jonathon Platt  
Case No. D2026-0853

### **1. The Parties**

Complainant is Lyrical Asset Management LP, United States of America (“United States”), represented by Faegre Drinker Biddle & Reath, United States.

Respondent is Jonathon Platt, United States.

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

The Disputed Domain Name <lyricalassetmanagement.com> (hereinafter “Disputed Domain Name”) is registered with DreamHost, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 26, 2026. On February 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On February 27, 2026, 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 (“Proxy Protection LLC”) and contact information in the Complaint. The Center sent an email communication to Complainant on March 2, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on March 4, 2026.

The Center verified that the Complaint together with the amendment to the Complaint/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 March 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 29, 2026. The Response was filed with the Center on March 18, 2026.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on March 24, 2026. 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.

### **Preliminary Procedural Rulings**

Complainant filed a request for leave to file supplemental arguments and evidence, which caused Respondent to request the same. The Panel denies both requests.

The Panel denies Complainant's request because it does not address the issue that, in the Panel's view, is the controlling issue—whether Respondent registered the Disputed Domain Name in bad faith, which depends on whether there is evidence that in 2012 Respondent probably knew of and targeted Complainant's trademark. Complainant's proposed Reply does not address this issue.

The denial of Complainant's request obviates the need to consider Respondent's supplemental filing, but the Panel denies Respondent's request for an additional reason. In its original Response, Respondent asserted that, prior to notice of the dispute, he had prepared a business plan that reflected demonstrable preparations to use under Policy paragraph 4(c)(i). Respondent asserted that his supporting documents were confidential and he therefore chose to withhold his supporting evidence, electing to rely on his assertions only. However, in his supplemental filing Respondent submitted the previously withheld evidence.

The Panel will not exercise its discretion to allow Respondent to rely on this late filed evidence. Respondent had the duty to submit with his original response all evidence he intended to rely on in support of his defenses. Having chosen to withhold evidence because of confidentiality concerns, he was bound by this decision, and he was not free to change his mind and submit the withheld evidence absent exceptional circumstances not present here.

### **4. Factual Background**

Since 2004, Complainant and its predecessors have used the trademark LYRICAL (hereinafter the "Mark") in various business names including Lyrical Holdings, LLC, Lyrical Partners, L.P. and Lyrical Asset Management, L.P. in connection with financial services, namely "investment management and advisory services to institutional investors, high-net worth individuals, and broadly held mutual funds".

In 2003, Complainant registered the domain name <lyricalpartners.com>. On January 30, 2013, Complainant registered <lyricalam.com>, which resolves to the website where Complainant currently publishes information about its services.

In 2017, Complainant was the focus of an article published online by "Institutional Investor" that discussed Complainant's investment strategy. By December of 2025, Complainant managed over USD 8 billion in assets. In several financial industry publications published in 2025 and 2026, Complainant was ranked as one of the large money managers in the United States. In one published survey, Complainant was included in a table that listed Complainant as 242nd among large money managers.

Complainant's affiliate and licensor Lyrical Corp. II, owns United States Trademark Registration No. 7,895,762 (registered August 19, 2025) for the Mark.

The Disputed Domain Name was registered June 21, 2012. Although it does not currently resolve to an active website, at some point it redirected to the Financial Times, a third-party media website—"www.markets.ft.com/data/funds/us" -- that offered information about the financial industry.

## 5. Parties' Contentions

### A. Complainant

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

Focusing on the issues relevant to the basis for the Panel's decision, Complainant alleged that:

- Complainant's Internet presence since 2003 created common law trademark rights that pre-date Respondent's registration of the Disputed Domain Name in 2012.
- Complainant (or its related companies) has been operating as Lyrical Asset Management since 2008.
- Complainant has extensively promoted its financial services under the Mark.

Although not relevant to the issues the Panel finds determinative, the Panel acknowledges that Complainant also alleged or argued that:

- Redirecting Internet traffic to a third-party website that offers information about financial services is bad faith use.

### B. Respondent

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the Disputed Domain Name.

Focusing on the issues relevant to the basis for the Panel's decision, Respondent alleged or argued that:

- Respondent "selected and registered the Domain Name in 2012 with the bona fide intention of using it as the online identity of a future focused private infrastructure investment and advisory firm, not to target or exploit Complainant".
- "Complainant has adduced no evidence that, as of 2012, the composite phrase 'Lyrical Asset Management' had acquired distinctiveness or secondary meaning uniquely identifying Complainant. Any trademark rights asserted by Complainant are therefore inherently weak and must be narrowly construed under the Policy."
- "Respondent independently chose the name 'Lyrical Asset Management' to reflect his musical background ('Lyrical') and his professional focus ('Asset Management')."
- "Respondent selected the Domain Name for his own future business plans based on his musical and professional background, not with knowledge of or intention to target Complainant."
- "Complainant has not produced evidence that Respondent was aware of Complainant in mid-2012, nor that Complainant's business was so famous at that time that Respondent must necessarily have known of it."

Although not relevant to the issues the Panel finds determinative, the Panel acknowledges that Respondent also alleged or argued that:

- He is a professional in the finance and investment field residing in Australia and that his "background makes it entirely natural that Respondent would consider one day establishing his own independent infrastructure-focused fund or advisory firm".
- "Prior to any notice of this dispute, Respondent prepared a detailed written business plan for a focused private infrastructure investment and advisory firm to be branded 'Lyrical Asset Management.'"
- "While Respondent does not attach the plan in full due to its confidential and commercially sensitive nature, Respondent expressly certifies its existence, its pre-dispute creation, and its consistency with Respondent's professional background, and is willing to provide corroboration to the Panel if requested."

- He has “long harboured a genuine aspiration to establish his own focused private infrastructure investment and advisory firm and selected ‘Lyrical Asset Management’ as a prospective brand name for that future business”.

## **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 Complainant’s trademark and the Disputed Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

Complainant has shown rights in respect of a trademark or service Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the Mark is reproduced within the Disputed Domain Name. Although the addition of the phrase “asset management” may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Disputed Domain Name and the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Accordingly, the Disputed Domain Name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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

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

In the next section, the Panel finds that Complainant has not proved that Respondent registered the Disputed Domain Name in bad faith. Given this finding, there is no need to decide whether Respondent had rights or legitimate interests in the Disputed Domain Name. Moreover, both parties base their contentions with respect to this factor on arguments and evidence offered in supplemental filings that the Panel has rejected as procedurally improper. Rather than decide this factor based on arguments and evidence that are incomplete due to the parties’ procedural missteps, the Panel deems it best to decide the case based on the bad faith factor without further discussing this factor.

### **C. Registered and Used in Bad Faith**

Complainant has not proved by a preponderance of the evidence that Respondent registered the Disputed Domain Name in bad faith. The Mark was not registered until 2025, but Complainant asserts that it began use of the Mark in 2003 and submits a declaration attesting that Complainant and its predecessors and affiliates have used the Mark continuously in the United States since “at least as early as January 21, 2004”.

Complainant alleges that Complainant “has extensively promoted its financial services under the Mark”, but offers no evidence to support this contention. Complainant does not offer any exemplars of its use of the Mark before Respondent registered the Disputed Domain Name in 2012. Complainant does not offer any evidence about the character, quantity or scope of its use of the Mark before 2012.

Complainant does submit several articles appearing in financial industry publications that mention Complainant in 2026 or 2025, but this is fourteen years after the Disputed Domain Name was registered. Complainant also submits an article from 2017 in an online resource entitled “Institutional Investor”, but Complainant does not submit any information about the distribution or circulation of this article, which, in any event, was published five years after the Disputed Domain Name was registered. This evidence is not sufficient to support a finding of common law rights in 2012 under the Policy. [WIPO Overview 3.1](#),

section 1.3 (“Specific evidence [...] supporting assertions of acquired distinctiveness should be included in the complaint; conclusory allegations of unregistered or common law rights, even if undisputed in the particular UDRP case, would not normally suffice to show secondary meaning.”).

Even if the Panel were to assume that Complainant had acquired common law rights before 2012, Complainant offers no evidence about the strength of Complainant’s reputation in 2012. *Id.* (“Even where a panel finds that a complainant has UDRP standing based on unregistered or common law trademark rights, the strength of the complainant’s mark may be considered relevant in evaluating the second and third elements.”). The need for such evidence is fundamental because the question is not simply whether Complainant had acquired trademark rights by 2012, but whether Respondent was aware of those rights, and targeted them in bad faith. To persuade the Panel that Respondent probably knew of Complainant’s Mark, Complainant must offer some evidence that Complainant promoted the Mark and that it was well known in 2012. Complainant did not do so.

Accordingly, the Panel finds that Complainant has not proved by a preponderance of the evidence that Respondent registered the Disputed Domain Name in bad faith.

## **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/Lawrence K. Nodine/*

**Lawrence K. Nodine**

Sole Panelist

Date: April 7, 2026