

ADMINISTRATIVE PANEL DECISION

LBMZ SECURITIES, Inc. v. Fendy Fendy

Case No. D2026-0964

1. The Parties

The Complainant is LBMZ SECURITIES, Inc., United States of America (“United States”), represented by Latimer LeVay Fyock LLC, United States.

The Respondent is Fendy Fendy, Cambodia.

2. The Domain Name and Registrar

The disputed domain name <zackstrades.net> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 5, 2026. On March 6, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 6, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 10, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on March 12, 2026.

The Center verified that the Complaint together with the amendment to 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 the Respondent of the Complaint, and the proceedings commenced on March 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 7, 2026.

The Center appointed Angelica Lodigiani as the sole panelist in this matter on April 17, 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.

4. Factual Background

Zacks Trade is an online trading brokerage founded in 2013 by Len Zacks who, in 1978, published a paper which first documented his innovative investment approach: analyzing earnings estimate revisions to predict stock movements. The Complainant provides access to three different user portals to trade at any time or place.

The Complainant is the owner of the following trademarks:

- ZACKS TRADE (word mark), United States registration No. 7153858, filed on February 14, 2022, and registered on September 5, 2023, claiming a first use in commerce of March 2016, for services in class 36;

- ZACKS TRADE PRO (word mark), United States registration No. 7153859, filed on February 14, 2022, and registered on September 5, 2023, claiming a first use in commerce of February 2014, for goods in class 9;

The disputed domain name was registered on February 16, 2025, by an entity allegedly located in Cambodia. At the time of the filing of the Complaint, the disputed domain name resolved to a webpage offering financial investment insights.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's mark. Indeed, the disputed domain name differs from the ZACKS TRADE mark only by the addition of the letter "s" at the end. Such a minor addition does not change the overall impression conveyed by the disputed domain name, nor does it prevent a finding of confusing similarity.

The Complainant further contends that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent is not affiliated with, nor related to, the Complainant in any way. The Complainant's ZACKS TRADE mark has not been licensed to the Respondent, nor has the Respondent ever been authorized to make use of this mark.

The Respondent is not commonly known by the disputed domain name and has not acquired any trade or service mark in the ZACKS TRADE mark. The Respondent registered and has used the disputed domain name to operate a website purporting to offer financial information. Such website also contains links to competitors of the Complainant.

Lastly, the Complainant maintains that the Respondent has registered and is using the disputed domain name in bad faith. The Respondent registered the disputed domain name, which corresponds to the Complainant's ZACKS TRADE mark, with the mere addition of the letter "s" at the end of the word "trade". The disputed domain name resolves to a website purporting to provide financial information. However, the website also features hyperlinks to competitors of the Complainant. Such use unduly exploits the reputation and goodwill associated with the Complainant's trademark and therefore does not constitute a bona fide offering of goods or services. Moreover, the use of the disputed domain name cannot be regarded as fair as it creates a misleading impression of affiliation, endorsement, or association with the trademark owner.

B. Respondent

The Respondent did not reply to the 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The 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. In particular, the Complainant has shown that it owns rights over the registered trademark ZACKS TRADE, which predates the date of registration of the disputed domain name.

The entirety of the trademark is reproduced in the disputed domain name, with the mere addition of the letter "s" at the end of the word "trade". A domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This is due to the fact that the domain name incorporates elements of the relevant mark that remain clearly recognizable. [WIPO Overview 3.1](#), section 1.9.

Accordingly, the Panel finds the first element of the Policy has been established.

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 that 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the 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.

The Respondent has no relationship with the Complainant. The Complainant did not authorize the Respondent to reflect its mark in the disputed domain name or to make use of such mark in any other manner whatsoever. The Respondent does not appear to own any registered trademark rights over the wording "zacks trades" and nothing in the records shows that the Respondent might have been commonly known by the disputed domain name.

The nature of the disputed domain name, which is almost identical to the Complainant's mark save for the addition of a letter "s" at the end, creates confusion.

This risk of implied affiliation with the Complainant and its ZACKS TRADE mark is reinforced by the actual use of the disputed domain name. At the time of the filing of the Complaint, the disputed domain name resolved to a website containing financial market information and sponsored links to third-party operators offering financial services in competition with the Complainant. The inclusion of sponsored links further demonstrates that the Respondent is likely to derive commercial gain, or other undue benefit, from each click. The use of a domain name to host a webpage comprising pay-per-click links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant's mark or otherwise mislead Internet users. [WIPO Overview 3.1](#), section 2.9.

Given the near identity between the disputed domain name and the Complainant's trademark, coupled with the fact that the website operates in the same financial sector in which the Complainant is active, the use of the disputed domain name is highly misleading and likely to cause Internet users to believe that the website is operated by the Complainant.

Accordingly, the use of the disputed domain name to divert Internet users to the Respondent's website for the Respondent's own commercial gain does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name.

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 a domain name in bad faith.

In the present case, the Panel notes that the ZACKS TRADE mark is distinctive and appears to be exclusively associated with the Complainant. The Panel is of the view that the Respondent was clearly aware of the Complainant and of its mark when it registered the disputed domain name. The disputed domain name is a typosquatting of the Complainant's mark, which clearly indicates the Respondent's intention to target the Complainant's mark to confuse users seeking or expecting the Complainant.

The contents of the website further corroborate the knowledge of the Complainant and of its ZACKS TRADE mark at the time of the registration of the disputed domain name. The registration of a domain name incorporating a third party's distinctive mark with knowledge of such mark and in the absence of rights or legitimate interests constitutes registration in bad faith.

With respect to use in bad faith, the Panel notes that the website associated with the disputed domain name allegedly provides financial information. The Complainant is a financial operator. Moreover, the Respondent is probably deriving a commercial gain or other undue advantage from the sponsored links included on the website associated with the disputed domain name. In addition, those links redirect the Internet user to websites of competitors of the Complainant. It is therefore clear to the Panel that the Respondent has been using the disputed domain name to misleadingly divert Internet users to its website by creating a likelihood of confusion with the Complainant's mark for the Respondent's commercial gain or for other undue advantage.

Having reviewed the record, the Panel concludes that the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Accordingly, the Panel finds that the 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 <zackstrades.net> be transferred to the Complainant.

/Angelica Lodigiani/

Angelica Lodigiani

Sole Panelist

Date: April 25, 2026