

ADMINISTRATIVE PANEL DECISION

Guggenheim Capital, LLC v. John Hawkins, Louvre Abu Dhabi Museum
Case No. DAI2026-0035

1. The Parties

Complainant is Guggenheim Capital, LLC, United States of America ("United States"), represented by Snell & Wilmer LLP, United States.

Respondent is John Hawkins, Louvre Abu Dhabi Museum, United Arab Emirates.

2. The Domain Name and Registrar

The disputed domain name <guggenheimabudhabi.ai> is registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 11, 2026. On May 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 May 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 10, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 18, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on June 23, 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

Complainant is a company organized under the laws of the United States that is active in the investment and financial advisory services industry.

Complainant has provided evidence that it is the registered owner of numerous trademarks relating to its company name and brand GUGGENHEIM, inter alia, but not limited to, the following:

- word trademark GUGGENHEIM, United States Patent and Trademark Office (“USPTO”), registration number: 3,121,127, registration date: July 25, 2006, status: active;
- word trademark GUGGENHEIM PARTNERS, USPTO, registration number: 3,110,878, registration date: July 4, 2006, status: active.

Moreover, Complainant has demonstrated to own since 2000 the domain name <guggenheimpartners.com> which resolves to Complainant’s main website at “www.guggenheimpartners.com”, used to advertise Complainant’s finance related services internationally.

Respondent is located in the United Arab Emirates. The disputed domain name was registered on November 20, 2024. At some point around the time when the Complaint was filed and the Panel started reviewing the Case File, it resolved to a website at “www.guggenheimabudhabi.ae” with the heading “GUGGENHEIM ABUDHABI” and the information “COMING SOON” in Latin as well as in Arabic characters. At the point of issuing this Decision, however, the disputed domain name does not resolve to an active website.

Complainant requests that the disputed domain name be transferred to Complainant.

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. Notably, Complainant contends to be a global leader in providing investment and financial advisory services with 15 offices and more than 2,200 employees in six different countries including in the United Arab Emirates where Respondent is located. Over the years, Complainant has invested many millions of dollars advertising and promoting its services under its GUGGENHEIM trademark in the United States and throughout the world.

Complainant submits that the disputed domain name is at least confusingly similar to Complainant’s GUGGENHEIM trademark as it incorporates the entirety of the latter, and the addition of the term “abudhabi” does not mitigate confusing similarity but rather exacerbates it. Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Complainant has not authorized Respondent to use Complainant’s GUGGENHEIM trademark, and the Parties are not affiliated, connected, or associated with one another, (2) Complainant’s GUGGENHEIM trademark is well known worldwide in connection with the offering and sale of financial services, and (3) the disputed domain name does not resolve to an active webpage, but rather to an error message. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) the oldest of Complainant’s GUGGENHEIM trademark registrations around the world was issued nearly two decades before Respondent registered the disputed domain name, and many of Complainant’s United States registrations have achieved incontestable status and were issued over a decade before, (2) the use of the Top-Level Domain “.ai” in the disputed domain name further demonstrates Respondent’s bad faith registration, as AI, or artificial intelligence, may be used in connection with the offering of financial services like those offered by Complainant, and (3) the resolution of the disputed domain name to an error message page constitutes passive holding which supports the finding of bad faith use, given the implausibility of any good faith use to which the disputed domain name could be put by Respondent.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service 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.

Respondent's default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondent's failure to submit a Response as it considers appropriate.

A. Identical or Confusingly Similar

First, 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 GUGGENHEIM 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 its GUGGENHEIM trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, merely adding the geographical term "abudhabi". Accordingly, the disputed domain name is confusingly similar to Complainant's GUGGENHEIM trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other terms (here, the geographical term "abudhabi") 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 Complainant's GUGGENHEIM trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel, therefore, holds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Second, paragraph 4(c) of the Policy provides a list of circumstances in which 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has at least established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent, in turn, has failed to respond to the Complaint and so has neither rebutted Complainant's prima facie showing nor has it 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.

Respondent has neither been granted a license nor has it been otherwise authorized by Complainant to use its GUGGENHEIM trademark, either as a domain name or in any other way. Also, absent any contentions brought forward by Respondent, there is no reason to believe that Respondent's name somehow corresponds with the disputed domain name, and the record lacks any factors pointing to the existence of any trademark rights held by Respondent associated with the term and family name "guggenheim" on its own.

Moreover, the Panel notes that the disputed domain name consists of Complainant's entire GUGGENHEIM trademark followed by the geographical term "abudhabi" and that Complainant is an international enterprise with business in the United Arab Emirates, too.

However, while the Panel has further noted that Respondent has brought nothing forward as to why it needed to rely exactly on Complainant's entire GUGGENHEIM trademark to compose the disputed domain name, the term "Guggenheim" has different meanings or uses independent of Complainant's trademark, including, as relevant for this case, the Guggenheim Abu Dhabi art museum project.

In view of the Panel's findings under the third element below, the Panel, therefore, holds the second element of the Policy has not been established.

C. Registered and Used in Bad Faith

Third, 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

In this context, the Panel certainly notes (1) the undisputed distinctiveness or reputation of Complainant's GUGGENHEIM trademark, and (2) the composition of the disputed domain name which reproduces such trademark entirely adding the geographical term "abudhabi", whereas Complainant is an international enterprise with business in the United Arab Emirates, too, and so may give the impression of some sort of a commercial link between the disputed domain name and Complainant which does not exist.

At the same time, the Panel has undertaken some limited independent research within its general powers set forth by paragraph 10 of the Rules.

Hereafter and by its own knowledge, the Panel is well aware of the ongoing creation since many years of the "Guggenheim Abu Dhabi" Museum, which is being developed by the "Department of Culture and Tourism Abu Dhabi" and its opening is finally expected in 2026.

Also, when searching on the Internet for the "Guggenheim Abu Dhabi" Museum, Internet users are being directed to several websites under different domain names, all of which are identical to the disputed domain name except for the Top-Level Domains (e.g. <guggenheimabudhabi.com> as well as <guggenheimabudhabi.ae>); also, the content of those websites is identical to the content of the website under the dispute domain name. Last, Respondent seems to be a staff member of the "Louvre Abu Dhabi"

Museum, which is located nearby the “Guggenheim Abu Dhabi” Museum and has been developed by the “Department of Culture and Tourism Abu Dhabi”, too. ¹

The Panel, thus, concludes that – despite Complainant’s contentions and Respondent’s failure to submit a Response and to explain why it needed to rely exactly on “guggenheim” which corresponds to Complainant’s GUGGENHEIM trademark to compose the disputed domain name – the circumstances of this case allow to think of some very plausible good faith registration and use to which the disputed domain name may be put, concretely in connection with the soon to start operation of the “Guggenheim Abu Dhabi” Museum.

Having said so and absent other factors in the record, Complainant has not met its burden of proof set forth by paragraph 4(a)(iii) of the Policy to establish that the disputed domain name has been registered and is being used in bad faith.

The Panel, therefore, holds that Complainant has not established the third element of the Policy, and that the prerequisites for Complainant to succeed under the UDRP have not been fulfilled.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: July 7, 2026

¹ <https://dct.gov.ae/en/what.we.do/culture/museums.aspx>.