

ADMINISTRATIVE PANEL DECISION

Cantor Fitzgerald Securities v. Greg Taylor
Case No. D2025-0470

1. The Parties

Complainant is Cantor Fitzgerald Securities, United States of America ("United States"), represented by Akerman LLP, United States.

Respondent is Greg Taylor, United States.

2. The Domain Name and Registrar

The disputed domain name <cantoronlinebank.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 February 6, 2025. On February 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 6, 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 and contact information in the Complaint. The Center sent an email communication to Complainant on February 10, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on February 11, 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 February 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 9, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on March 10, 2025.

The Center appointed R. Eric Gaum as the sole panelist in this matter on March 17, 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 provides global financial services, including, without limitation, broker-dealer, domestic and international equities, fixed income and currencies, real estate, and investment banking services. Complainant owns numerous trademark registrations in different jurisdictions, including the following:

Trademark	Jurisdiction	Registration date	Reg. No.
CANTOR	United States	Registered on February 4, 2003	2682690
CANTOR	United States	Registered on April 5, 2016	4930552
CANTOR	United States	Registered on November 14, 2006	3170687
CANTOR EXCHANGE	United States	Registered on September 24, 2013	4407766
CANTOR DIRECT	United States	Registered on February 27, 2007	3212258
CANTOR FITZGERALD	United States	Registered on February 4, 2003	2682691
CANTOR FITZGERALD WEALTH PARTNERS	United States	Registered on June 30, 2015	4765183
CANTOR FITZGERALD CAPITAL	United States	Registered on February 2, 2021	6262174

Complainant also owns and operates the domain name <cantor.com> registered since 1998.

The disputed domain name was registered on February 2, 2025. The disputed domain name resolved to a website which featured Complainant's logo and purported to offer online banking and related financial services.

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 the following:

As a result of Complainant's longstanding use and promotion of the CANTOR Marks, the consuming public and the trade recognize and associate the CANTOR Marks with Complainant or one source. Accordingly, the CANTOR Marks have acquired a high degree of public recognition and distinctiveness as a symbol of the source of high quality services, and embody valuable reputation and goodwill belonging exclusively to Complainant.

Shortly after registering the disputed domain name, Respondent started to use the domain name for a website, as shown in Exhibit J to the Complaint, which featured Complainant's logo and purported to offer online banking and related financial services.

The disputed domain name is identical or confusingly to Complainant's CANTOR trademarks, as it consists of an exact copy of Complainant's CANTOR marks. The addition of the words "online bank" at the tail of the disputed domain name does not distinguish it from Complainant's CANTOR or CANTOR FITZGERALD marks, as CANTOR is clearly identifiable and the primary and dominant elements of the disputed domain name.

Given Complainant's longstanding use of CANTOR and CANTOR FITZGERALD, and the notoriety of the CANTOR and CANTOR FITZGERALD trademarks in the financial industry, it is not feasible to believe that

Respondent was unaware of the CANTOR and CANTOR FITZGERALD trademarks when it registered the disputed domain name.

Given the long use (over 75 years) and renown of Complainant's CANTOR trademarks, relevant consumers who search the Internet for information concerning financial services related to CANTOR or CANTOR FITZGERALD are likely to encounter the disputed domain name, and mistakenly believe that it and the associated website offering banking and related financial services are related to, authorized by, or affiliated with Complainant and its financial services, thereby creating a likelihood of confusion.

There is no evidence that the disputed domain name is a legitimate name or nickname of Respondent, nor is the disputed domain name identified with or related to any rights or legitimate interests of Respondent. Furthermore, the information for Respondent appears to be false and simply made up in order to register the disputed domain name.

There is no relationship between Complainant and Respondent giving rise to any license, permission, or other right by which Respondent could own or use any domain name incorporating the exact CANTOR trademark.

Respondent is neither using the disputed domain name in connection with a bona fide offering of goods or services nor making a legitimate noncommercial or fair use of the disputed domain name. Respondent has used the disputed domain name, without permission or authorization from Complainant, to capitalize on the CANTOR and CANTOR FITZGERALD names and trademarks that are known in the financial industry solely for commercial gain. Respondent has used the disputed domain name to attract consumers to a website holding itself out as simply CANTOR, and featuring the CANTOR logo, in order to offer for the profit of Respondent online banking and related services. Such use of the CANTOR name and mark by Respondent to redirect web users to its own website to promote the use of its claimed banking and other services from which it likely benefits financially does not create rights or a legitimate interest in the disputed domain name.

In view of Complainant's extensive use of the CANTOR and CANTOR FITZGERALD trademarks, and the fact that Respondent has no rights in Complainant's CANTOR and CANTOR FITZGERALD trademarks and has used the disputed domain name to offer competing financial services for Respondent's profit, Respondent does not, and cannot, have a legitimate noncommercial or fair use purpose for registering and using the disputed domain name and has not done so for a 'bona fide' offering of goods and services.

Respondent's bad faith registration of the disputed domain name is established by the fact that the disputed domain name completely incorporates and emphasizes Complainant's exact CANTOR trademark, and was registered long after Complainant's rights in its CANTOR trademarks were established, after Complainant registered the CANTOR trademarks, and after Complainant's financial services became well-known.

Respondent's bad faith is also exhibited by the fact that Respondent registered the disputed domain name long after widespread use of Complainant's CANTOR trademarks, and has done so without authorization for purposes of promoting an alleged online bank offering various financial services. The fact that Respondent has sought to pass itself off as Complainant by using Complainant's CANTOR name, trademark and logo makes it clear that Respondent has targeted Complainant.

Respondent's bad faith is further evidenced by the fact that Respondent is using the disputed domain name to attract and redirect web traffic to a website offering competing financial services. Respondent is using the disputed domain name for personal or commercial gain by leveraging the notoriety of the CANTOR and CANTOR FITZGERALD trademarks, particularly in the financial industry, to attract users to Respondent's website in order to promote Respondent's own services for Respondent's profit. Such use of the disputed domain name based on the CANTOR and CANTOR FITZGERALD names and trademarks to suggest a connection to Complainant in order to offer cryptocurrency investing, analytics and trading for profit is not a use in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name, but an act of bad faith.

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 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 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The Panel finds the CANTOR mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. Although the addition of other terms here, "online" and "bank" 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 3.0](#), section 1.8.

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 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 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.

Nor is there any evidence in the record that indicates that Respondent has ever been commonly known by the disputed domain name or has ever had any noncommercial legitimate or fair use of the disputed domain name.

Panels have held that the use of a domain name for illegitimate activity and illegal activity here, claimed as impersonation/passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The un rebutted record demonstrates that Respondent's only use of the disputed domain name is on a webpage advertising banking services but using Complainant's name, trademark, and exact logo (Exhibit J to the Complaint), which is clearly illegal impersonation and passing off.

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 again notes that Respondent used the disputed domain name for a webpage advertising banking services but using Complainant's name, trademark, and exact logo (Exhibit J to the Complaint), which is clearly illegal impersonation and passing off.

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 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegitimate activity and illegal activity here, claimed as impersonation/passing off, or other types of fraud 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 <cantoronlinebank.com> be transferred to Complainant.

/R. Eric Gaum/

R. Eric Gaum

Sole Panelist

Date: March 31, 2025