

ADMINISTRATIVE PANEL DECISION

Phoenix Group Management Services Limited v. Richard Edwards Case No. D2025-1018

1. The Parties

The Complainant is Phoenix Group Management Services Limited, United Kingdom, represented by Freeths LLP, United Kingdom (“UK”).

The Respondent is Richard Edwards, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <standardllife.com> is registered with Register.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 12, 2025. On March 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 13, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 17, 2025, 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 18, 2025.

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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 11, 2025.

The Center appointed Jane Lambert as the sole panelist in this matter on April 16, 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

The Complainant is a private company incorporated with limited liability in England and Wales on June 25, 1998, under company number 03588063. According to Companies House, its business consists of “other activities auxiliary to insurance and pension provision.”

The company is part of the Phoenix Group, which traces its origin to 1782 and is now the UK’s largest long-term savings and retirement business. With around GBP 290 billion of assets under administration, the group offers around 12 million customers a range of products through its trusted pensions, savings and life insurance brands. Its mission is to help everyone achieve the retirement they want and stay with them on their journey.

The Complainant is the registered proprietor of the following trade mark (“the registered trade mark”):

Mark	Jurisdiction	Number	Registered	Class
STANDARD LIFE	UK	UK00001272923	July 20, 1990	36

Further, by reason of its business activities since 1782, the Phoenix Group has acquired considerable goodwill and reputation in the STANDARD LIFE sign (“the sign”) in relation to pensions and insurance. The public and trade associates the sign with the Phoenix Group and no other. The use of the sign by the Respondent without the Complainant’s consent would be an act of passing off. The Complainant relies on the judgment of the Court of Appeal of England and Wales *British Telecommunications Plc and Others v One in a Million Ltd. and others* [1998] Masons CLR 165, [1999] FSR 1, [1998] 4 All ER 476, [1999] WLR 903, [1997-98] Info TLR 423, [1998] ITCLR 146, [1999] 1 ETMR 61, [1999] 1 WLR 903, [2001] EBLR 2, [1999] ETMR 61, [1998] EWCA Civ 1272 in support of its contention.

The disputed domain name was registered on January 29, 2025. The disputed domain name has been used as an email address for messages pretending to have been sent by employees of the Phoenix Group which request the Complainant’s investors to deposit funds into bogus bank accounts.

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.

First, the Complainant contends that the disputed domain name is almost identical to the registered trade mark. The only difference is an extra “L” before “Life” in the disputed domain name. Such misspelling does not distinguish the disputed domain name from the mark. The similarity between the disputed domain name and the registered trade mark is such that Internet users would be confused into believing that the disputed domain name is registered to, or at least operated, authorized or endorsed by the Complainant.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name because the registration of the registered trade mark number predated the registration of the disputed domain name. The Complainant has neither licensed nor authorized the Respondent to use the registered trade mark or sign. The Respondent is not associated with or connected to the Complainant in any way.

Thirdly, the Complainant submits that the disputed domain name was registered and is being used in bad faith. It argues that the use of the disputed domain name would infringe the registered trade mark and amount to passing off. In addition, the similarity between the disputed domain name and the registered trade mark and sign is likely to lead Internet users to believe that the Respondent is connected with the

Complainant. The disputed domain name has already been used as an email address for messages purporting to come from the Phoenix Group that attempt to induce investors to deposit large sums of money in bogus accounts.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

The agreement for the registration of the disputed domain name incorporates by reference para 4 (a) of the Policy:

"Applicable Disputes. You are required to submit to a mandatory administrative proceeding in the event that a third party (a "complainant") asserts to the applicable Provider, in compliance with the Rules of Procedure, that

- (i) your domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) you have no rights or legitimate interests in respect of the domain name; and
- (iii) your domain name has been registered and is being used in bad faith.

In the administrative proceeding, the complainant must prove that each of these three elements are present."

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.

The 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 entirety of the mark is reproduced 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](#), sections 1.7. and 1.9.

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 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 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 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. One of those circumstances is paragraph 4 (b)(iv):

“by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.”

In this case, the disputed domain name has been used as an email address for messages pretending to come from the Phoenix Group's employees. Attempts have been made to trick investors into depositing funds into a bogus online bank account. All the requirements of paragraph 4 (b) (iv) of the Policy are satisfied.

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 <standardllife.com> be transferred to the Complainant.

/Jane Lambert/

Jane Lambert

Sole Panelist

Date: April 30, 2025