

## **ADMINISTRATIVE PANEL DECISION**

Spectra Holdings, LLC v. Benny King  
Case No. D2025-1475

### **1. The Parties**

The Complainant is Spectra Holdings, LLC, United States of America ("United States"), represented by Adams and Reese LLP, United States.

The Respondent is Benny King, Nigeria.

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

The disputed domain name <spectracapital.live> is registered with Dynadot Inc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 10, 2025. On April 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 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 (REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 14, 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 amended Complaint on April 15, 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 the Respondent of the Complaint, and the proceedings commenced on April 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 8, 2025.

The Center appointed Iris Quadrio as the sole panelist in this matter on May 15, 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 specialized commercial real estate debt asset management company that has been operating since at least April 2023. The Complainant provides a wide range of capital investment and financing services, including funds investment and management, mortgage lending and brokerage, commercial lending, and the buying and selling of mortgage-backed notes. These services are marketed and offered to accredited investors and borrowers globally.

The Complainant promotes its services through a robust online presence, including the operation of multiple websites such as <spectra.holdings>, <spectracapital.com>, and <spectralending.com>, as well as through active engagement on social media platforms. Official accounts for SPECTRA CAPITAL and SPECTRA LENDING are maintained in LinkedIn, Instagram, and X (formerly Twitter), enabling the Complainant to advertise its services, engage with clients, and reinforce brand recognition across various digital channels.

The Complainant is the owner of the trademarks SPECTRA, SPECTRA CAPITAL, and SPECTRA LENDING in the United States Patent and Trademark Office, Reg. No. 7509188 for SPECTRA in class 36, registered on September 17, 2024; Reg. No. 7393180 for SPECTRA CAPITAL in class 36, registered on May 21, 2024; and Reg. No. 7393181 for SPECTRA LENDING in class 36, registered on May 21, 2024.

Finally, the disputed domain name was registered on February 8, 2025, and it originally directed users to a website that displayed the Complainant's trademark SPECTRA CAPITAL and advertised financial investment services relating to cryptocurrencies.

#### **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.

The Complainant states that the disputed domain name is confusingly similar to its trademarks SPECTRA, SPECTRA CAPITAL, SPECTRA LENDING, and to its associated domain names.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, nor is related in any way to the Complainant. Neither license nor authorization has been granted to the Respondent to make any use of the Complainant's trademarks SPECTRA, SPECTRA CAPITAL, and SPECTRA LENDING or apply for the registration of the disputed domain name.

More specifically, the Complainant alleges that the Respondent has not used and/or has no demonstrable intention to use the disputed domain name in connection with a bona fide offering of goods or services, except to create a likelihood of confusion with the Complainant's trademark. In fact, the Complainant claims that the Respondent's use of the disputed domain name to direct users to a website advertising services similar to those offered by the Complainant constitutes evidence of bad faith. The Complainant further contends that the website under the disputed domain name has been used in connection with a phishing scam, as it includes a "Contact Us" page that could be used to collect sensitive personal information from Internet visitors.

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, for this Complaint to succeed in relation to the disputed domain name, the Complainant must prove each of the following, namely that:

- (i) the disputed domain name is identical or confusingly similar with a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

### **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 SPECTRA CAPITAL mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

The Complainant claims not to have authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use Complainant's trademarks nor is there any other evidence in the case file suggesting that the Respondent has or could have rights or legitimate interests in the disputed domain name.

Even more, it does not seem that the Respondent has made nor is making a legitimate noncommercial or fair use of the disputed domain name. In this regard, as evidenced by the Complainant in Annex 2 to the Complaint, the disputed domain name initially resolved to a website displaying Complainant's SPECTRA and

SPECTRA CAPITAL trademarks and advertising financial services, which are directly competing with and are closely related to the financial services offered by the Complainant. It is clear that the Respondent's sole intention was to generate confusion among consumers as to the origin of the website only for the purpose of gaining commercial profit.

In particular, the Respondent's website to which the disputed domain name resolved, includes a "Contact Us" page collecting information from Internet visitors. The Panel considers that this page may be used for collecting sensitive personal information for illegitimate purposes under the circumstances of this case.

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.

In such connection, the Complainant has submitted evidence to support that the Complainant's trademarks were registered and used before the Respondent registered the disputed domain name. When registering the disputed domain name, the Respondent has targeted the Complainant's trademarks to create confusion among Internet users and benefit from the Complainant's reputation. Therefore, the Panel is satisfied that the Respondent must have been aware of the Complainant and the Complainant's trademarks when it registered the disputed domain name.

Likewise, as evidenced by the Complainant in Annex 2 to the Complaint, the disputed domain name resolved to a commercial website that offered financial goods and services in direct competition with the Complainant's. Clearly, the Respondent should have known the existence of the Complainant when registering the disputed domain name. The Panel therefore finds that the Respondent's use of the disputed domain name was intended to attract and mislead Internet users searching for the Complainant's website and to direct them to a website from which the Respondent most probably derives commercial revenue by creating a likelihood of confusion with the Complainant's trademark. Such use constitutes bad faith under the paragraph 4(b)(iv) of the Policy.

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 <spectracapital.live> be transferred to the Complainant.

*/Iris Quadrio/*

**Iris Quadrio**

Sole Panelist

Date: May 29, 2025