

## **ADMINISTRATIVE PANEL DECISION**

AXA SA v. Ashley Wright, Axa  
Case No. D2025-1490

### **1. The Parties**

The Complainant is AXA SA, France, represented by Plasseraud IP, France.

The Respondent is Ashley Wright, Axa, United States of America.

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

The disputed domain name <axaadvisors.info> is registered with Squarespace Domains II LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 11, 2025. On April 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 14, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 16, 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 April 16, 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 April 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 19, 2025.

The Center appointed Uwa Ohiku as the sole panelist in this matter on May 22, 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 AXA SA, France, whose roots go back to the 18<sup>th</sup> century. Through a succession of mergers, acquisitions and name changes, the name AXA was introduced in 1985. The Complainant is listed on both the Paris Stock Exchange and the New York Stock Exchange and employs about 154,000 people worldwide, serving about 94 million customers. It has a presence in 50 countries, in the following diversified geographic regions and markets: Europe, Africa & Middle East, North and South America and in Asia Pacific. In 2020, its financial indicators were EUR 97 Billion in revenue, with Financial Ratings of AA- (Standard & Poor's), AA- (Fitch) and Aa3 (Moody's). The Complainant's areas of expertise are applied to a range of products and services that are adapted to the needs of clients across the following three major business lines: property-casualty insurance, life & savings and asset management.

The Complainant is the owner of several registrations of the AXA and AXA & Design trademarks, such as:

- International Trademark Registration No. 490030 for AXA, registered on December 5, 1984, for services in International Classes 35, 36 and 39.
- International Trademark Registration No. 1519781 for AXA & Design, registered on May 29, 2019, for services in International Classes 35, 36, 37, 39, 44 and 45.
- European Union Trademark Registration No. 373894 for AXA & Design, registered on August 28, 1996, for services in International Classes 35 and 36.

The Complainant holds several domain names containing the trademark AXA, among them <axa.com> registered on October 24, 1995, and <axa.fr> registered on May 19, 1996. AXA is also commonly used to refer to the Complainant.

Previous Panels have held that the Complainant's mark AXA is well-known and well-established around the world in the field of insurance and financial services. For nine consecutive years up to 2017, the Complainant's trademark AXA was considered the leading global insurance brand and in the 2024 edition of Interbrand ranking of Top 100 Global Brands, the trademark AXA ranked 48<sup>th</sup>.

The Respondent did not file a Response to the Complaint.

The disputed domain name <axaadvisors.info> was registered on February 28, 2024.

According to the evidence submitted with the Complaint, the disputed domain name <axaadvisors.info> initially redirected to a page of an 'AXA website' that was unknown to the Complainant and was not part of the Complainant's business. As of the date of this decision, the disputed domain name resolves to a page that is not active, with the following message: "This site can't be reached. axaadvisors.info's server IP address could not be found".

#### **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 as follows:

##### **Identical or Confusingly Similar**

The Complainant contends that the disputed domain name <axaadvisors.info> is confusingly similar to the trademark AXA and the associated domain names in which the Complainant has rights. The Complainant also contends that the disputed domain name incorporates its trademark AXA in its entirety. The

Complainant asserts that the addition of the term 'advisors' to the disputed domain name does not prevent the likelihood of confusion between the disputed domain name and the Complainant's trademark as it is a generic and non-distinctive term that Internet users will not remember, compared to the well-known and distinctive term, AXA, but reinforces the likelihood of confusion since it refers to one of AXA's activities of advising individuals and corporate entities in its lines of business.

The Complainant further contends that the addition of the generic Top-Level Domain ("gTLD") ".info" does not change the overall impression of the disputed domain name as being connected to the trademark AXA and does not prevent the likelihood of confusion between the disputed name and the Complainant, the Complainant's trademark AXA and the Complainant's domain names.

### **No Rights or Legitimate Interests**

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name <axaadvisors.info>, as it has never licensed or otherwise permitted the Respondent to use its trademarks or to register the disputed domain name or any domain name which includes its trademarks. There is no relationship between the Complainant and Respondent and for this reason, the Respondent has no legitimate interest in justifying the use of the Complainant's trademarks but has clearly adopted the Complainant's trademark for its own use and incorporated it into its domain name without the Complainant's authorization.

The Complainant further contends that the Respondent has not been commonly known by the domain name or associated with the name AXA, a trademark that appears to be well-known. The Complainant asserts that the Respondent is not known by the disputed domain name according to the Whois database, and that the disputed domain name is not being used in connection with a bona fide offering of goods and services, as the disputed domain initially redirected to a fake AXA website which presented itself as the website of "AXA Advisors" a "Financial Professional;" even though the Complainant is not linked to any such entity. The said website requested log in details of users and thus appears to be a phishing scheme. Even though the disputed domain now resolves to an inactive page, such passive holding does not constitute legitimate non-commercial use.

### **Registered and Used in Bad Faith**

The Complainant contends that the Respondent registered and is using the disputed domain name <axaadvisors.info> in bad faith. It contends further that the Respondent was aware of the international fame and worldwide good reputation of the Complainant's AXA trademarks at the time the disputed domain name was acquired, and the Respondent purposely chose and registered the disputed domain name, incorporating the term "AXA" in its entirety. The Complainant's position is that the Respondent's act of incorporating the entirety of the Complainant's trademark, which is a notorious and famous one, is evidence of bad faith.

The Complainant further asserted additional evidence of bad faith in the uses of the disputed domain name, which was initially redirecting to a fake AXA website of "AXA Advisors" offering financial advice services and presenting the AXA semi-figurative trademark and graphic charter. Internet users were likely to be mistaken about the origin of the said website which allowed their AXA login details and potentially their passwords to be obtained. The Complainant contends that this was a phishing page which constitutes proof of both bad faith registration and use and that the actions of the Respondent are not a result of coincidence, but deliberate predatory steps to take advantage of the Complainant's reputation. Although the disputed domain name now resolves to an inactive page, that does not absolve the Respondent of bad faith registration and use.

### **B. Respondent**

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

## 6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute as follows: “A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable.”

According to Paragraph 4(a) of the Policy, in order to succeed in a Complaint, the Complainant must establish each of the following elements:

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

The Respondent did not reply to the Complainant’s contentions. To determine whether the Complainant has met its burden as stated in paragraph 4(a) of the Policy, the Panel bases its decision on the statements and documents submitted in accordance with the Policy and the Rules.

Further, under paragraph 5(f) of the Rules, if a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint, and under paragraph 14(b) of the Rules, if a Party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under the Rules, the Panel shall draw such inferences therefrom as it considers appropriate.

### 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 test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark, to assess whether the mark is recognizable within the disputed domain name. While each case is judged on its merits, where a domain name incorporates the entirety of a trademark (as in this case), or where the dominant feature of the mark is recognizable in the domain name, a finding of confusing similarity will normally be reached.

The Complainant has shown rights in respect of the AXA trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the entirety of the trademark AXA is reproduced within the disputed domain name <axaadvisors.info>. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Moreover, the addition of Top-Level-Domains (“TLDs”) in a domain name is viewed as a standard registration requirement and as such is typically disregarded for purposes of determining whether domain names are identical or confusingly similar. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that 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.

Panel notes that there is no evidence that the Respondent, whether as an individual, business or other organization, is commonly known under the AXA trademark. The Panel further notes that neither license nor authorization appear to have been granted by the Complainant to the Respondent to make any use of the Complainant's AXA trademark or to apply for the disputed domain name.

The record shows that the disputed domain name <axaadvisors.info> initially redirected to an AXA website that is unknown, unauthorized and unaffiliated with the Complainant. The website offered financial advice services and presented the AXA semi-figurative trademark and graphic charter. Internet users were likely to be misled about the origin and connection of the website with the Complainant and the log in details and potentially, the passwords of Internet users could be obtained from the website. At the time of this decision, the disputed domain name resolves to an inactive page.

Panels have held that the use of a domain name for illegal activity such as phishing and passing off/impersonation, as applicable to this case, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

Based on the record, the Panel finds that the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of, or otherwise abuses a complainant's mark.

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)(i): The respondent registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

Paragraph 4(b)(ii): The respondent registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided the respondent has engaged in a pattern of such conduct; or

Paragraph 4(b)(iii): The respondent registered the domain name primarily for the purpose of disrupting the business of a competitor; or

Paragraph 4(b)(iv): By using the domain name, the respondent has intentionally attempted to attract, for commercial gain, internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark, as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

Whilst paragraph 4(b) of the Policy sets out the above list of circumstances that may indicate that a domain name was registered and used in bad faith, other circumstances may be relevant in assessing whether a respondent's registration and use of the disputed domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel notes that the Complainant ascertained its rights over the AXA trademarks in several jurisdictions. The dates of registration of the Complainant's trademarks and domain names significantly precede the date of registration of the disputed domain name. The Complainant has established the second element under paragraph 4(a), showing clear absence of rights or legitimate interests in the disputed domain name by the Respondent, which the Respondent did not rebut. The Respondent did not provide any credible explanation for its choice of domain name and the Complainant's trademark AXA is completely reproduced in the disputed name.

Moreover, the record shows that through the website to which the disputed domain name initially resolved, the Respondent impersonated the Complainant, which constitutes bad faith. Internet users who encounter the website under the disputed domain name may believe that they are dealing with the Complainant, or with a website that is somehow endorsed, authorized, affiliated with, or operated by the Complainant. [WIPO Overview 3.0](#), section 3.1.4.

Taking the above into consideration as well as the fact that the Respondent has targeted the Complainant, its services and its clients, it is clear that the Respondent knew about the Complainant and its trademarks when the disputed domain name was registered. [WIPO Overview 3.0](#), section 3.2.1.

The evidence submitted by the Complainant shows that the Respondent has attempted to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the Complainant as to the source, sponsorship, affiliation or endorsement of the Respondent's website, which constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegal activity, in this case, impersonation/passing off, phishing, or other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under 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 <axaadvisors.info> be transferred to the Complainant.

*/Uwa Ohiku/*

**Uwa Ohiku**

Sole Panelist

Date: June 5, 2025