

ADMINISTRATIVE PANEL DECISION

Fisher Asset Management, LLC v. Teon Killman, NATRAJ HOSPITALITY INC.

Case No. D2025-2294

1. The Parties

The Complainant is Fisher Asset Management, LLC, United States of America (“United States”), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Teon Killman, NATRAJ HOSPITALITY INC., United States.

2. The Domain Names and Registrar

The disputed domain names <fisher-invest.men>, <fisherinvest.men>, <fisherInvestments.com> are registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 12, 2025. On June 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 12, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 13, 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 June 17, 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 June 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 13, 2025.

The Center appointed Kathryn Lee as the sole panelist in this matter on July 19, 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 privately held investment advisory firm launched in 1979 and doing business as “Fisher Investments”. The Complainant has 6,000 employees and 170,000 clients worldwide with over USD 299 billion in assets under management, including its subsidiaries. The Complainant was recognized as a Best Financial Advisory Firm by USA Today and Statista in 2023 and Editors’ Pick for Best Financial Advisors by CNN Underscored in 2024. The Complainant has a number of trademark registrations for FISHER INVESTMENTS including United States Trademark Registration Number 3103881 registered on June 13, 2006, and United States Trademark Registration Number 5605365 registered on November 13, 2018.

The Respondent appears to be an individual with an address in the United States.

The disputed domain names <fisher-invest.men>, <fisherinvest.men>, and <fisherInvestments.com> were all registered on April 15, 2025 and resolve to the landing page or the parking page of the Registrar.

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 names.

Notably, the Complainant contends that the disputed domain names <fisher-invest.men> and <fisherinvest.men> are confusingly similar to the FISHER INVESTMENTS mark in which it has trademark rights since the Respondent has replaced “investments” with “invest” while the dominant portion remains. As for the disputed domain name <fisherInvestments.com>, the Complainant contends that the Respondent has replaced the letter “I” with the letter “L” which, when in lowercase, are visually indistinguishable, and therefore, is also similar to the Complainant’s mark.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain names and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent’s use of, or demonstrable preparations to use, the disputed domain names in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain names, or made a legitimate noncommercial or fair use of the disputed domain names.

Finally, the Complainant contends that the disputed domain names were registered and were being used in bad faith. The Complainant contends that its FISHER INVESTMENTS trademark is known internationally with trademark registrations across numerous countries, and that it has offered its services since 1979, while the disputed domain names were only registered in 2025. Therefore, the Complainant contends, the Respondent knew, or at least, should have known, of the Complainant and its mark. The Complainant also contends that the typosquatting in connection with the disputed domain name <fisherInvestments.com> is evidence of bad faith registration and use. Further, the Complainant also contends that this disputed domain name is set up with mail exchange (MX) records which will allow emails to be set up from that domain name, which cannot have any purpose other than to facilitate fraudulent activity such as phishing, impersonating, or passing off as the Complainant.

B. Respondent

The Respondent did not reply to the 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 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 Panel finds the FISHER INVESTMENTS mark is recognizable within the disputed domain names <fisher-invest.men>, <fisherinvest.men> since the term "investments" is replaced by its common abbreviation, "invest". The mark is also recognizable within the disputed domain name <fisherInvestments.com>, as the letter "I" was only replaced with the letter "L" and both letters appear nearly identical in lowercase. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Further, the disputed domain name <fisherInvestments.com> is a case of typosquatting, and previous UDRP panels have concluded that a domain name that consists of an intentional misspelling of a trademark is considered confusingly similar to the relevant trademark for the purposes of the first element. See [WIPO Overview 3.0](#), section 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 names. 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 names 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 the present case, the Panel notes that the Respondent registered three disputed domain names confusingly similar to the Complainant's mark. Based on the similarity of the disputed domain names to the Complainant's mark, as well as the fame and reputation of the Complainant and its mark, it is likely that the Respondent targeted the Complainant in registering the disputed domain names.

In particular, the disputed domain name <fisherInvestments.com> is not only nearly identical to the Complainant's trademark but also the domain name for its official website <fisherinvestments.com>. Absent any explanation from the Respondent for registering the disputed domain names, it can only be presumed that the Respondent attempted to cause confusion and mislead Internet users into believing that there is some sort of a relationship or affiliation between the disputed domain names and the Complainant.

The disputed domain names are not connected to any active website. However, Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good faith use, the Respondent's concealing its identity, the composition of the disputed domain names, and the implausibility of any good faith use to which the disputed domain names may be put, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of 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 names <fisher-invest.men>, <fisherinvest.men>, and <fisherInvestments.com> be transferred to the Complainant.

/Kathryn Lee/

Kathryn Lee

Sole Panelist

Date: August 2, 2025