

ADMINISTRATIVE PANEL DECISION

XNT LTD. v. Duke Riachard

Case No. D2025-2704

1. The Parties

The Complainant is XNT LTD., Malta, internally represented.

The Respondent is Duke Riachard, United States of America (“United Status”).

2. The Domain Name and Registrar

The disputed domain name <exantecmcltd.com> is registered with Global Domain Group LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 9, 2025. On July 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 11, 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 (not available) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 18, 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 July 21, 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 July 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 14, 2025.

The Center appointed Jane Lambert as the sole panelist in this matter on August 18, 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 an international investment services company. It was incorporated as a limited liability company under Maltese law in 2011 and is licensed by the Malta Financial Services Authority to supply financial services to non-retail clients only, including trading and investment. It provides online trading access to over 50 markets worldwide offering both individual and corporate services with vast growth opportunities. The Complainant promotes its business at “www.exante.eu”.

The Complainant has registered trade marks in several jurisdictions including the following:

Mark	Jurisdiction	Number	Registration Date	Classes
 EXANTE	United Kingdom (“UK”)	UK00915567928	October 24, 2016	36
 EXANTE	European Union (“EU”)	015567928	October 24, 2016	36
 EXANTE	United States	6,213,473	December 8, 2020	9, 36

All that is known of the Respondent is the name and contact details that the Registrar has disclosed.

The disputed domain name was registered on August 1, 2024. It has been used as the URL of a website that reproduces the Complainant’s EU and UK trade marks and imitates the get-up of the above-mentioned Complainant’s official website including overall design and color scheme. Several screen prints of the pages from that website is appended to the Complaint as Annexes 8, 9 and 10.

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 that the disputed domain name is confusingly similar to its trade mark in that the disputed domain name incorporates the word EXANTE in its entirety and remains recognizable therein despite the addition of the letters c, m, c, l, t and d. The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. The reproduction of the above trade marks and the imitation of the get-up of the Complainant’s site misrepresents a connection between the Respondent’s site and the Complainant. Such misrepresentation is likely to induce Internet users intending to do business with the Complainant to enter the Respondent’s site, where they may be tricked into transacting with the Respondent.

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 the following provisions of the Policy:

"a. 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 and remains recognizable despite the addition of the letters "c", "m", "l", "t" and "d". 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 1.8.

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 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.

Panels have held that the use of a domain name for illegal activity here, claimed as passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 disputed domain name resolves to a website that reproduces the Complainant's trade marks, imitates the get-up of the Complainant's official website including overall design and color scheme, and purports to provide similar financial services. The Panel finds that by using the disputed domain name, the Respondent has intentionally attempted to attract for commercial gain Internet users to its website by creating a likelihood of confusion with the Complainant as to the source of services on its website contrary to paragraph 4 (b)(iv) the Policy.

Further, panels have held that the use of a domain name for illegal activity here claimed as passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <exantecmcltd.com> be transferred to the Complainant.

/Jane Lambert/

Jane Lambert

Sole Panelist

Date: September 1, 2025