

## **ADMINISTRATIVE PANEL DECISION**

Northern Trust Corporation v. Domain Administrator, Fundacion Privacy Services LTD

Case No. D2025-3390

### **1. The Parties**

Complainant is Northern Trust Corporation, United States of America ("United States"), represented by Dentons US LLP, United States.

Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

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

The disputed domain name <northertrust.com> (the "Domain Name") is registered with Media Elite Holdings Limited (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 22, 2025. On August 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 26, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from named Respondent (Fundacion Privacy Services LTD) and contact information in the Complaint. The Center sent an email communication to Complainant on August 29, 2025, providing the additional registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on August 29, 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 Respondent of the Complaint, and the proceedings commenced on August 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 18, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on September 29, 2025.

The Center appointed Clive L. Elliott K.C. as the sole panelist in this matter on October 8, 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

Complainant is a publicly traded international financial services company (Nasdaq: NTRS). It provides asset servicing, fund administration, asset management, fiduciary and banking solutions for corporations, institutions, families and individuals worldwide.

Complainant's predecessor was originally founded as a bank under the name "Northern Trust" in 1889 and today employs over 22,000 people in its network of offices.

Complainant or its predecessors have used the trade mark NORTHERN TRUST ("Complainant's Mark") in the United States for over 130 years, since at least as early as 1889, and is the registered owner in the United States, including the following:

Mark	Jurisdiction	Registration No	Registration Date	Class
NORTHERN TRUST	United States of America	1001355	January 7, 1975	36
NORTHERN TRUST BANK	United States of America	1626282	December 4, 1990	36

Complainant is also the registered owner of domain names:

- (a) <northerntrust.com> registered in 1996, which is its primary website;
- (b) <northerntrustbank.com> registered in 1997, which resolves to its primary domain <northerntrust.com> since at least 1999; and
- (c) <northerntrustbank.net> registered in 2005.

According to the publicly available WhoIs, the Domain Name was registered on February 27, 2004, and resolves to a website that contains pay-per-click hyperlinks.

#### 5. Parties' Contentions

##### A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that the Domain Name is confusingly similar to Complainant's Mark as it uses the phrase "northertrust" which is virtually identical to Complainant's Mark and the only difference is that the letter "n" has been removed from Complainant's Mark. Complainant further contends that this imitation of Complainant's Mark provides the same impression as Complainant's Mark, which is used for financial services.

Complainant asserts that it has long-established rights in Complainant's Mark, and that it has widely used and advertised Complainant's Mark for its well-known financial services brand in the United States and around the world. In addition, registrations for Complainant's Mark date back to 1975 in the United States and 1970s in twenty other countries, which is well prior to the creation of the Domain Name in 2004.

Complainant states that the Domain Name redirects users to multiple websites, including websites that contain pay-per-click hyperlinks as well as a website that “warns” users that their phones and/or computers may be “hacked” and “immediate action is required.” The website then attempts to download malware designed to invade a phone and/or computer disguised as a real, operational program.

Furthermore, Complainant contends that Respondent’s use of the Domain Name to gain revenue via pay-per-click links or to intentionally mislead the public is neither a bona fide offering of goods nor services.

In light of all the circumstances, Complainant claims that Respondent has registered the Domain Name in bad faith, with the intention of profiting from the reputation of Complainant’s Mark by choosing a domain name confusingly similar to Complainant’s Mark, with the intention of misleading Complainant’s clients, potential clients and the public into falsely believing that a relationship of source, sponsorship, affiliation or endorsements exists between Complainant and the websites to which the Domain Name resolves.

## **B. Respondent**

Respondent did not reply to Complainant’s contentions.

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

The first of the Policy element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between Complainant’s Mark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 1.7.

Complainant has used and registered Complainant’s Mark and shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Complainant’s Mark is, for all intents and purposes, incorporated within the Domain Name. The Domain Name differs only to the extent of a subtle, and difficult to detect, spelling error, namely the omission of the letter “n” in NORTHERN TRUST, rendered as “northertrust”. Complainant contends that this imitation of Complainant’s Mark provides the same impression as Complainant’s Mark. The Panel agrees. Notwithstanding this change, the Domain Name is confusingly similar to Complainant’s Mark. The Panel finds that this is a case of typosquatting and the 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 Respondent may demonstrate rights or legitimate interests in the 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 respondent lacks rights or legitimate interests, the burden of production on this element shifts to respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Domain Name (although the burden of proof always remains on complainant). If respondent fails to come forward with such relevant evidence, complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not challenged Complainant's prima facie showing and has not provided an argument or relevant evidence demonstrating rights or legitimate interests in the Domain Name, such as those enumerated in the Policy or otherwise. In this regard, the Panel observes that the Domain Name was registered in 2004 and has been on the register since then. Respondent could have raised a delay or acquiescence argument, in order to attempt to show that it had some rights or legitimate interests in the Domain Name. However, as noted, it has chosen not to do so. In those circumstances, the Panel is satisfied that the prima facie case put forward by Complainant has not been challenged or disturbed.

Turning to the merits, in the present case, it is alleged that the Domain Name redirects users to various websites, some of which contain pay-per-click hyperlinks as well as a website that solicits members of the public to download malware designed to invade a phone and/or computer disguised as a real, operational program.

This shows that there is no bona fide offering of goods or services. It carries a risk that the Domain Name may be used to mislead Internet users. In addition, given that the Domain Name incorporates Complainant's Mark but with a small typographical change, Internet users may not notice the subtle difference between the Domain Name and Complainant's Mark, which gives rise to a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

Accordingly, the Panel finds the second element of the Policy has been established.

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

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.

The Panel notes that the composition of the Domain Name, incorporating Complainant's Mark, but with an insignificant typographical change, suggests Respondent knew of and sought to take advantage of Complainant's Mark when deliberately modifying Complainant's Mark and registering the Domain Name.

As noted above, Respondent has not put forward any explanation for the choice of the Domain Name nor for the way in which the Domain Name is being improperly used, as enumerated above. In addition, the use of the Domain Name for a website with pay-per-click links which capitalize on the reputation of Complainant's Mark constitutes bad faith under paragraph 4(b)(iv) of the Policy.

The Panel finds that 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 Domain Name <northertrust.com> be transferred to Complainant.

*/Clive L. Elliott K.C./*

**Clive L. Elliott K.C.**

Sole Panelist

Date: October 24, 2025