

ADMINISTRATIVE PANEL DECISION

Ashcroft Capital LLC v. ali hassan, Webwalay
Case No. D2025-5445

1. The Parties

The Complainant is Ashcroft Capital LLC, United States of America (“United States”), represented by Greenberg Traurig, LLP, United States.

The Respondent is ali hassan, Webwalay, Pakistan, self-represented.

2. The Domain Name and Registrar

The disputed domain name <ashcrofthcapitallawsuits.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 30, 2025. On January 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 3, 2026, 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, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 5, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed amended Complaints on January 12 and 14, 2026.

The Center verified that the Complaint together with the amended Complaints 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 January 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 4, 2026. The Response was filed with the Center on February 2, 2026.

The Center appointed Jeremy Speres as the sole panelist in this matter on February 5, 2026. 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.

The Complainant filed a Supplemental Filing on February 5, 2026.

4. Factual Background

Founded in 2014, the Complainant is an investment firm trading under the ASHCROFT CAPITAL mark that specializes in the acquisition and management of apartment communities across the southern United States.

The Complainant's mark is registered under United States Trademark Registration No. 5843923 ASHCROFT CAPITAL in class 36, having a registration date of August 27, 2019, and a use in commerce date of January 15, 2016.

The disputed domain name was registered on September 15, 2025, and resolves to a website entitled "Ashcroft Capital Lawsuit 2025 – Allegations, Timeline & Payout", containing details of a lawsuit allegedly filed against the Complainant, and allegations of financial misconduct directed against the Complainant. The website further contains pages with information on third party lawsuits.

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:

The lawsuit that the Respondent's website refers to is fictitious and the Respondent's claims on its website concerning that lawsuit are entirely false.

The Respondent has used his website for commercial gain by publishing various blogs and "news" reports associated with the content published at the website under the disputed domain name.

The Respondent, or an associate, previously registered an almost identical domain name, <ashcroftcapitallawsuit.com>, hereinafter referred to as the "singular domain name", which was used to publish substantively similar content to that published at the disputed domain name's website. After being sent cease and desist correspondence by the Complainant's representative, the Respondent or his associate extorted payment from the Complainant in return for transferring the singular domain name to the Complainant.

The allegations of financial impropriety against the Complainant are therefore a pretext for commercial gain. The Respondent cannot therefore rely on fair use criticism to claim legitimate interests under the second element of the Policy.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends as follows:

The Respondent claims that the addition of the descriptive term “lawsuits” within the disputed domain name signals commentary and informational intent.

The Respondent claims a legitimate interest in operating an informational website. The website does not impersonate, solicit funds, or offer competing services. A visible disclaimer was added stating the website is not affiliated with the Complainant and is for general informational purposes only. The Respondent maintains that it did not issue any sale offers or monetary demands to the Complainant and had no intent to mislead Internet users. Finally, the Respondent notes that the UDRP is not a correct forum for addressing claims of defamation put forth by the Complainant.

6. Discussion and Findings

6.1. Preliminary Matters

A. Supplemental Filing

The Complainant filed an unsolicited Supplemental Filing.

Paragraphs 10 and 12 of the Rules in effect grant the Panel sole discretion to determine the admissibility of unsolicited supplemental filings. Admissibility of supplemental filings is to be assessed based on relevance, foreseeability, the need to conduct the proceedings with due expedition, and the equal treatment of the parties so that each has a fair opportunity to present its case. Paragraph 10(b) of the Rules; *Société aux Loteries en Europe, SLE v. Take That Ltd.*, WIPO Case No. [D2007-0214](#); WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.6.

The Complainant’s Supplemental Filing contained allegations that the Response was generated by Artificial Intelligence (“AI”), which is consistent with the Respondent’s alleged use of AI to create a slew of websites that use the Respondent’s website content as part of the Respondent’s alleged scheme of commercialising the disputed domain name. The Supplemental Filing included analyses from various AI-assessment tools that support the contention that the Response was generated by AI. The Supplemental Filing further claims that the AI generated nature of the Response is such that it is designed to frustrate these proceedings, and invites the Panel to draw negative inferences from this.

This could not have been foreseen by the Complainant, and it is relevant to and supports the Complainant’s contentions around the Respondent’s alleged use of AI-generated websites to commercialise the disputed domain name.

The Panel therefore admits the Supplemental Filing.

6.2. Substantive Matters

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 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. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here “lawsuits”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 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 evidence in the record is insufficient to demonstrate rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Respondent claims legitimate interests based on fair use in the form of commentary or criticism.

One of the core factors that Panels consider when assessing claims of fair use is the nature of the domain name itself. [WIPO Overview 3.0](#), section 2.5.1. The Panel agrees with the panel in *ESH Strategies Branding, L.L.C. v. Sergio Quinones*, WIPO Case No. [D2017-2286](#), where it was stated:

“The use of the word ‘lawsuit’ in the disputed domain name does not, on its face, immediately suggest sponsorship or endorsement by Complainant, given that the disputed domain name could be seen by consumers as relating to a lawsuit involving or against Complainant and its EXTENDED STAY AMERICA hotels. However, the disputed domain name could just as easily be seen by some consumers as relating to an informational page from Complainant regarding a lawsuit initiated by or being defended by Complainant. Simply put, the disputed domain name does not in and of itself trigger a definite inference of affiliation or non-affiliation. Consequently, the disputed domain name needs to be assessed in the context of the use that has been made of such by Respondent.”

The Complainant’s evidence clearly establishes that the particular lawsuit that the Respondent’s website claims to be centered around is demonstrably fictitious and the Respondent’s reliance upon it is false. As the Complainant’s evidence shows, the Respondent’s website cites a lawsuit filed against the Complainant that involved matters of employment law which was subsequently dismissed, and which had nothing to do with any of the allegations that the Respondent’s website claims that it does. The Respondent, therefore, has made objectively false allegations against the Complainant.

The Panel accepts that assessing whether or not a respondent’s criticism of a complainant has any merit or is defamatory is beyond the scope of a cybersquatting enquiry under the Policy and is best left to the courts. See *LCF Law Limited v. Lee Tyson, BDTHREE*, WIPO Case No. [D2021-2412](#).

However, to support fair use under UDRP paragraph 4(c)(iii), a respondent’s criticism must at least be genuine. [WIPO Overview 3.0](#), section 2.6.1. Additionally, a relevant factor in assessing fair use is whether the respondent reasonably believes its use (whether referential, or for praise or criticism) to be truthful and well-founded. [WIPO Overview 3.0](#), section 2.5.2.

There is no question that the Respondent's criticism of the Complaint is false, and demonstrably so. The Respondent did not specifically deny this in the Response and did not address this allegation at all. In the circumstances, it is clear that the Respondent's criticism was not genuine, and that the Respondent could not reasonably have believed it to be truthful or well-founded. The Respondent cannot, therefore, rely on fair use.

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.

As discussed in relation to the second element above, the Respondent has used the disputed domain name in an objectively untruthful manner that is harmful to the Complainant's reputation. This clearly points to bad faith. [WIPO Overview 3.0](#), section 3.12.

The Complainant claims that the Respondent was behind the registration of the singular domain name referenced in the Complainant's contentions above. In that case, the Complainant contends the registrant extorted the Complainant by posting untrue allegations against the Complainant at the singular domain name and demanding money from the Complainant in order to remove them. The Complainant's evidence establishes, on balance of probabilities, that the Respondent, or its affiliate, was more than likely behind the singular domain name. In particular, both the disputed and the singular domain names were registered using the same registrar within two months of one another, and both used the same name servers. Both resolved to substantively similar content targeting the Complainant, and they were both composed almost identically. The Respondent has not denied being behind the singular domain name in the Response and simply stated that no sale offers or monetary demands were made in connection with the disputed domain name. On January 12, 2026, the Center received a communication from the registrant of the singular domain name indicating that it was not the registrant of the disputed domain name. However, neither communication addressed the similarities in the registrations and use of the two domain names, nor the Complainant's substantive contentions. As such, the Panel finds, on balance of probabilities, that there is a connection between the singular and disputed domain names and that it was the Respondent's intention in the present case to seek money from the Complainant, as was done for the singular domain name, especially considering that the disputed domain name has been used for patently false, harmful content.

The Complainant has also presented evidence showing that a slew of likely AI-generated websites and blogs have been published that substantively reproduce the untrue content of the Respondent's website. In the absence of any specific denial from the Respondent, it appears likely that these websites and blogs, which are monetized through advertising, were published in order to further the Respondent's scheme and to benefit the Respondent commercially through click-through advertising.

The Respondent provided demonstrably false or incomplete contact information in the Whois record for the disputed domain name, including an obviously fictitious telephone number and an incomplete or false address. In the circumstances of this case, this suggests an attempt by the Respondent to evade pursuit (*Kabushiki Kaisha Raibudoa v. Kubota, A*, WIPO Case No. [D2001-0817](#)).

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 <ashcroftcapitallawsuits.com> be transferred to the Complainant.

/Jeremy Speres/

Jeremy Speres

Sole Panelist

Date: February 13, 2026