

ADMINISTRATIVE PANEL DECISION

Loomis Sayles & Company. L. P. v. defgit defgit
Case No. D2026-0135

1. The Parties

Complainant is Loomis Sayles & Company. L. P., United States of America (“U.S.” or “United States”), represented by MIIP – MADE IN IP, France.

Respondent is defgit defgit, United States.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 13, 2026. On January 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 15, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Name, which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on January 20, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on January 23, 2026.

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 January 26, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was February 15, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on February 24, 2026.

The Center appointed John C. McElwaine as the sole panelist in this matter on February 27, 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.

4. Factual Background

Complainant is a United States-based investment management firm founded in 1926. Complainant owns multiple trademark registrations for the mark LOOMIS SAYLES in various jurisdictions, including but not limited to the following:

- LOOMIS SAYLES (word mark), U.S. Reg. No. 4,188,902, registered on August 14, 2012, in International Classes 9, 16, and 36;
- LOOMIS SAYLES (word mark), European Union Trade Mark No. 009792565, registered on August 18, 2011, in International Classes 9, 16, and 36; and
- LOOMIS SAYLES (word mark), United Kingdom No. UK00002562564, registered on February 18, 2011, in International Classes 9, 16, and 36.

Collectively, these registered trademarks are referred to the “LOOMIS SAYLES Mark.”

The Domain Name was registered on December 23, 2025. At one point prior to filing of the Complaint, the Domain Name resolved to a website allegedly operated by a company using the name “LoomisTrade HQ Ltd.” and offering “Invest with Confidence” cryptocurrency investment services, claiming to be registered in the United Kingdom (“UK”) and regulated by the UK Financial Conduct Authority.

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.

With respect to the first element of the Policy, Complainant contends that the Domain Name is confusingly similar to Complainant’s well-known LOOMIS SAYLES Mark. The Domain Name incorporates the distinctive element “Loomis” of Complainant’s mark in its entirety, simply adding the generic term “trade” to form “loomistrade”. Complainant argues that “Loomis” is the surname of its founder and closely associated with Complainant, and the addition of the term “trade” does not prevent a finding of confusing similarity.

With respect to the second element of the Policy, Complainant asserts that Respondent has no rights or legitimate interests in the Domain Name. Complainant alleges it has never authorized or licensed Respondent to use the LOOMIS SAYLES name or mark, nor is Respondent affiliated with Complainant in any way. Complainant contends that Respondent has no trademark or other rights in LoomisTrade”. Complainant submits that Respondent’s use of the Domain Name has been illegitimate: the Domain Name was used to operate a sham website offering fraudulent cryptocurrency investment services. Complainant’s investigations demonstrated that purported company “Loomis Trade HQ Ltd.” is fictitious and that Respondent’s use of the Domain Name was intended to mislead Internet users. Such deceptive use, Complainant argues, cannot be considered a bona fide offering of goods or services or a legitimate noncommercial or fair use. Also, Respondent’s choice to hide its identity behind a privacy service further supports the conclusion that Respondent has no rights or legitimate interests in the Domain Name.

With respect to the third element of the Policy, Complainant also contends that the Domain Name was registered and is being used in bad faith. Complainant’s LOOMIS SAYLES Mark has been in use for nearly a century and is well known in the financial industry. Complainant asserts that Respondent registered the

Domain Name in December 2025, long after Complainant's LOOMIS SAYLES Mark was established, and thus Respondent was undoubtedly aware of Complainant's rights. Complainant argues that Respondent's motive in registering the Domain Name was to capitalize on Complainant's reputation by creating a false association. In particular, Respondent used the Domain Name for a fraudulent website mimicking a legitimate financial services enterprise, falsely claiming regulatory credentials and using the distinctive name "LoomisTrade" to confuse users into believing an affiliation with Complainant. Complainant also mentions that Respondent's use of a privacy shield to mask its identity, likely false contact details are further indicative of bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted, paragraph 4(a) of the Policy requires that, in order to succeed in this UDRP proceeding, Complainant must still prove its assertions with evidence demonstrating:

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

Because of Respondent's default, the Panel may accept as true the reasonable factual allegations stated within the Complaint and may draw appropriate inferences therefrom. See *St. Tropez Acquisition Co. Limited v. AnonymousSpeech LLC and Global House Inc.*, WIPO Case No. [D2009-1779](#); and *Bjorn Kassoe Andersen v. Direction International*, WIPO Case No. [D2007-0605](#); see also 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"). Having considered the Complaint, the Policy, the Rules, the Supplemental Rules, and applicable principles of law, the Panel's findings on each of the above-cited elements are as follows

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 Complainant's trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7. Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.1](#), section 1.2. On this point, Complainant has provided evidence that it is the owner of several registrations for the LOOMIS SAYLES Mark.

The Panel finds that the dominant element of Complainant's LOOMIS SAYLES Mark is clearly recognizable within the Domain Name. The inclusion of the word "trade" after "loomis" does not prevent a finding of confusing similarity. Accordingly, the Panel concludes that the Domain Name is confusingly similar to a trademark in which Complainant has rights. The first element of the Policy is satisfied.

B. Rights or Legitimate Interests

Complainant must make a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name, after which the burden of production shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests. See section 2.1 of the [WIPO Overview 3.1](#).

Here, Complainant has stated that it has not licensed or otherwise authorized Respondent to use its LOOMIS SAYLE Mark or to register domain names incorporating the mark. There is no evidence that Respondent has been commonly known by the Domain Name or that Respondent has acquired any trademark rights in the term “Loomis Trade”. In this regard, the Panel notes that Complainant has provided evidence showing that no company with the name “Loomis Trade HQ Ltd” is registered with the UK companies register, and that the purported company number displayed on the website at the disputed domain name was that of a third-party business. Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not rebutted Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy¹ or otherwise.

Respondent, in default, has provided no evidence to rebut Complainant’s prima facie case.

Moreover, Respondent’s actual use of the Domain Name has been to host a website that falsely purported to be a legitimate financial service under a name closely associated with Complainant’s mark, seemingly to mislead users and perpetrate fraud. Panels have consistently held that trading off a complainant’s trademark rights or its business through a domain name and associated website negates any claim to rights or legitimate interests. See *On AG, On Clouds GmbH v. Nguyen Luu, Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf, Vuong Hoang, AN NGUYEN, NEO CORP., and Ngoc Tam Nguyen*, WIPO Case No. [D2021-1714](#) (“a [disputed domain name’s] use cannot be deemed bona fide if the disputed domain names constitute trademark infringement”), citing *Sai Machine Tools Private Limited v. Mr. Sudhir Jaiswal, Shree Sai Extrusion Technik Pvt. Ltd*, WIPO Case No. [D2018-2560](#) (“bona fide use is predicated on honest adoption of the name” and respondent failed to show such honest adoption; rather, respondent’s use was infringing and therefore not bona fide).

Respondent had the opportunity to demonstrate any rights or legitimate interests, but chose not to participate in these proceedings. Based on the foregoing, Complainant has made a prima facie showing of Respondent’s lack of any right or legitimate interests, and Respondent has failed to come forward with evidence to rebut that showing. As provided for by paragraph 14 of the Rules, the Panel may draw such inference from Respondent’s lack of a response as it considers appropriate. The Panel finds that Respondent does not have rights or legitimate interests in the Domain Name and that Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, Complainant must prove that the Domain Name has been registered and is being used by Respondent in bad faith. Paragraph 4(b) of the Policy sets forth a non-exhaustive list of circumstances that, if found, shall be evidence of bad faith registration and use. One such circumstance is when a respondent, by using the domain name, intentionally attempts to attract Internet users for commercial gain by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the respondent’s website.

The totality of the circumstances in this case indicate that Respondent’s registration and use of the Domain Name have been in bad faith. Complainant’s LOOMIS SAYLES Mark has been in use for decades and enjoys a strong reputation in the field of investment management. Given the distinctiveness and fame of the name “Loomis” in the financial industry, it is very likely that Respondent was aware of Complainant’s mark when registering the Domain Name. Respondent’s selection of the Domain Name comprising Complainant’s

¹ The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a disputed domain name: “(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

well-known name “Loomis” in combination with the term “trade” – which is directly relevant to Complainant’s business – for a financial offering was clearly intended to target Complainant’s trademark and goodwill. Bad faith registration can be found where a respondent “knew or should have known” of a complainant’s trademark rights and nevertheless registered a domain name in which it had no right or legitimate interest. See *Accor S.A. v. Kristen Hoerl*, WIPO Case No. [D2007-1722](#). Based on Complainant’s submissions, which were not rebutted by Respondent, Respondent knew or should have known of Complainant’s LOOMIS SAYLES Mark when Respondent registered the Domain Name. [WIPO Overview 3.1](#), section 3.2.2. Furthermore, and as also detailed above, Respondent is not commonly known by the Domain Name and does not have any rights or legitimate interests in the Domain Name. Accordingly, on the record, there is no explanation to justify Respondent’s choice to register the Domain Name. With no Response from Respondent, this claim is undisputed, and the Panel can infer bad faith, particularly in light of the other elements of bad faith discussed below.

Respondent’s use of the Domain Name has been manifestly in bad faith. By operating a website falsely branded as “Loomis Trade” and claiming nonexistent regulatory credentials, Respondent was most likely seeking to misrepresent itself as an affiliate or part of Complainant’s organization in order to deceive Internet users for commercial gain. Such impersonation and likely fraudulent activity fall squarely within the definition of bad faith under the Policy. UDRP panels universally recognize that using a domain name to conduct a scam or phishing scheme is evidence of bad faith registration and use. *Dassault Systemes Limited v. Adam Grunweg, Finixio Ltd*, WIPO Case No. [D2023-4591](#) (“Panels have held that the use of a domain name for illegal activity, here crypto-currency scam, constitutes bad faith”); see also [WIPO Overview 3.1](#), section 3.4.

In this case, Respondent’s misleading website was evidently designed to confuse users into believing it was an official or affiliated site of Complainant (or a related entity) and to entice them into “investing” in a fraudulent cryptocurrency scheme, thus exploiting Complainant’s brand for illicit profit. This is bad faith under paragraph 4(b)(iv) of the Policy.

Respondent’s bad faith is further reinforced by its efforts to conceal its identity by providing false details in the registration details of the disputed domain name and its failure to participate in these proceedings to provide any non-infringing explanation. Prior panels have held that the deliberate concealment of identity behind a privacy shield merely to hide its identity from an anticipated complainant, combined with other indicia of misconduct, can further support an inference of bad faith. [WIPO Overview 3.1](#), section 3.2.1, notes that the use of false contact details can support an inference of bad faith registration and use. The registrant’s name, “defgit defgit”, is not real. Panels have consistently found that respondents who deliberately provide false contact information to avoid being contactable demonstrate bad faith conduct, particularly when combined with other evidence of illegitimate activity.

In sum, the evidence before the Panel demonstrates that Respondent both registered and uses the Domain Name in bad faith, targeting Complainant’s trademark for nefarious purposes. The third element of the Policy is accordingly satisfied.

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, <loomistrade.com>, be transferred to Complainant.

/John C McElwaine/

John C McElwaine

Sole Panelist

Date: March 13, 2026