

ADMINISTRATIVE PANEL DECISION

Fisher Asset Management, LLC v. Jerry Williams, RWD
Case No. D2026-0430

1. The Parties

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

Respondent is Jerry Williams, RWD, United States.

2. The Domain Name and Registrar

The disputed domain name <fisherinvestments.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 February 3, 2026. On February 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 4, 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 services provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on February 4, 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 the same date.

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 February 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 25, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on February 26, 2026.

The Center appointed Scott R. Austin as the sole panelist in this matter on March 4, 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

The following facts appear from the Complaint (as amended) and its annexes, which have not been contested by Respondent.

Founded in 1979, Complainant is a well known, privately held investment advisory firm launched by founder Ken Fisher, recognized in 2010 as one of the 30 most influential individuals in and around the investment management profession over the last three decades. Complainant has amassed notable awards and recognition for its investment management and investment advisory services which it provides under the service mark FISHER INVESTMENTS (the “FISHER INVESTMENTS Mark”) and today serves over 195,000 clients globally through its 6,300 employees with over USD 386 billion in assets under management, including its subsidiaries. Complainant shows that it serves a diverse global client base including corporations, public and multi-employer pension funds, foundations and endowments, insurance companies, health-care organizations, governments and high net worth families.

Complainant also shows it incorporates the FISHER INVESTMENTS Mark into its official domain names <fisherinvestments.com> and <fisherinvestments.net>, which Complainant acquired on November 6, 2013 and May 25, 2002 respectively, used to access Complainant’s official FISHER INVESTMENTS Mark website (“Official Website”) to promote and offer its products and render its services to its customers under the FISHER INVESTMENTS Mark, as well as its various social media platforms including Facebook, LinkedIn, and YouTube. Its Facebook page has more than 160 thousand followers, LinkedIn more than 240 thousand followers, and its YouTube channel more than 50 thousand subscribers.

Complainant owns numerous trademark registrations in the United States and around the world for the FISHER INVESTMENTS Mark for its investment management and investment advisory services, including, among others, the following incontestable trademark registrations of record with the United States Patent and Trademark Office (“USPTO”):

United States Registration No. 3,103,881, FISHER INVESTMENTS, registered on June 13, 2006, for “Investment management and investment advisory services” in International Class 36, claiming a first use date of December 1977;

United States Registration No. 5,605,365, FISHER INVESTMENTS, registered on November 13, 2018, for “Investment advisory services; Investment management.” in International Class 36, claiming a first use date of June 30, 2004; and

European Union Trademark No. 013338595, FISHER INVESTMENTS, registered on February 5, 2015, in classes 16, 36, and 41.

The Whois record shows the disputed domain name was registered on January 15, 2026, when Complainant first became aware of it, the disputed domain name redirected Internet users to a website that featured multiple third-party links for “financial advisor consultation” and “retirement management portfolio” websites, which were in direct competition with Complainant’s business, from which linked websites Respondent presumably received commercial benefit through pay-per-click (“PPC”) fee revenues.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name: Complainant contends that the disputed domain name is confusingly similar to Complainant's trademark; that Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

There are no exceptional circumstances within paragraph 5(e) of the Rules to prevent this Panel from determining the present dispute based upon the Complaint (as amended), notwithstanding the failure of any person to lodge a substantive formal Response in compliance with the Rules. Under paragraph 14 of the Rules, where a party does not comply with any provision of the Rules, the Panel shall "draw such inferences therefrom as it considers appropriate".

Where no substantive Response is filed, however, Complainant must still make out its case in all respects under paragraph 4(a) of the Policy. To succeed, Complainant must demonstrate that the requirements for each of the following elements listed in paragraph 4(a) of the Policy have been satisfied:

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
2. Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. The disputed domain name has been registered and is being used in bad faith.

The standard of proof under the Policy is often expressed as the "balance of the probabilities" or "preponderance of the evidence" standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. See, WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.2.

The Panel finds that Complainant has met its burden in all three elements of the Policy and will deal with each of these elements in more detail below.

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 disputed domain name. [WIPO Overview 3.1](#), section 1.7.

Ownership of a nationally registered trademark constitutes prima facie evidence that the complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Complainant claims trademark rights in the FISHER INVESTMENTS Mark for its investment management and advisory services in its registrations for the FISHER INVESTMENTS Mark dating back to 1977. Sufficient evidence has been submitted in the form of electronic copies of valid and subsisting trademark registration documents in the name of Complainant and therefore, Complainant has demonstrated it has rights in the FISHER INVESTMENTS Mark. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#).

With Complainant's rights in the FISHER INVESTMENTS Mark established, the remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to Complainant's FISHER INVESTMENTS Mark.

Prior UDRP panels have also held "in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark". See, *L'Oréal, Lancôme Parfums et Beauté & Cie v. Jack Yang*, WIPO Case No. [D2011-1627](#); see also, *Wal-Mart Stores, Inc. v. MacLeod d/b/a/ For Sale*, WIPO Case No. [D2000-0662](#).

A side-by-side comparison between the disputed domain name and Complainant's Mark shows the disputed domain name is almost identical to the FISHER INVESTMENTS Mark. Complainant's FISHER INVESTMENTS Mark is incorporated in its entirety except the substitution of the initial "e" in the second term "investments" with an "a" to reconfigure Complainant's mark so that this alteration is focused on the center of the FISHER INVESTMENTS Mark. Complainant's registered FISHER INVESTMENTS Mark is incorporated into and remains recognizable in the disputed domain name, followed only by the Top-Level Domain ("TLD") ".com". Prior UDRP panels have found the TLD, being viewed as a standard registration requirement, may typically be disregarded under the paragraph 4(a)(i) analysis. See, [WIPO Overview 3.1](#), section 1.11.1; see also *L'Oréal v. Tina Smith*, WIPO Case No. [D2013-0820](#).

Complainant contends that the disputed domain name must be considered confusingly similar to Complainant's Mark because the substituted "a" reconfiguration noted above is "prototypical example of typosquatting", a purposeful misspelling of Complainant's FISHER INVESTMENTS Mark which intentionally takes advantage of Internet users that inadvertently type an incorrect email address. Complainant's Mark remains recognizable within the disputed domain name. Prior panels have held that a deliberate misspelling of a trademark registered as a domain name, which is intended to confuse Internet users, must be confusingly similar by design. See [WIPO Overview 3.1](#), section 1.9; See also *Allstate Insurance Company v. Rakshita Mercantile Private Limited*, WIPO Case No. [D2011-0280](#); *Humana Inc. v. Cayman Trademark Trust*, WIPO Case No. [D2006-0073](#).

Based on the above, this Panel finds that the substitution of the letter "a" for the first "e" in the second term of Complainant's registered FISHER INVESTMENTS Mark does not prevent a finding of confusing similarity between the disputed domain name and Complainant's FISHER INVESTMENTS Mark.

Accordingly, the Panel finds Complainant has satisfied its burden under paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Under the second element of the Policy, a complainant is first required to make out a prima facie case that the respondent lacks rights or legitimate interests in the disputed domain name. If a complainant makes that showing, the burden of production on this element shifts to the respondent to come forward with relevant evidence of such rights or legitimate interests in the domain name. If the respondent fails to come forward with such evidence, a complainant is generally deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1. See also, *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#).

Complainant has established, prima facie, that Respondent lacks rights or legitimate interests in the disputed domain name. First, Complainant asserts that Respondent is not sponsored by or affiliated with Complainant in any way, nor has Complainant given Respondent permission or license to use Complainant's trademarks in any manner, including in domain names. Prior UDRP panels have held "In the absence of any license or permission from Complainant to use its trademark, no actual or contemplated bona fide or legitimate use of the Disputed Domain Name could reasonably be claimed". *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#).

Second, Complainant contends Respondent is not commonly known by the disputed domain name, which evinces a lack of rights or legitimate interests under Policy paragraph 4(c)(ii). Complainant properly demonstrates the pertinent Whois information identifies the Registrant as “Redacted for Privacy / Privacy service provided by Withheld for Privacy ehf”, while the Center’s Notice of Registrant Information identifies Registrant as “Jerry Williams / RWD / Project Manager”¹, neither of which resembles the disputed domain name in any manner. Respondent, as identified in the updated registrant/registrant organization data for the disputed domain name presented in the Amended Complaint as “Jerry Williams / RWD / Project Manager” is not commonly known by the disputed domain name because it clearly bears no resemblance to it, nor to the FISHER INVESTMENTS Mark or <fisherinvestments.com>, <fisherinvestments.org>, or <fisherinvestments.net> official domain names.

Prior UDRP panels have held where no evidence, including the Whois record for the disputed domain name, suggests that a respondent is commonly known by the disputed domain name, then the respondent cannot be regarded as having acquired rights to or legitimate interests in the disputed domain name within the meaning of Policy paragraph 4(c)(ii). See *Moncler S.p.A. v. Bestinfo*, WIPO Case No. [D2004-1049](#).

Most importantly, Complainant’s evidence shows the disputed domain name initially redirected users to a website which featured multiple third-party links for “financial advisor consultation” and “retirement management portfolio” websites in direct competition to Complainant’s business, from which linked websites Respondent purportedly received PPC revenue. Prior UDRP decisions have consistently held that respondents that monetize domain names using PPC links have not made a bona fide offering of goods or services as allowed under Policy 4(c)(i), nor a legitimate noncommercial or fair use as allowed under Policy 4(c)(iii). See [WIPO Overview 3.1](#), Section 2.9. See also *Washington Mutual, Inc. v. Ashley Khong*, WIPO Case No. [D2005-0740](#).

The disputed domain name currently appears inactive, as it directs Internet users to a website that resolves to a blank page and lacks content. Respondent, therefore, is not making a legitimate noncommercial or fair use of the disputed domain name nor using it in connection with a bona fide offering of goods or services to confer a right or legitimate interest because there is no evidence the disputed domain name is being used at all. See *Valero Energy Corporation and Valero Marketing and Supply Company v. Valero Energy*, WIPO Case No. [D2017-0075](#).

These facts establish Complainant’s prima facie showing. Respondent has not provided any basis on which that showing may be overcome. Complainant has, therefore, successfully met their burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Finally, Complainant must prove, by a preponderance of the evidence, that the disputed domain name has been registered and used in bad faith under paragraph 4(a)(iii) of the Policy. See, e.g., *Hallmark Licensing, LLC v. EWebMall, Inc.*, WIPO Case No. [D2015-2202](#). Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances that point to bad faith conduct on the part of a respondent. The panel may, however, consider the totality of the circumstances when analyzing bad faith under Policy, paragraph 4(a)(iii) and may make a finding of bad faith that is not limited to the enumerated factors in Policy, paragraph 4(b). See *Do The Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#).

¹ The Panel notes that the proper spelling of Respondent’s first name is “Jerry” with three r’s as disclosed to the Center by the concerned Registrar and this is not misspelled or in error, although Complainant’s amended complaint referenced Respondent with two r’s, the Panel has applied the spelling as received from the concerned Registrar as correct for purposes of this proceeding.

First, Complainant contends that since Complainant has developed a distinctive and widely recognized reputation in the FISHER INVESTMENTS Mark, Respondent was no doubt aware of the FISHER INVESTMENTS Marks and intentionally targeted them in making their decision to configure and register the disputed domain name essentially identical to Complainant's FISHER INVESTMENTS Mark except for a single letter intentional misspelling.

Given the widespread recognition and fame of Complainant's FISHER INVESTMENTS Mark worldwide shown in the evidence noted under Section 4 above, including the United States, where Respondent appears to be located, the decades of registered use of the FISHER INVESTMENTS Mark prior to Respondent's assumed registration of the disputed domain name on January 15, 2026, Respondent likely had actual knowledge of Complainant's rights when it registered the disputed domain name, which shows bad faith registration. See *Alstom v. Domain Investments LLC*, WIPO Case No. [D2008-0287](#); see also *Accor v. Kristen Hoerl*, WIPO Case No. [D2007-1722](#).

Complainant contends that Respondent's typosquatting itself is sufficient evidence of bad faith registration and use because the disputed domain name is a typosquatted version of Complainant's FISHER INVESTMENTS Mark intentionally designed by Respondent to mimic Complainant's trademark and primary domain and thereby capitalize on typing errors committed by users, including Complainant's customers, searching for Complainant on the internet. Numerous panels have found that registering a domain name to take advantage of traffic generated by typing errors committed by another's customers, as here, is evidence of bad faith registration and use pursuant to Policy 4(a)(iii). See [WIPO Overview 3.1](#), section 3.1.4. See also *Longs Drug Stores Cal., Inc. v. Shep Dog*, WIPO Case No. [D2004-1069](#).

The facts set forth above make it reasonable for the Panel to conclude it is more likely than not that Respondent targeted Complainant's trademark to use it to trade on Complainant's reputation and goodwill, and Respondent is found, therefore, to have registered and used the disputed domain name in bad faith. See *Tudor Games, Inc. v. Domain Hostmaster, Customer ID No. 09382953107339 dba Whols Privacy Services Pty Ltd / Domain Administrator, Vertical Axis Inc.*, WIPO Case No. [D2014-1754](#).

Second, as noted in 6B above, Respondent configured the disputed domain name initially to direct users to a parking site with links to websites featuring businesses competing with Complainant and purportedly generating PPC revenue to Respondent. Complainant contends Respondent has demonstrated a nefarious intent to capitalize on the fame and goodwill of Complainant's trademarks in order to increase traffic to the disputed domain name's website for Respondent's own pecuniary gain, as evidenced by the presence of multiple PPC links previously posted to Respondent's website. Given this record, the Panel finds bad faith use under Policy 4(a)(iv) based on Respondent's use of its confusingly similar domain name to resolve to a website featuring links to third-party websites that create revenue for Respondent's commercial benefit. See [WIPO Overview 3.1](#), section 3.5. See also *PRL USA Holdings, Inc. v. LucasCobb*, WIPO Case No. [D2006-0162](#).

Since Complainant acted to have Respondent's parked site disabled, Respondent is currently passively holding the disputed domain name based on the browser flag it generates: "This site can't be reached" which represents either non-use or linking to an inactive website. Prior UDRP panels have found under the doctrine of passive holding that the word bad faith "use" in the context of paragraph 4(a)(iii) does not require a positive act on the part of Respondent – instead, passively holding a domain name does not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), Section 3.3. See *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#); see also *Alitalia-Linee Aeree Italiane S.p.A v. Colour Digital*, WIPO Case No. [D2000-1260](#).

Third, bad faith use seems especially appropriate given the totality of facts here. Respondent registered the disputed domain name in 2026, almost 50 years after Complainant began using its FISHER INVESTMENTS Mark Respondent failed to submit a response or to provide any evidence of actual or contemplated good-faith use of the disputed domain name. Complainant's FISHER INVESTMENTS Mark has grown in recognition to the level of worldwide renown, supporting the implausibility of any good faith use to which the disputed domain name may now be put. Complainant also shows that the disputed domain name has MX

records enabled even though the site resolves to an inactive page, which prior UDRP panels have found supports the possibility of a respondent using the disputed domain name in bad faith for fraudulent email correspondence and phishing schemes. The factors present here are well-settled as supporting a finding of bad faith use for passive holding or non-use of a disputed domain name that is confusingly similar to a complainant's mark. See, *Instagram, LLC v. Asif Ibrahim*, WIPO Case No. [D2020-2552](#); [WIPO Overview 3.1](#), Section 3.3.

The Panel finds Complainant's arguments and evidence persuasive and has received no arguments or evidence from Respondent to the contrary. Considering all the circumstances, the Panel concludes that Respondent has registered and used the disputed domain name in bad faith and Complainant has satisfied paragraph 4(a)(iii) 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 <fisherinvestments.com> be transferred to Complainant.

/Scott R. Austin/

Scott R. Austin

Sole Panelist

Date: March 21, 2026