ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Fisher Asset Management, LLC v. Jack Goodsell
Case No. D2026-0456

1. The Parties

The Complainant is Fisher Asset Management, LLC, United States of America ("US" or "USA"), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Jack Goodsell, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <fisherinvestments-ireland.com>, <fisherinvestments-privateclient.com> and <fisherinvestment-wealth.com> (the "Domain Names") are registered with CloudFlare, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 4, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On February 5, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (DATA REDACTED) and contact information in the Complaint.

The Center sent an email communication to the Complainant on February 5, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all Domain Names are under common control. The Complainant filed an amended Complaint on February 9, 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 the Respondent of the Complaint, and the proceedings commenced on February 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 2, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on March 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 to ensure compliance with the Rules, paragraph 7.

Following the Commencement of Administrative Proceeding, on February 9, 2026, the Complainant requested in a supplemental filing the addition of a third disputed domain name <fisherinvestment-wealth.com> (the "Additional Domain Name") to the Complaint, and submitted an Amended Complaint for this. On March 12, 2026, the Registrar, CloudFlare, Inc., disclosed that the Additional Domain Name was registered by the same Respondent. As there is a risk that Respondent may continue the illegal phishing activity from this third domain name, the Panel considered the inclusion of this Additional Domain Name in the Complaint and issued a Procedural Order on March 13, 2026, asking the Complainant and Respondent for comments on the inclusion of the Additional Domain Name. No such comments were received.

4. Factual Background

The Complainant is a privately held investment advisory firm launched by its founder Ken Fisher. Today, the Complainant, with its 6,300 employees, serves over 195,000 clients globally and has over USD 386 billion in assets under management, including its subsidiaries.

The Complainant owns trademark registrations for FISHER INVESTMENTS across various jurisdictions, such as United Kingdom registration number 00913338595 (registered on February 5, 2015) and US trademark registration No. 3103881 (registered on June 13, 2006).

The Complainant has a strong online presence through the use of its primary domain name <fisherinvestments.com>, as well as its various social medial platforms. The Complainant has received notable awards and recognition. For example, in 2023, the Complainant was recognized by USA Today and Statista as a 2023 Best Financial Advisory Firm.

The Domain Name <fisherinvestments-ireland.com> was registered on January 9, 2026, and the Domain Name <fisherinvestments-privateclient.com> was registered on January 23, 2026. The Additional Domain Name was registered on and February 7, 2026. The disputed domain names (the "Domain Names") currently do not resolve to active websites, but the Complainant documents that at least two of the Domain Names have been used to set up email accounts to conduct phishing attacks, targeting the Complainant's customers.

5. Parties' Contentions

A. Complainant

The Complainant contends that the dispute concerns a single Respondent, Jack Goodsell. The fact that the Respondent registered the Domain Names using different contact details does not change this. Even if considering the information above pertaining to two different registrants, the visual similarities between the address line and the email address and the use of the same Registrar with similar registration dates, supports the Complainant's contention on the Respondent's common control of the Domain Names.

The Complainant documents its trademark rights and argues that its trademarks are well-recognized. The Domain Names have added the geographical and dictionary terms "Ireland", "private client" and "wealth" to the Complainant's FISHER INVESTMENTS trademark along with a hyphen. The additions do nothing to distinguish the Domain Names from the Complainant's trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Names. The Complainant has not licensed or authorized the Respondent to use its trademark. The Respondent has not been commonly known by the Domain Names. The Domain Names currently do not resolve to active websites, but the Complainant documents that two of the disputed domain names have been used for phishing attacks, targeting the Complainant's customers.

The Complainant argues inter alia that the Complainant and its trademark are known internationally long before the Respondent's registration of the Domain Names. The Respondent has registered and used the Domain Names for purposes of launching phishing attacks, which is clear evidence of bad faith. The fact that the Domain Names currently do not resolve to active sites does not prevent a finding of bad faith under the doctrine of passive holding. Moreover, the Respondent has failed to respond to the Complainant's cease-and-desist letter, which is a factor in finding bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

6.1. Procedural Matters - Consolidation of Domain Name Registrants

It appears that the Complaint was filed in relation to the same registrants, albeit he has listed different contact details. The Registrar disclosed the same name for all Domain Names. Even if the Domain Names should be considered as registered by different registrants with the same name, the Domain Names are clearly under common control. See WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition ("WIPO Overview 3.1"), section 4.11.2.

6.2. Substantive Issues

A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. See WIPO Overview 3.1, section 1.7. The Complainant has documented trademark registrations in FISHER INVESTMENTS.

The Domain Names incorporate the Complainant's trademark with the addition of the terms "Ireland", "private client" and "wealth". All preceded by a hyphen. The additions do not prevent a finding of confusing similarity between the Domain Names and the trademark. WIPO Overview 3.1, section 1.8. For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the Top-Level Domains. See WIPO Overview 3.1, section 1.11.

Based on the available record, 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. While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See WIPO Overview 3.1, section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Names. The Respondent has not rebutted the Complainant's showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names. The Respondent is not affiliated with or related to the Complainant. There is no evidence that the Respondent has registered the Domain Names as a trademark or acquired trademark rights relevant to the Domain Names. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Names or names corresponding to the Domain Names in connection with a bona fide offering of goods or services. On the contrary, there is proof of bad faith use of the Domain Names for phishing purposes.

Based on the available record, 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.

The incorporation of the Complainant's trademark in the Domain Names, and the use for two of the Domain Names for phishing purposes, prove that the Respondent was aware of the Complainant and its prior rights when the Respondent registered the Domain Names. Considering the circumstances of this case, the Panel concludes that the registration and use of the Domain Names has been done in bad faith. The bad faith is further underlined by the late registration of the Additional Domain Name, after the Respondent had notice of the Complainant's complaint.

For the reasons set out above, the Panel concludes that the Domain Names were registered and are being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy. The third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders the Domain Names <fisherinvestments-ireland.com>, <fisherinvestments-privateclient.com> and <fisherinvestment-wealth.com> transferred to the Complainant.

/Mathias Lilleengen/
Mathias Lilleengen
Sole Panelist
Date: April 2, 2026