

ADMINISTRATIVE PANEL DECISION

Legatum Limited v. Nyasha Dzumbunu, House of Perle
Case No. D2026-1158

1. The Parties

The Complainant is Legatum Limited, United Arab Emirates, represented by Adams & Adams, South Africa.

The Respondent is Nyasha Dzumbunu, House of Perle, South Africa.

2. The Domain Name and Registrar

The disputed domain name <legatumadvisory.com> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 18, 2026. On March 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 18, 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 (Legatum Advisory Solutions (Pty) Limited) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 20, 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 an amendment to the Complaint on March 24, 2026.

The Center verified that the Complaint together with the amendment to the 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 March 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2026. The Respondent sent email communications to the Center on April 9 and April 21, 2026.

The Center appointed Adam Taylor as the sole panelist in this matter on April 24, 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 Complainant is part of an investment and philanthropic group of companies that has traded under the mark LEGATUM for some 20 years, including the provision of “advisory and growth” services.

The Complainant owns a number of registered trade marks for LEGATUM including United States of America trade mark No. 3540408, registered on December 2, 2008, in classes 16, 25, 35-37, 39, 41, 43, and 45.

The Complainant operates a website at “www.legatum.com”.

The disputed domain name was registered on August 31, 2020.

The disputed domain name has been used to resolve to a website branded “LEGATUM ADVISORY SOLUTIONS”, purporting to provide “[c]oaching, experimental simulated training, consulting, advisory and implementation services in risk management, business resilience and continuity, combined assurance, governance, compliance and finance”.

The disputed domain name does not currently resolve to an active website.

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.

B. Respondent

The Respondent did not formally reply to the Complainant’s contentions. The Respondent simply emailed the Center on April 9, 2026, stating: “We are no longer using this domain, this can be confirmed by attempting to visit our website.”

6. Discussion and Findings

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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 3.1](#), section 1.7.

Although the addition of other terms (here, “advisory”) 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 3.1](#), 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 recognised that proving that 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 3.1](#), 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 Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

Here, As to paragraph 4(c)(i) of the Policy, the Panel does not consider that the Respondent’s previous use of the disputed domain name constituted a bona fide offering for reasons discussed below.

As to paragraph 4(c)(ii) of the Policy, the Complainant asserts that the Respondent incorporated a South African company called Legatum Advisory Solutions (Pty) Limited (“the Company”). The Complainant does not provide any evidence of the date of incorporation of the Company or of use of this corporate name on the former website at the disputed domain name. However, the Respondent has not contested the Complainant’s assertion that the Respondent incorporated the Company, in addition to registering the disputed domain name, in order to take unfair advantage of the Complainant’s mark. The Respondent’s only comment is that it is no longer using the disputed domain name.

In any case, in the circumstances, the Panel does not consider that mere incorporation of a company without further evidence of a legitimate business gives rise to rights or legitimate interests. The Panel notes that there is no evidence on file that the Respondent created the Company as an independent legitimate business. Nor is there evidence that the Respondent has been commonly known as “Legatum Advisory” or “Legatum Advisory Solutions”. Rather, in light of the fact that the Respondent is located in South Africa and evidence submitted by the Complainant indicates that it has substantially promoted its philanthropic activities in South Africa – including the inclusion of South Africa in its LEGATUM Prosperity index (ranking countries’ economic and social wellbeing) since 2007 and the promotion of its Africa Awards for entrepreneurship to South African stakeholders in 2010 – and in the absence of any explanation by the Respondent for its choice of name, the Panel finds it more probable than not that the disputed domain name was registered in the knowledge of the Complainant’s mark and with intent to target it.

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.

In the present case, the Panel considers that the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trade mark in accordance with paragraph 4(b)(iv) of the Policy.

First, the disputed domain name includes the Complainant's distinctive mark plus "advisory", a term that is highly relevant to the Complainant's services.

Second, the Respondent has used the disputed domain name for a website that prominently used the Complainant's mark, purportedly offered similar or related services to those provided by the Complainant, and, as the Panel has noted, was likely registered with intent to target the Complainant's mark.

Third, as noted above, the Respondent has not contested the Complainant's allegations, merely observing that it has stopped using the disputed domain name.

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 <legatumadvisory.com> be transferred to the Complainant.

/Adam Taylor/

Adam Taylor

Sole Panelist

Date: May 8, 2026