

## **ADMINISTRATIVE PANEL DECISION**

IOX Securitizadora S/A. v. Iox Broker, Iox Broker  
Case No. D2026-1720

### **1. The Parties**

The Complainant is IOX Securitizadora S/A., Brazil, represented by Salusse Marangoni Advogados, Brazil.

The Respondent is Iox Broker, Iox Broker, Brazil.

### **2. The Domain Names and Registrar**

The disputed domain names <ioxbroker.com> and <ioxbroker1.com> are registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 22, 2026. On April 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 24, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Registration Private, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 24, 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 April 29, 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 May 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 24, 2026. The Respondent sent an email communication to the Center on April 24, 2026. On May 28, 2026, the Center informed the Parties that it would proceed with panel appointment.

The Center appointed Paula Bezerra de Menezes as the sole panelist in this matter on June 1, 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 a Brazilian company established on June 19, 2013. It recorded its name change to IOX Securitizadora S/A on November 11, 2024, before the Chamber of Commerce in the State of São Paulo, Brazil (per Annexes 2 and 2 (a) of the Complaint). The Complainant operates in the financial services sector. It provides credit and investment solutions to companies and investors.

The Complainant owns the trademark registration detailed below:

- Brazilian Trademark Registration No. 932122760, IOX (& design), in class 36, to cover “acquisition and securitization of non-standardized credit rights, whether overdue or not yet due, matured or to mature, for individuals or legal entities; participation in other companies as a shareholder; structuring, administration, and management of investment funds” filed on October 2, 2023, and registered on May 20, 2025.

The Complainant operates the domain names <grupoiox.com.br> and <iox.com.vc>.

The Respondent is identified by the information provided by the Registrar as “Iox Broker, Iox Broker” with an address in Brazil.

The disputed domain names <ioxbroker.com> and <ioxbroker1.com> were respectively registered on March 19, 2025 and May 26, 2025, by the Respondent.

The disputed domain name <ioxbroker.com> resolved to a website of a digital broker that offered investment options and displayed the brand IB IOXBROKER (& design). The disputed domain name <ioxbroker1.com> resolved to virtually the same webpage as the disputed domain name <ioxbroker.com><sup>1</sup>.

Currently, the disputed domain name <ioxbroker.com> appears to resolve to the same platform as described in Annexes 11 and 15 of the Complaint, but the brand displayed on the current website was amended to read LB LOXBROKER (& design). On its turn, the disputed domain name <ioxbroker1.com> resolves to a page that contains, among others, the message “Sorry! If you are the owner of this website, please contact your hosting provider: [...]@ioxbroker1.com”.

The Complainant sent a cease and desist letter to email addresses associated with the disputed domain names <ioxbroker.com> and <ioxbroker1.com> on March 30, 2026 (Annexes 4, 4(a) and 15 of the Complaint).

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<sup>1</sup> The Panel notes that the Complainant seems to imply that that the disputed domain names resolved to the same website (Annex 15). The Panel further notes that the evidence provided in the Complaint only shows the screen capture of the disputed domain name <ioxbroker.com>. However, through an independent search on “Archive.org”, the Panel was able to verify the content of the website associated with the disputed domain name <ioxbroker1.com> as of July 11, 2025, as reflected in the Decision. In this regard, noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.8.

The recipient replied on the same day. While it asserted that it was not aware of any confusion and that it used “ioxbroker” as a single term, it requested relevant evidence of customer confusion. It further stated it was fully committed to cooperating and solving the matter. The Complainant reverted with evidence of customer confusion on March 31, 2026, and requested the transfer of the disputed domain names, and the domain name <ioxbroker.com.br> (not subject to this proceeding). No further communication seems to have been received in reply.

Although the Respondent is identified before the Registrar as “Iox Broker” with an address in São Paulo, in Brazil, the Complainant asserts it has not located any trademark or any record of a company registered under this exact name in that State.

## 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 names.

Notably, the Complainant contends that:

- i) it is the owner of the registered trademark IOX, which has been used consistently and prominently in connection with its services and websites, especially, at “www.iox.com.vc” and “www.grupoiox.com.br”;
- ii) the Respondent has violated its rights by unlawfully registering the disputed domain names;
- iii) the disputed domain names reproduce the Complainant’s trademark in its entirety with the addition of “broker”, which does not prevent the confusing similarity with the Complainant’s trademark;
- iv) the Respondent does not have rights or legitimate interests in the disputed domain names. It has no trade name, nor trademarks relating to the disputed domain names;
- v) the Respondent knew of the Complainant’s mark when registering the disputed domain names, as the Complainant was already operating under the IOX brand and had established an online presence through the domain name <iox.com.vc><sup>2</sup> and <grupoiox.com.br> by the time the disputed domain names were registered. Moreover, the Respondent violated the Registrar’s policy by registering the disputed domain names that infringe upon third party’s rights;
- vi) it has not authorized the Respondent to use its registered mark, nor is there any business relationship between the Complainant and the Respondent. The disputed domain names are not being used for any bona fide offering of goods and services. The Respondent is offering competing services, creating a false impression of affiliation, authorization or endorsement by the Complainant. In fact, the Respondent attracts customers for commercial gain by creating a likelihood of confusion with the Complainant’s mark. The Respondent has been subject to many public complaints from unsatisfied customers. These customers refer to the mark IOX alone without the term “broker”, as if the complaints were addressed to the Complainant, damaging its reputation; and

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<sup>2</sup> The Panel notes that the Complainant has not submitted printouts of its webpage. However, through an independent search on “Archive.org”, the Panel was able to verify the content of the website <iox.com.vc> as of February 11, 2025, which confirmed the use of the Complainant’s mark as reflected in the Decision. In this regard, noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. [WIPO Overview 3.1](#), section 4.8.

vii) following a report, Instagram removed the account “@ioxbroker” from the platform. Furthermore, the Respondent was also involved in the registration of another domain name, namely, <ioxbroker.com.br>, supposedly involving fraudulent schemes. This issue is being challenged separately by the Complainant. It has served the Respondent with a warning letter, encompassing all the domain names. The Respondent tried to dissociate it from the domain name <ioxbroker.com.br> and it denied confusion between the disputed domain names and the Complainant’s mark.

## **B. Respondent**

The Respondent did not formally reply to the merits of the Complainant’s contentions.

An email communication sent on April 24, 2026, from the Respondent’s email address as provided by the Registrar for the registrant of the disputed domain names, stated that “there has been a mistake”, and that said email address was not related to the “mentioned company”, and had been deactivated. It requested the Center to send the Complaint to the “correct recipient”.

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, for the transfer of the disputed domain names the Complainant must establish that:

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

The Rules provide that if the Respondent does not comply with the time periods established, or with any provision or requirement under paragraph 14 of the Rules, the panel shall proceed to a decision on the complaint and draw such inferences as it considers appropriate.

Pursuant to paragraph 15(a) of the Rules, a panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. In this regard, the Panel notes that the disputed domain names were registered by the same Respondent.

### **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 names. [WIPO Overview 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The fact that a domain name may have been registered before a complainant has acquired trademark registered rights, which is the case in relation to the disputed domain name <ioxbroker.com>, does not by itself preclude a complainant’s standing to file a UDRP case, nor a panel’s finding of identity or confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.1.3.

Although the addition of other terms here, “broker” and “broker1”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy, because the Complainant’s mark is reproduced in its entirety and remains recognizable in the disputed domain names. [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 recognized 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Center received an email communication from the email address provided by the Registrar for the registrant of the disputed domain names. In such email communication, the sender seemingly denied any relation to the named Respondent and indicated that such email address had been deactivated and was not linked to the “mentioned company”. Neither the named Respondent nor the sender of the April 24, 2026 communication provided any explanation for the registration and use of the disputed domain names. The Panel further notes that the email communication of March 30, 2026 provided in Annex 15 of the Complaint also fails to refute the Complainant’s prima facie showing.

The Panel notes the composition of the disputed domain names and that such were used in connection with websites offering competing services to the Complainant’s. These circumstances indicate a risk of implied affiliation and/or user confusion, which prevents a finding of rights or legitimate interests on behalf of the Respondent.

As further explained below, the Panel notes that the Complainant’s IOX mark was not yet registered by the time of the registration of the disputed domain name <ioxbroker.com>, but such mark was already applied for before the Brazilian Trademark Office and in use by the Complainant, which on balance, indicates that the Respondent, more likely than not, was aware of the Complainant’s mark and registered and used the disputed domain names in an attempt to benefit from the goodwill and reputation of the Complainant.

There is no evidence on the available record that the Respondent was commonly known by the disputed domain names or was using the disputed domain names for a legitimate noncommercial or fair use purpose. On the contrary, the results of general Internet and trademark searches suggest that there is no record of a company duly registered under the exact name “Iox Broker” in Brazil (Annex 2 of the Amended Complaint). Spot searches at the Brazilian Trademark Office online database also indicate there is no trademark applied for “Iox Broker” (Annex 9 of the Complaint).

Moreover, the disputed domain name <ioxbroker.com> currently resolves to a webpage that was amended to display the sign LB LOXBROKER (& design) . The other disputed domain name <ioxbroker1.com> shows an error message<sup>3</sup>, reinforcing the Panel's finding that the Respondent has no rights or legitimate interests in the disputed domain names. Otherwise, the Respondent would have come forward to rebut the Complainant's allegations.

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 notes that the Complainant's mark has been coined by it and is fanciful. The disputed domain names contain the Complainant's mark in its entirety and have been used for the websites promoting services in the same area, namely, in the financial sector.

Although the Complainant's mark was registered on May 20, 2025, it was filed well before that on October 2, 2023, and published for third-party knowledge by the Brazilian Trademark Office on October 17, 2023. The disputed domain names <ioxbroker.com> and <ioxbroker1.com> were registered on March 19, 2025 and May 26, 2025, respectively, after the Complainant had applied for its mark and used such in the Brazilian market. [WIPO Overview 3.1](#), section 3.8.2 provides that "in certain limited circumstances where the facts of the case establish that the respondent's intent in registering the domain name was to unfairly capitalize on the complainant's nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith. Such scenarios include registration of a domain name: [...] (iv) following the complainant's filing of a trademark application". Considering the above and also noting that the Parties are both located in Brazil, and at the time of filing of the Complaint, there was no registered record of any entity under the exact name "lox Broker" in Brazil and no trademark applied for "lox Broker" at the Brazilian Trademark Office online database, the Panel finds on balance that the Respondent has acted in bad faith because the disputed domain names were registered targeting the Complainant's nascent trademark rights and after the Complainant's filing of a trademark application and use of its trademark. [WIPO Overview 3.1](#), section 3.8.2 and *Midjourney, Inc. v. Thien Nguyen, THE Midjourney AI, Jernemy Nguyen, The Midjourney AI, John Nick, Nguyen Chi Thien, Nguyen Duong, MidJourney AI*, WIPO Case No. [D2023-4000](#).

The similarity of the disputed domain names with the Complainant's mark supports a finding that the disputed domain names were most likely registered and used to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark.

The Respondent has an address in Brazil. The evidence provided by the Complainant shows that some Brazilian customers filed complaints, apparently referring to "lox" before "Reclame Aqui", a major independent platform created to resolve disputes between consumers and companies (Annex 10 of the Complaint). Those complaints involved serious allegations and referred to "lox" instead of "lox Broker", suggesting possible confusion with the Complainant.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

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<sup>3</sup> In this regard, noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding.

[WIPO Overview 3.1](#), section 4.8.

Having reviewed the available record, the Panel considered the following additional bad faith consideration factors:

- (i) the degree of distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain names, which reproduce the entirety of the Complainant's mark with the addition of elements that are common in the financial sector, further strengthening the risk of undue association between the Complainant and the Respondent;
- (ii) the Complainant exchanged emails with the Respondent and/or the operator of the websites once associated with the disputed domain names. While the Respondent and/or the operator of the website apologized for the inconvenience and stated it was fully committed to solving the matter in a cooperative manner, it has remained silent and has not come forward to rebut the Complainant's contentions;
- (iii) there is no evidence, based on the available record, that the Respondent owns rights to or legitimate interests in the disputed domain names.

The Panel finds that the disputed domain names have been registered and used in bad faith pursuant to paragraph 4(b)(iv) of the Policy, and 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 names <ioxbroker.com> and <ioxbroker1.com> be transferred to the Complainant.

*/Paula Bezerra de Menezes/*

**Paula Bezerra de Menezes**

Sole Panelist

Date: June 15, 2026