

ADMINISTRATIVE PANEL DECISION

Guggenheim Capital, LLC v. William Strange, Generale Ent
Case No. D2026-1829

1. The Parties

The Complainant is Guggenheim Capital, LLC, United States of America ("United States" or "U.S."), represented by Snell & Wilmer, LLP, United States.

The Respondent is William Strange, Generale Ent, United States.

2. The Domain Name and Registrar

The disputed domain name <guggenheimpartnersllc.net> (the "Disputed Domain Name") is registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 29, 2026. On April 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 30, 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 (Unknown Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 30, 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 amended Complaint on April 30, 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 May 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 26, 2026.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on May 29, 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 states that it is “a global leader in providing investment and financial advisory services”; that it “operates fifteen offices in six different countries and employs more than 2,200 employees worldwide”; and that it “manages over \$350 billion in assets.”

Complainant further states, and provides documentation in support thereof, that it “owns registrations around the world” for trademarks that consist of or contain “GUGGENHEIM” and “GUGGENHEIM-PARTNERS”, including the following:

- U.S. Reg. No. 3,121,127 for GUGGENHEIM (registered July 25, 2006) for use in connection with, inter alia, “providing information, advice and consulting in the fields of finance, insurance, business, banking, asset management and investment”
- U.S. Reg. No. 3,110,878 for GUGGENHEIM PARTNERS (registered July 4, 2006) for use in connection with, inter alia, “financial consultation services, namely, providing information, advice and consulting in the fields of finance, banking, asset management and investment”
- U.S. Reg. No. 3,712,544 for GUGGENHEIM INVESTMENT ADVISORS (registered November 17, 2009) for use in connection with, inter alia, “providing information, advice and consulting in the fields of finance, insurance, banking, asset management and investment”

These registrations are referred to herein as the “GUGGENHEIM Trademark”.

Complainant states that “[s]ince at least as early as 2003, Complainant has provided a website at <guggenheimpartners.com> where it uses its GUGGENHEIM [Trademark] to advertise its finance-related services” and that “[m]any millions of Internet users have visited complainant’s website.”

The Disputed Domain Name was created on March 9, 2026, and, as stated in the Complaint and as shown in an annex included therewith, is used in connection with a website that says it is “under construction.”

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. Notably, the Complainant contends that:

- The Disputed Domain Name is identical or confusingly similar to the GUGGENHEIM Trademark because, inter alia, the Disputed Domain Name “incorporates the entirety of” the GUGGENHEIM Trademark and “Respondent’s use of the term ‘llc’ in its domain clearly is the abbreviation of the corporate form ‘limited liability company’ and refers to the business entity of Complainant’s subsidiary, Guggenheim Partners, LLC, and thus increases the confusing similarity”. (Internal punctuation and citation omitted.)
- Respondent has no rights or legitimate interests in the Disputed Domain Name because, inter alia, “[t]here is no evidence that Respondent is commonly known as Guggenheim Partners or Guggenheim”; “Complainant has not authorized Respondent to use Complainant’s GUGGENHEIM [Trademark]”;

“Complainant and Respondent are not affiliated, connected, or associated with one another”; and the Disputed Domain Name resolves to a website that says it is “under construction.”

- The Disputed Domain Name was registered and is being used in bad faith because, inter alia, “[g]iven Complainant’s worldwide rights in its GUGGENHEIM [Trademark], how well-known the GUGGENHEIM [Trademark] are worldwide, and Complainant’s management of over \$350 billion in assets under its GUGGENHEIM [Trademark], it is not plausible to conceive of a plausible circumstance in which the Respondent would have been unaware of these facts at the time Respondent registered” the Disputed Domain Name (internal punctuation and citation omitted); and “Respondent’s resolution of its domain name to an ‘under construction’ page constitutes ‘passive holding’ or non-use of a domain name, which supports a finding of bad faith, especially when Complainant’s GUGGENHEIM [Trademark] are highly distinctive and well known, Respondent’s identity is concealed, and given the implausibility of any good faith use to which Respondent’s domain name... could be put” (internal punctuation and citations omitted).

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

Based upon the trademark registrations cited by the Complainant, it is apparent that the Complainant has rights in and to the GUGGENHEIM Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the GUGGENHEIM Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., “guggenheimpartnersllc”) because “[t]he applicable Top-Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test”. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.11.1.

As set forth in section 1.7 of [WIPO Overview 3.1](#), “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”. Further, as set forth in section 1.8 of [WIPO Overview 3.1](#), “[w]here the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element”.

Here, the Disputed Domain Name contains the entirety of the GUGGENHEIM Trademark (those that consist solely of GUGGENHEIM as well as those that consist of GUGGENHEIM PARTNERS), and the addition of “llc” (an abbreviation for “limited liability company”) does not prevent a finding of confusing similarity.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Complainant has argued that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, “[t]here is no evidence that Respondent is commonly known as Guggenheim Partners or Guggenheim”; “Complainant has not authorized Respondent to use Complainant’s GUGGENHEIM [Trademark]”; “Complainant and Respondent are not affiliated, connected, or associated with one another”; and the Disputed Domain Name resolves to a website that says it is “under construction”.

[WIPO Overview 3.1](#), section 2.1, states: “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 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.”

The Panel finds that Complainant has established its prima facie case and without any evidence from Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the Policy.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant’s documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant’s website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the registrant’s website or location or of a product or service on the registrant’s website or location. Policy, paragraph 4(b).

[WIPO Overview 3.1](#), section 3.3 (citing *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)), states:

From the inception of the UDRP, panelists have found that the non-use of a domain name (including a blank or “coming soon” page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panelists have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy.

Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent’s registration agreement).

Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa.

Here, the GUGGENHEIM Trademark appears to be distinctive and appears to have a high degree of reputation given that it is protected by numerous registrations, the oldest of which was registered at least as early as July 4, 2006; and it is used by a company that operates 15 offices in six countries and employs more than 2,200 people. Further, Respondent did not submit a response or provide any evidence of actual

or contemplated good-faith use. The Panel also notes the composition of the Disputed Domain Name, which incorporates the GUGGENHEIM PARTNERS trademark and the term “llc” which refers to the business entity of Complainant’s subsidiary, Guggenheim Partners, LLC; the composition of the Disputed Domain Name therefore creates a risk of implied affiliation.

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 <guggenheimpartnersllc.net> be transferred to the Complainant.

/Douglas M. Isenberg/

Douglas M. Isenberg

Sole Panelist

Date: June 2, 2026