

## **ADMINISTRATIVE PANEL DECISION**

FIL Limited v. Steven Ruster  
Case No. D2026-1880

### **1. The Parties**

The Complainant is FIL Limited, United Kingdom (“UK”) , represented by Mishcon de Reya LLP, UK.

The Respondent is Steven Ruster, UK.

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

The disputed domain name <fidelitydcm.com> is registered with Porkbun LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 30, 2026. On May 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 2, 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 (NOT LISTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 5, 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 May 6, 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 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 29, 2026.

The Center appointed Dawn Osborne as the sole panelist in this matter on June 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 by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant, one of the largest and best-known investment fund managers and asset management companies in the world, is the owner of the mark FIDELITY, registered, inter alia, in the UK as registration no. 3129598 for financial services since December 25, 2025.

The disputed domain name registered on October 13, 2025 has been used to host a website impersonating the Complainant and including the Complainant's logo as well as its London office address, currently redirects to the Complainant's own web site and has been used in relation to a fraud using the Complainant's mark and logos and the name of one of the Complainant's employees.

#### **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 registered in 2025 is confusingly similar to the Complainant's trademark adding the generic abbreviation "dcm" (meaning debt capital markets, a term used in the investment industry in which the Complainant operates) and the generic Top-Level Domain ("gTLD") ".com" neither of which prevents said confusing similarity.

The Respondent has no rights or legitimate interests in the disputed domain name, is not commonly known by it and is not authorised by the Complainant.

The disputed domain name has been used to host a website impersonating the Complainant and including the Complainant's logo as well as its London office address. It currently redirects to the Complainant's own site. It has also been used for a fraudulent scheme using the name of one of the Complainant's employees and the Complainant's mark and logos. These uses are not a legitimate non commercial fair use or a bona fide offering of goods and services.

The Respondent's use of the disputed domain name is registration and use in opportunistic bad faith for fraudulent purposes.

##### **B. Respondent**

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

#### **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 trademark 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 trademark 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 the abbreviation "dcm" meaning debt capital markets, may bear on assessment of the second and third elements, the Panel finds the addition of such a generic 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 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 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.

The Respondent is not authorised by the Complainant or commonly known by the disputed domain name.

The disputed domain name has been used to host a website impersonating the Complainant and including the Complainant's logo as well as its London office address. It currently redirects to the Complainant's own web site and has been used in relation to a fraud using the Complainant's mark and logos and the name of one of the Complainant's employees. None of this is a bona fide offering of goods or services or a legitimate non commercial or fair use.

Panels have held that the use of a domain name for illegal activity, here impersonation and fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 Respondent has used the disputed domain name to host a website impersonating the Complainant including the Complainant's logo as well as its London office address, and to currently redirect to the Complainant's own web site. The disputed domain name has also been used in relation to a fraud using the Complainant's mark and logos and the name of one of the Complainant's employees.

Panels have held that the use of a domain name for illegal activity, here impersonation and fraud, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <fidelitydcm.com> be transferred to the Complainant.

*/Dawn Osborne/*

**Dawn Osborne**

Sole Panelist

Date: June 5, 2026