

ADMINISTRATIVE PANEL DECISION

Ares Management LLC v. Hassan Hill, Privacy Department, IceNetworks Ltd.
Case No. D2026-2079

1. The Parties

The Complainant is Ares Management LLC, United States of America ("United states"), represented by Greenberg Traurig, LLP, United States.

The Respondents are Hassan Hill, Seychelles, and Privacy Department, IceNetworks Ltd., Iceland.

2. The Domain Names and Registrars

The disputed domain name <arescapitalinvest.net> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com.

The disputed domain name <arescapitalinvest.org> is registered with Internet Domain Service BS Corp (together the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 14, 2026. On May 15, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On May 16 and 18, 2026, the Registrars 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 (Domain Admin, Whois Privacy Corp.) and contact information in the Complaint.

The Center sent an email communication to the Complainant on May 19, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed 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 June 1, 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 Respondents of the Complaint, and the proceedings commenced on June 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 22, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on June 23, 2026.

The Center appointed Taras Kyslyy as the sole panelist in this matter on June 26, 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 subsidiary of Ares Management, L.P., which is a publicly traded, leading global alternative asset manager with USD 623 billion of assets under management and over 4,200 employees. The Complainant’s common shares are traded on New York Stock Exchange under the ticker symbol “ARES”.

The Complainant is headquartered in Los Angeles, United States, with over 55 global offices in the United States, Europe, the Middle East, Australia, and Asia.

The Complainant has adopted and used the marks and trade names ARES and ARES CAPITAL continuously since at least September 1997. The Complainant owns a number of registrations for its trademarks in various jurisdictions, including for instance the United States registration No. 3014171 for trademark ARES, registered on November 8, 2005; and the United States registration No. 3925364 for trademark ARES CAPITAL, registered on March 1, 2011.

The Complainant owns various domain names featuring its trademarks, including <aresmgmt.com>, <aresmanagement.com>, <arescapitalcorp.com>, <arescapitaladvisors.com>, <arescapitalasia.com>, <arescapitaleurope.co.uk>, <arescapitaleurope.com>, <arescapitalpartners.com>, <aresinvestmentgroup.com>, and <aresinvestorservices.com>. Additionally, the Complainant promotes its trademarks through social media platforms, including Facebook and X.

The disputed domain name <arescapitalinvest.net> was registered on March 25, 2026, and hosted a website that impersonated the Complainant’s business in London and Spain. Specifically, the website prominently displayed an imitation of the Complainant’s mark above the words “Capital Invest”. The website also suggested registration for the Internet users requesting their personal data. At the time of the Decision in this matter the disputed domain name does not resolve to any active website.

The disputed domain name <arescapitalinvest.org> was registered on March 24, 2026 and at the time of this Decision redirects to a website comprised of pay-per-click links. The disputed domain name <arescapitalinvest.org> has active Mail Exchange (“MX”) records but did not resolve to an active website at the time of the Complaint.

The Complainant sent a cease-and-desist letter to the Respondents, however no response was received.

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 the disputed domain names are identical or confusingly similar to the Complainant's trademark. The disputed domain names, incorporate the Complainant's trademarks in full, changing the marks only by adding the generic term "invest", and the generic Top-Level Domains ("gTLD") ".net" and ".org". The addition of the term "invest" to Complainant's famous marks does not distinguish the disputed domain names but instead actually increases the likelihood of confusion based on the direct association of that term with Complainant's financial services.

The Complainant also contends that the Respondents have no rights or legitimate interests in the disputed domain names. Long after the Complainant established rights in its marks, without the Complainant's authorization or consent, the Respondents registered the disputed domain names, which, misappropriate and are confusingly similar to the Complainant's trademarks. The Respondents have not used or prepared to use the disputed domain names in connection with a bona fide offering of goods or services, and have not been authorized, licensed, or otherwise permitted by the Complainant to register and/or use the disputed domain names. The website at the disputed domain name <arescapitalinvest.net> was used to steal personal and financial information from consumers, and at best, it simply defrauds consumers by displaying information about the Complainant that is false and/or inaccurate. There is no content posted on the disputed domain name <arescapitalinvest.org>. However, the disputed domain name <arescapitalinvest.org> is still being passively held by the Respondents and wholly contains the Complainant's marks. Passive holding of a domain name containing a well-known trademark does not constitute a bona fide or legitimate business use. The Respondents have never operated any bona fide or legitimate business under the disputed domain names, and the Respondents' use of the disputed domain names does not constitute a legitimate noncommercial or fair use of the domain names. Instead, the Respondents are preventing the Complainant from registering or using the disputed domain names. The Complainant has not authorized, licensed, or consented to the Respondents' registration and use of a domain name incorporating the Complainant's trademarks or any confusingly similar variations thereof. Furthermore, there are no prior trademark applications or registrations in the name of the Respondents for any mark incorporating the term "ares" anywhere in the world. Therefore, the Panel should find that the Respondent are not commonly known by the disputed domain names.

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. The disputed domain name <arescapitalinvest.net> has been used to host a website passing itself off as the Complainant's or at least affiliated with the Complainant, which is used to defraud consumers and steal their personal information. Although the disputed domain name <arescapitalinvest.org> does not resolve to any real content, its passive holding demonstrates the Respondents' bad faith. The Complainant's marks have a strong reputation and are substantially used worldwide. Because the disputed domain name <arescapitalinvest.org> does not publicly resolve to content but may allow authorized persons to view content, this does not preclude the possibility that the Respondent is in fact using the disputed domain name <arescapitalinvest.org> in bad faith with respect to those specifically authorized to view this content or in email addresses based on the disputed domain name <arescapitalinvest.org>. An email address based on the disputed domain name <arescapitalinvest.org>, is displayed numerous times on the website hosted at the disputed domain name <arescapitalinvest.net>. Website at the disputed domain name <arescapitalinvest.net> displays false contact information. At the time of registration of the disputed domain names, the Respondents had actual knowledge of the Complainant's marks and it was the entire reason behind the Respondents' registration of the disputed domain names. The mere fact that the Respondents have registered a domain name that incorporates the trademark of a well-known company is alone sufficient to give rise to an inference of bad faith. The disputed domain name <arescapitalinvest.org> has active MX records. Those active MX records indicate use for email, which evidences a likelihood of additional bad-faith use of the disputed domain name <arescapitalinvest.org> to engage in fraudulent email or phishing

communications. On April 8, 2026, the Complainant's sent correspondence to the Respondents, advising the Respondents of the Complainant's prior rights in marks, the abusive nature of the disputed domain names, and requesting the Respondents immediately cease use of the marks and transfer the disputed domain names to the Complainant. The fact that the Respondents failed to respond to the Complainant's correspondence, indicates that the disputed domain names have been registered and are being used in bad faith. The Respondents used a proxy service to register the disputed domain name <aescapitalinvest.org>. Use of a privacy or proxy registration service to shield its identity and elude enforcement efforts by the legitimate trademark owner demonstrates the Respondents' bad faith use and registration of the disputed domain name.

B. Respondents

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

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 addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names are identical, except for the gTLD; the disputed domain names were registered within one day of each other; and the email address based on the disputed domain name <aescapitalinvest.org> was listed on the website hosted at the disputed domain name <aescapitalinvest.net>.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

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 trademarks or service marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the marks is reproduced within the disputed domain names. Accordingly, the disputed domain names are 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, “invest”, 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 names and the marks 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 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 available evidence does not confirm that the Respondent is commonly known by the disputed domain names, which could demonstrate its rights or legitimate interests (see, e.g., *World Natural Bodybuilding Federation, Inc. v. Daniel Jones TheDotCafe*, WIPO Case No. [D2008-0642](#)).

The Complainant did not license or otherwise agree for use of its prior registered trademarks by the Respondent, thus no actual or contemplated bona fide or legitimate use of the disputed domain names could be reasonably claimed (see, e.g., *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#)).

Panels have held that the use of a domain name for illegal activity, here for the disputed domain name <arescapitalinvest.net>, claimed passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. In this regard, the Panel also notes that the impersonating website resolving from the disputed domain name <arescapitalinvest.net> also included reference to an email address corresponding to the disputed domain name <arescapitalinvest.org>, which has active MX records.

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 registered the disputed domain names incorporating the Complainant's distinctive trademarks, with one disputed domain name resolving to the website prominently featuring the Complainant's trademark with the other disputed domain name listed on that website as an email address. The Panel find this confirms the Respondent was aware and targeted the Complainant and its trademarks, which supports a finding that the disputed domain names were registered in bad faith.

Panels have held that the use of a domain name for illegal activity, here for the disputed domain name <arescapitalinvest.net>, claimed, passing off, 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 <arescapitalinvest.net> constitutes bad faith under the Policy.

Moreover, the failure of the disputed domain name <arescapitalinvest.org> to resolve to an active webpage does not prevent a finding of bad faith. In this regard, the Panel notes the reputation and distinctiveness of the Complainant's mark, the composition of the disputed domain name <arescapitalinvest.org>, and that the disputed domain name <arescapitalinvest.org> has active MX records and a corresponding email address was used on the impersonating website resolving from the disputed domain name <arescapitalinvest.net>. Under such circumstances the Panel finds that the disputed domain name <arescapitalinvest.org> is being used in bad faith.

Moreover, the Respondent failed to respond to the Complainant's cease and desist letter, and did not provide any good reason to justify this, which further suggests bad faith (see, e.g., *Compagnie Generale des Etablissements Michelin v. Vaclav Novotny*, WIPO Case No. [D2009-1022](#)).

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 names <arescapitalinvest.net> and <arescapitalinvest.org> be transferred to the Complainant.

/Taras Kyslyy/

Taras Kyslyy

Sole Panelist

Date: July 6, 2026