ADMINISTRATIVE PANEL DECISION

Fisher Asset Management, LLC v. Oaisis Hubs
Case No. D2026-2650

1. The Parties

The Complainant is Fisher Asset Management, LLC, United States of America ("United States" or "US"), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Oaisis Hubs, Nigeria.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 17, 2026. On June 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 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 (Unstoppable Privacy Service LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 22, 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 June 22, 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 June 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 16, 2026.

The Center appointed Manoel J. Pereira dos Santos as the sole panelist in this matter on July 22, 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

Pursuant to information supplied by the Complainant, the Complainant was founded in 1979 and is a privately held investment firm launched by its founder Ken Fisher. The Complainant has been recognized as one of top financial advisory firms in the United States. The Complainant serves over 200,000 clients globally with its 7,100 employees based in offices throughout United States, Europe, Middle East, Asia, and Australasia, and has over USD 387 billion in assets under management, including its subsidies.

The FISHER INVESTMENTS brand and trademark are owned by the Complainant (trading as Fisher Investments) and Fisher Investments Europe Limited (trading as Fisher Investments UK). Alone and through its subsidiares, the Complainant is the owner of trademark registrations accross various jurisdictions, including the following ones:

TRADEMARKS	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	IC CLASS(ES)
FISHER INVESTMENTS	Canada	TMA896077	February 9, 2015	36
FISHER INVESTMENTS	US	3103881	June 13, 2006	36
FISHER INVESTMENTS	US	5605365	November 13, 2018	36
FISHER INVESTMENTS	United Kingdom	UK00913338595	February 5, 2015	16, 36, and 41
FISHER INVESTMENTS	European Union	013338595	February 5, 2015	16, 36, 41

The Complainant has a strong online presence through the use of its primary domain name <fisherinvestments.com>, as well as its various social media platforms.

The disputed domain name was registered on May 29, 2026, and redirects Internet users to the Complainant's official website at "www.fisherinvestments.com/en-ca".

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 Second-Level Domain of the disputed domain name is a purposeful misspelling of the Complainant's trademark with the addition of the geographic term "canada". More specifically, the Complainant argues that the disputed domain name varies from the FISHER INVESTMENTS trademark by only one letter, as the Respondent has replaced the first letter "i" with "l". Therefore, this is an example of typosquatting, which intentionally takes advantage of Internet users that inadvertently type an incorrect address. Also, the addition of the geographic term "canada" does not distinguish the disputed domain name from the Complainant's trademark. The Complainant additionally argues that it is standard practice when comparing a disputed domain name to a complainant's trademark to not take the Top-Level Domain into account.

The Complainant further argues that the granting of registrations to the Complainant's trademarks is prima facie evidence of the validity of the FISHER INVESTMENTS trademark, of the Complainant's ownership of such trademark and of its exclusive right to use it. As the Respondent is not sponsored by or affiliated with the Complainant in any way, nor has the Respondent been granted permission, license or authorization to use the Complainant's trademark, no actual or contemplated bona fide or legitimate use of the disputed domain name could be claimed. In addition, the Respondent is not commonly known by the disputed domain name and, at the time of filing of the Complaint, the Respondent was using a privacy WhoIs service, which past panels have also found to equate to a lack of legitimate interests. The disputed domain name redirects users to the Complainant's official website "www.fisherinvestments.com/en-ca." Therefore, the Respondent is not using the disputed domain name to provide a bona fide offering of goods or services, nor a legitimate noncommercial or fair use.

Finally, the Complainant contends that, by registering a domain name that misspells the Complainant's FISHER INVESTMENTS trademark and adds the geographic term "canada", the Respondent has demonstrated a knowledge of and familiarity with the Complainant's brand and business. Additionally, by redirecting the disputed domain name to the Complainant's official website, the Respondent's use of the Complainant's trademark suggests opportunistic bad faith. Also, typosquatting itself has been taken as evidence of bad faith registration and use by past panels. As a result, the Respondent is using the disputed domain name to confuse unsuspecting Internet users looking for the Complainant's products and services, and to mislead Internet users as to the source of the disputed domain name and its website. Thus, by creating a likelihood of confusion between the Complainant's trademark and the disputed domain name, the Respondent has demonstrated an intent to capitalize on the fame and goodwill of the Complainant's trademark. In addition, redirecting the disputed domain name to the Complainant's website includes a risk that the Respondent may at any time cause Internet traffic to redirect to websites that are not that of, or associated with, the Complainant.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that a complainant must prove each of the following three elements in order to succeed in its complaint:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
(ii) the respondent has no rights or legitimate interests in respect of the domain name; and
(iii) the domain name has been registered and is being used in bad faith.

The burden of proof of each element is borne by the Complainant. The Respondent's default does not by itself mean that the Complainant is deemed to have prevailed. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.3.

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 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 Panel finds the mark is recognizable within the disputed domain name. In fact, as only one letter in “flsherinvestments” portion of the disputed domain name varies from the Complainant’s trademark, the disputed domain name contains sufficiently recognizable elements of the Complainant’s trademark. Here, the misspelling is a typical example of typosquatting. WIPO Overview 3.1, section 1.9.

Although the addition of other terms, here the term “canada”, may bear on assessment of the second and third elements, the Panel finds the addition of the term “canada” 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.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

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 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, taking into account the composition of the disputed domain name, the reputation of the Complainant’s trademark, and the sue to which the disputed domain name has been put, the Panel is satisfied that the Respondent knew of and targeted the Complainant’s trademark when it registered the disputed domain name (see *Fisher Asset Management LLC d/b/a Fisher Investments v. Sergey*, WIPO Case No. D2018-0336 (“the notoriety of the Complainant’s mark all around the world”); *Fisher Asset Management LLC d/b/a Fisher Investments v. Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf / Kekek Pekek*, WIPO Case No. D2021-1517 (“[g]iven the global reach and popularity of the

Complainant's investment management and investment advisory services under the FISHER INVESTMENTS Trademark"); *Fisher Asset Management, LLC v. Domain Admin*, WIPO Case No. D2023-3801 ("the well-known status of the Complainant's trademark")).

The Panel notes that the disputed domain name is composed of a misspelling of the Complainant's trademark with the addition of a geographic term ("canada"). Panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4.

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.

The Panel finds that the Respondent is using the disputed domain name which redirects to the Complainant's official website to confuse unsuspecting Internet users looking for the Complainant's products and services, and to mislead Internet users as to the source of the disputed domain name and its website. This demonstrates an intent to capitalize on the fame and goodwill of the Complainant's trademark.

The Panel also notes that the Respondent has ignored the Complainant's attempt to resolve this dispute outside of these administrative proceedings. Past panels have held that a failure to respond to a cease and desist letter may in certain circumstances reinforce a finding of bad faith registration and use of a domain name. See *Encyclopaedia Britannica, Inc. v. John Zuccarini and The Cupcake Patrol a/ka Country Walk a/k/a Cupcake Party*, WIPO Case No. D2000-0330.

Therefore, having reviewed the record and on the balance of probabilities, the Panel finds the Respondent's registration and use of the disputed domain name constitute 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 <flsherinvestmentscanada.com> be transferred to the Complainant.

/Manoel J. Pereira dos Santos/
Manoel J. Pereira dos Santos
Sole Panelist
Date: August 5, 2026