

ADMINISTRATIVE PANEL DECISION

Empower Annuity Insurance Company of America v. Name Redacted Case No. D2026-2693

1. The Parties

The Complainant is Empower Annuity Insurance Company of America, United States of America ("United States"), represented by Polsinelli PC, United States.

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <helpdesk-empower.com> (the "Domain Name") is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 20, 2026. On June 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with disputed domain names. On June 23, 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 (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint.

The Center sent an email communication to the Complainant on June 25, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, 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

¹ The Respondent appears to have used the name of a third party when registering the Domain Name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the Domain Name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

June 29, 2026.²

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 July 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 7, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on August 11, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant has offered insurance and financial products and services in the United States for many years, under the brands “Empower” and “Empower Retirement”. The Complainant has over USD 1.2 trillion in assets under administration and manages a variety of financial plans for over 70,000 organizations. The Complainant promotes its brand in high-profile sports sponsorships and television advertising.

The Complainant owns several trademark registrations with EMPOWER included, such as United Kingdom trademark registration No. UK00003745639 for EMPOWER (figurative mark, registered May 6, 2022). The Complainant’s main website is at “www.empower.com”.

The Domain Name was registered on June 16, 2026. The Complainant claims that the Domain Name has been used to resolve to a website that presents itself as the Complainant’s helpdesk in order to gain illicit access to the Complainant’s customer accounts, but does not provide evidence to support this claim. The Domain Name resolves to an inactive website.

5. Parties’ Contentions

A. Complainant

The Complainant provides evidence of trademark registrations for a variety of EMPOWER-formative trademarks, and argues that it has established common law rights in EMPOWER, as well as its trademark is well-known. The Domain Name includes the entirety of the Complainant’s EMPOWER trademark as well a generic term “helpdesk”. The Complainant argues adding “helpdesk” does not dispel the confusing similarity.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Respondent is not authorized, licensed, or permitted to register or use a domain name incorporating the Complainant’s trademark. The Respondent’s use of the Domain Name to confuse Internet users looking for the Complainant is not bona fide use. The Respondent has registered and used the Domain Name in order to create a false and misleading association between the Respondent and the Complainant.

The Complainant argues that the Respondent was well aware of the Complainant and had the EMPOWER and EMPOWER formative trademarks in mind when the Respondent registered the Domain Name. It follows

² The Complainant removed two domain names from the Complaint upon receipt of the Center’s notice of multiple underlying registrants.

from the use and composition of the Domain Name. Furthermore, the Respondent has provided false contact information when registering the Domain Name. The Complainant asserts that the Respondent's purpose has been and is to create a likelihood of confusion with the Complainant to gain illicit access to customer account information.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

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 Domain Name. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has established that it has rights in the trademark EMPOWER. The Domain Name incorporates the Complainant's trademark with the addition of "helpdesk-". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. See [WIPO Overview 3.1](#), section 1.8. For the purpose of assessing confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain. See [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving 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. See [WIPO Overview 3.1](#), section 2.1.

Based on the evidence, the Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. The Panel finds also that, particularly in the absence of any response from the Respondent, the composition of the Domain Name signals the Respondent's intention of taking unfair advantage of the likelihood of confusion between the Domain Name and the Complainant.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

Based on the composition of the Domain Name, the Panel finds that the Respondent knew of the Complainant when it registered the Domain Name. The Respondent has not provided any evidence of actual or contemplated good faith use of the Domain Name. On the contrary, the Panel notes the established reputation of the Complainant's trademarks, the Respondent's failure to respond, and the Respondent's use of false contact details, and finds that the non-use of the Domain Name does not prevent a finding of bad faith in this case.

Based on the available record, 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 the Domain Name <helpdesk-empower.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: August 24, 2026