

ADMINISTRATIVE PANEL DECISION

Fortune Media IP Limited v. jon snow
Case No. D2026-2802

1. The Parties

The Complainant is Fortune Media IP Limited, Hong Kong, China, represented by Elster & McGrady LLC, United States of America ("United States").

The Respondent is jon snow, Australia.

2. The Domain Name and Registrar

The disputed domain name <fortune.talk> is registered with Porkbun LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 26, 2026. On June 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 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 (None listed) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 6, 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 July 8, 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 July 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 9, 2026.

The Center appointed Gill Mansfield as the sole panelist in this matter on August 12, 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 publisher of business information and rankings. It was founded in the United States in 1929 as a business magazine and issued its first publication in 1930 using the FORTUNE mark. The Complainant's business rankings include the FORTUNE 500 list, and it has a worldwide circulation of print magazines with over 610,000 copies distributed globally each year.

The Complainant holds registrations for the FORTUNE mark which include (inter alia) the following:

Australian trademark registration number 67824 for FORTUNE (word mark) registered on April 21, 1936, in class 16.

United States trademark registration number 634608 for FORTUNE (figurative mark) registered on September 18, 1956 in classes 09, 16 and 28.

United States trademark registration number 1120995 for FORTUNE (figurative mark) registered on June 26, 1979 in classes 16 and 41.

The Complainant operates a website at the domain <fortune.com> where it publishes articles on finance, technology, business leadership rankings and lifestyle (amongst other areas).

The disputed domain name was registered on March 30, 2026 and at the time of the Complaint resolved to an active website that displayed links to articles published on the Complainant's own legitimate website.

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 confusingly similar to the Complainant's FORTUNE mark because it consists of the entirety of the Complainant's FORTUNE mark with only the addition of the generic Top Level Domain (gTLD) ".talk". It also contends that the use of the ".talk" gTLD further adds to the confusion since the Complainant also publishes several podcasts.

The Complainant further contends that the Respondent has no rights or legitimate interests in the dispute domain name. It submits that the disputed domain name is not being used in connection with a bona fide offering of goods or services, nor for a legitimate noncommercial or fair use, pursuant to the terms of the Policy. The Complainant states that the website to which the dispute domain name resolves use the FORTUNE mark and is being used to display direct links to articles published by the Complainant at its own website at <fortune.com>. The Complainant argues that this creates the false impression that the website at the disputed domain name is owned, operated, sponsored or authorised by the Complainant. It also argues that the website does not include any disclaimer, alternative branding or other content disclosing the relationship, or lack thereof, with the Complainant. The Complainant also asserts that it has not granted the Respondent any licence, permission or authorisation by which it could own or use any domain name which is confusingly similar to that of the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It submits that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by impersonating the Complainant and creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of their website. The Complainant argues that the Respondent clearly knew of the Complainant and its trademark rights as the disputed domain name resolved to a website displaying links to articles published on the Complainant's own website.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights,
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

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 identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The applicable Top-Level Domain ('TLD') in a domain name is a standard registration requirement and as such the TLD ".talk" in the disputed domain name is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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.

In particular, the Complainant has not granted any licence or permission to the Respondent to own or to use the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name. The Panel notes that the Respondent name provided to, and confirmed by, the Registrar is "jon snow". There is also no evidence of use, or demonstrable preparations to use, the disputed domain name for a bona fide offering of goods or services, or of any legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert customers.

The disputed domain name consists of the Complainant's FORTUNE mark in its entirety with only the addition of the TLD ".talk". It also mimics the Complainant's own legitimate domain name with only the TLD differing. The Panel notes that the ".talk" TLD is a descriptive domain that suggests, and is regularly used to denote websites that focus on, conversation, dialogue or discussion. The Panel also notes that the Complainant lists podcast publishing amongst its business portfolio and the TLD corresponds to the Complainant's area of business.

The Panel finds that the composition of the disputed domain name is such as to carry a high risk of implied affiliation with the Complainant's trademark which cannot constitute fair use as it effectively impersonates the Complainant, or suggests affiliation with or sponsorship or endorsement by the Complainant ([WIPO Overview 3.1](#), section 2.5.1).

Moreover, at the time of the Complaint the disputed domain name resolved to an active website which displayed links to content published on the Complainant's own website. As such the use of the disputed domain name by the Respondent cannot be characterised as being in connection with a bona fide offering of goods or services.

In addition, according to paragraph 14(b) of the Rules, the Panel may draw from the lack of response of the Respondent such inferences as it considers appropriate. The Panel is of the view that the lack of a substantive response to the Complainant's contentions from the Respondent further corroborates the absence of any rights or legitimate interests of the Respondent in the disputed domain name.

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 both that the first registration of the FORTUNE trademark pre-dates the Respondent's registration of the disputed domain name by almost 90 years, and the international reputation in the FORTUNE mark. As set out above, the disputed domain name uses the Complainant's FORTUNE mark in its entirety and replicates the Complainant's legitimate domain name with only the TLD differing. As also noted above, the choice of TLD in the disputed domain name serves to further reinforce the (false) connection or affiliation with the Complainant as it corresponds to the Complainant's area of business. The Panel further notes that the content displayed on the website at the disputed domain name, comprised links to content published on the Complainant's own legitimate website.

In the circumstances, the Panel considers that it is implausible that the Respondent did not have knowledge of the Complainant's trademark at the time that the disputed domain name was registered, and finds that the Respondent has actively targeted the Complainant's mark.

As such, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's website or products or services on the Respondent's website under paragraph 4(b)(iv) of the Policy.

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 <fortune.talk> be transferred to the Complainant.

/Gill Mansfield/

Gill Mansfield

Sole Panelist

Date: August 26, 2026