

ADMINISTRATIVE PANEL DECISION

LBMZ Securities, Inc. dba Zacks Trade v. XuChuanXin
Case No. D2026-3032

1. The Parties

The Complainant is LBMZ Securities, Inc. dba Zacks Trade, United States of America ("United States"), represented by Latimer LeVay Fyock LLC, United States.

The Respondent is XuChuanXin, China.

2. The Domain Name and Registrar

The disputed domain name <zt-zacks.vip> is registered with 22net, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on July 9, 2026. On July 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 13, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on the same day, providing the registrant's additional contact information as disclosed by the Registrar. The Complainant submitted an amendment to the Complaint in English on July 17, 2026.

On July 13, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On July 17, 2026, the Complainant confirmed English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

The Center verified that the Complaint together with the amendment to the 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 in Chinese and English of the Complaint, and the proceedings commenced on July 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 17, 2026.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on August 18, 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.

The Panel issued Procedural Order No. 1 on August 27 2026, inviting the Complainant to provide the complete Com Laude evidence report mentioned in its original evidence bundle, if available, and any other available evidence concerning the historical use of the disputed domain name, together with a brief factual statement explaining the source and factual or technical basis for the description "Zacks Trade Mobile Clone" and any available evidence supporting its assertion that "ZT" is an abbreviation actually used by the Complainant or consumers to refer to Zacks Trade. The Respondent was invited to provide a brief factual statement explaining its choice of the disputed domain name, including the intended meaning of the combination "zt-zacks", and the apparent current use of the disputed domain name in connection with an AI cocktail-maker or bartender website, together with any supporting evidence.

The Complainant submitted its response to Procedural Order No. 1 on September 1, 2026. The Respondent did not submit any response and did not otherwise participate in the proceeding.

4. Factual Background

The Complainant is an online trading brokerage company established in the United States, offering trading tools, specific margin rates, customer support, and investment research publications. The Complainant operates the website at "www.zackstrade.com", which it claims to have used since 2008.

The Complainant is the owner of an international trademark portfolio for the ZACKS TRADE and related marks, including but not limited to United States trademark registration No. 7,153,858 for ZACKS TRADE, registered on September 5, 2023, and the United States trademark registration No. 7,153,859 for ZACKS TRADE PRO, also registered on September 5, 2023. The Complainant owns additional trademark registrations in other jurisdictions, including the European Union and the United Kingdom.

The disputed domain name was registered on May 18, 2026. At the time of the Complaint, the disputed domain name was inactive, although evidence submitted with the Complaint indicated that the underlying webpage title was "Zacks Trade Mobile Clone"; the Complainant subsequently provided the underlying Com Laude evidence report, which records that this was the webpage title on June 3, 2026, and that the title changed to "Neon Shaker" on July 20, 2026. At the time of this Decision, the disputed domain name resolved to a website predominantly in Chinese, presenting what appears to be an AI-driven cocktail-making or bartender application, including apparent functionality for generating or creating cocktails.

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 its ZACKS TRADE and ZACKS TRADE PRO marks because it incorporates “zacks”, the primary component of the ZACKS TRADE mark, together with “zt”, which the Complainant describes as an abbreviation for ZACKS TRADE. The Complainant further contends that the “.vip” generic Top-Level Domain does not prevent a finding of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. In this regard, the Complainant states that the Respondent is not affiliated with or authorized by the Complainant, is not licensed to use the ZACKS TRADE marks, is not commonly known by the disputed domain name, and has not acquired any trademark or service mark rights corresponding to the ZACKS TRADE marks.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It relies on the combination of “zt” and “zacks” in the disputed domain name, the Complainant’s longstanding use of the ZACKS TRADE marks and its official <zackstrade.com> domain name, and the webpage title “Zacks Trade Mobile Clone” identified in the evidence accompanying the Complaint. The Complainant further contends that such use sought to take advantage of the reputation and goodwill associated with its marks and that the circumstances fall within paragraph 4(b)(iv) of the Policy.

In response to Procedural Order No. 1, the Complainant provided the underlying Com Laude evidence report and stated that the report recorded the webpage title “Zacks Trade Mobile Clone” on June 3, 2026. The Complainant explained that Com Laude determines the webpage title by scanning the HTML of the website for the title metatag, and further stated that the title was changed to “Neon Shaker” on July 20, 2026. The Complainant also stated that “zt” represents the initials of “Zacks Trade” and relied on the combination of the disputed domain name and the webpage title as supporting the inference that the Respondent associated “zt” with Zacks Trade.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English, noting that the disputed domain name incorporates English words, that the DNS server associated with the disputed domain name is located in Toronto, Canada, and that the webpage title identified in the evidence, namely “Zacks Trade Mobile Clone”, was in English. The Complainant argued that these circumstances indicated that the Respondent is capable of understanding and communicating in English.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Decision on the Merits

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 ZACKS TRADE is recognizable within the disputed domain name, which incorporates the dominant "zacks" element of the mark. 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 the term "zt-" may bear on assessment of the second and third elements, the Panel finds that its addition 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 Panel notes that the Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its ZACKS TRADE trademark or to register a domain name incorporating that mark. There is no evidence that the Respondent is affiliated with, or otherwise has any relationship with, the Complainant, nor is there evidence that the Respondent has been commonly known by the disputed domain name.

The Panel further notes that, at the time of the Complaint (which is the relevant time to assess any potential Respondent's rights or legitimate interests see [WIPO Overview 3.1](#), section 2.11), the disputed domain name was inactive. The Complainant's evidence nevertheless indicated that the webpage associated with the disputed domain name bore the title "Zacks Trade Mobile Clone". In response to Procedural Order No. 1, the Complainant provided the underlying Com Laude evidence report, which records, albeit briefly and with

limited supporting details or materials, that title as the webpage's HTML title metatag on June 3, 2026. In the absence of any explanation from the Respondent as to the choice of the disputed domain name or the purpose of its use, including its current use as an apparent AI-powered cocktail application, and having regard to the previous "Zacks Trade Mobile Clone" designation, the Panel finds that the evidence in this case does not support rights or legitimate interests in the disputed domain name for the Respondent.

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 name on May 18, 2026, i.e. long after the Complainant's adoption in commerce and registration of its ZACKS TRADE mark and after its claimed longstanding use of the <zackstrade.com> domain name (since 2008). The disputed domain name combines the term "zt" with "zacks". Although, in spite of the Panel's request under Procedural Order No. 1, the Complainant's evidence does not independently establish the Complainant's claim that "zt" is an abbreviation used by the Complainant or its customers to refer to Zacks Trade, the Panel did consider that the webpage associated with the disputed domain name bore the title "Zacks Trade Mobile Clone" on June 3, 2026, i.e. shortly after its registration. Additionally, the Respondent has offered no explanation whatsoever for the selection of the disputed domain name, the meaning or reason for its registration of "zt-zacks", or the historical or subsequent use of the disputed domain name, and did not respond to Procedural Order No. 1 or otherwise cooperate in the present proceeding. In these circumstances, and faced with the limited evidence provided by the Complainant on the one hand, and total lack of cooperation in this proceeding by the Respondent on the other hand, the Panel finds that the evidence should be considered holistically. The disputed domain name brings together the potential abbreviation "zt" and the distinctive "zacks" element of the Complainant's mark and the "Zacks Trade Mobile Clone" designation appeared shortly after registration of the disputed domain name. The Panel takes these elements together with the absence of any explanation from the Respondent as to the choice of the disputed domain name or its intended meaning. Having regard to these elements, the Panel finds that these are, on the balance of probabilities, sufficient to accept that the Respondent registered the disputed domain name with the Complainant's ZACKS TRADE mark in mind and targeted that mark in bad faith.

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.

In assessing the present circumstances, the Panel has particular regard to paragraph 4(b)(iv), on which the Complainant relies in this case. As stated above, the Complainant's evidence of use by the Respondent is limited. However, the Com Laude report submitted by the Complainant establishes that, on June 3, 2026, shortly after registration and before the filing of the Complaint, the webpage associated with the disputed domain name carried the HTML title "Zacks Trade Mobile Clone". The Panel considers this evidence does not establish the underlying content, functionality, or commercial purpose of the webpage, the designation itself directly invokes the Complainant's Zacks Trade business and, considered together with the composition of the disputed domain name, supports an inference of an intended association with the Complainant. The title was subsequently changed to "Neon Shaker", after the Complaint was filed. However, In the absence of any explanation from the Respondent, who did not participate in the proceeding or respond to Procedural Order No. 1, the Panel finds, on the balance of probabilities, that the disputed domain name was used to intentionally attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's ZACKS TRADE mark as to the source, sponsorship, affiliation, or endorsement of the relevant website, within the meaning of paragraph 4(b)(iv) of the Policy, and therefore was used in bad faith.

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 <zt-zacks.vip> be transferred to the Complainant.

/Deanna Wong Wai Man/

Deanna Wong Wai Man

Sole Panelist

Date: September 9, 2026