

ADMINISTRATIVE PANEL DECISION

Fisher Asset Management, LLC v. ROBIN CLARK
Case No. D2026-3737

1. The Parties

Complainant is Fisher Asset Management, LLC, United States of America (hereinafter “United States”), represented by CSC Digital Brand Services Group AB, Sweden.

Respondent is ROBIN CLARK, United States.

2. The Domain Names and Registrar

The disputed domain names <fishersinvestment.net> and <fishersinvestors.com> (hereinafter “Disputed Domain Names”) are registered with Squarespace Domains LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 20, 2026. On August 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Names. On August 21, 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) and contact information in the Complaint. The Center sent an email communication to Complainant on August 25, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on August 25, 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 Respondent of the Complaint, and the proceedings commenced on September 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 22, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 23, 2026.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on September 28, 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

Since its founding in 1979, Complainant has used FISHER INVESTMENTS (hereinafter the “Mark”) as a trademark in connection with investment guidance and asset management. Complainant and its affiliates employ over 7,100 employees based in offices throughout the United States, Europe, Middle East, Asia and Australasia, to manage over USD 387 billion for over 200,000 clients.

Complainant and its affiliates have received widespread media recognition. For example, in 2025, *USA Today* and Statista recognized Complainant as a 2025 Best Financial Advisory Firm. Also in 2025, *Newsweek* named Complainant as one of America’s Top Financial Advisory Firms.

Complainant owns trademark registrations for the Mark in many jurisdictions, including United States registration No. 3103881 (registered June 13, 2006). Complainant also owns European Union registration No. 019312824 for the FISHER mark (registered June 5, 2026).

Complainant incorporates the Mark into the domain name <fisherinvestments.com> which resolves to a website where Complainant offers information and functionality relevant to its services. Complainant also owns the domain name <fisherinvestor.com>, which currently redirects to Complainant’s <fisherinvestments.com> domain name.

Both of the Disputed Domain Names were registered on July 18, 2026. Neither of them resolve to an active website. Instead, they display “under construction” notices. Both Disputed Domain Names are set up with email enabling Mail Exchange (“MX”) records.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Names.

B. Respondent

Respondent did not respond to the Complaint.

6. Discussion and Findings

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.

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 Names. Both of the Disputed Domain Names are variants of the Mark.

The Disputed Domain Name <fishersinvestment.net> varies from the Mark by only two letters—adding an “s” after “fisher” and deleting the last letter “s” from “investments.”

The Disputed Domain Name <fishersinvestors.com> varies from the Mark by adding an “s” to “fisher” and substituting “investor” for “investment”.

Domain names that consist of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) are considered by panels to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.1](#), section 1.9. Accordingly, the Disputed Domain Names are 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Names. Respondent has not rebutted 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 Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel finds that Respondent registered the Disputed Domain Names in bad faith. The evidence demonstrates that the Mark is well known¹ and, accordingly, the Panel finds that Respondent was likely aware of the Mark when it registered the Disputed Domain Names. Respondent's awareness and targeting of Complainant's rights in the Mark may also be inferred from its plainly deliberate variation of the Mark, making only inconspicuous changes that many Internet users would not notice. Even where such alterations are noticeable, they do not prevent a risk of implied affiliation with the Complainant. The Panel finds that when Respondent registered the Disputed Domain Names it intended to cause Internet users to mistakenly

¹ Prior panels have ruled that Complainant's FISHER INVESTMENTS trademark is well known. See, e.g., *Fisher Asset Management LLC d/b/a Fisher Investments v. Sergey*, WIPO Case No. [D2018-0336](#) (noting “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](#) (noting “the global reach and popularity of the Complainant's investment management and investment advisory services under the FISHER INVESTMENTS Trademark”); and *Fisher Asset Management, LLC v. Domain Admin*, WIPO Case No. [D2023-3801](#) (noting “the well-known status of the Complainant's trademark”).

believe that Complainant was the source of the Disputed Domain Names. This amounts to bad faith.

“Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark ... can by itself create a presumption of bad faith.” [WIPO Overview 3.1](#), section 3.1.4.

The Panel also notes that Respondent set up both Disputed Domain Names with email enabling MX records. Although Complainant has not offered evidence of phishing or other fraud based on emails sent from the Disputed Domain Names, the risk of deception-based injury to Complainant's existing and potential clients warrants extra caution and is a factor that, along with other evidence and overall circumstances of this case, persuades the Panel that Respondent registered the Disputed Domain Names in bad faith.

The Panel also finds that Respondent has used the Disputed Domain Names in bad faith.

Panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. On the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of Complainant's trademark, and the composition of the Disputed Domain Names, and finds that in the circumstances of this case the passive holding of the Disputed Domain Names does not prevent a finding of bad faith under the Policy.

The Panel finds that 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 <fishersinvestment.net> and <fishersinvestors.com> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: October 5, 2026