ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Ashcroft Capital LLC v. cora walker, walker
Case No. D2026-4098

1. The Parties

The Complainant is Ashcroft Capital LLC, United States of America ("United States"), represented by Greenberg Traurig, LLP, United States.

The Respondent is Cora Walker, Walker, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <ashcroftcapitallawsuit.org> is registered with Internet Domain Service BS Corp (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 11, 2026. On September 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 14, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 15, 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 September 21, 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 September 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 16, 2026.

The Center appointed Luca Barbero as the sole panelist in this matter on October 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

The Complainant was founded in 2014 and is a multifamily investment firm trading under the ASHCROFT CAPITAL mark and specializing in the acquisition and management of apartment communities across the southern United States.

The Complainant is the owner of the following trademark registrations for ASHCROFT CAPITAL:

- United States trademark registration No. 5843923 for ASHCROFT CAPITAL (word mark), filed on February 11, 2019, and registered on August 27, 2019, in international class 36;

- United States trademark registration No. 5843924 for ASHCROFT CAPITAL (figurative mark), filed on February 11, 2019, and registered on August 27, 2019, in international class 36.

The Complainant also owns the domain name <ashcroftcapital.com>, registered on August 26, 2015, that it uses to promote its services under the trademark ASHCROFT CAPITAL.

The disputed domain name <ashcroftcapitallawsuit.org> was registered on February 18, 2026, and resolves to a website entitled “Ashcroft Capital Lawsuit 2026 – Allegations, Timeline & Payout”, providing information regarding a lawsuit allegedly filed against the Complainant, and allegations of financial irregularities against the Complainant. Internal pages of the website also include information on alleged lawsuits related to third parties.

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 trademark ASHCROFT CAPITAL in which the Complainant has rights, as it reproduces the mark in its entirety, with the mere addition of the dictionary term “lawsuit” and the generic Top-Level Domain (“gTLD”) “.org”, which are not sufficient to prevent a finding of confusing similarity.

The Complainant states that the Respondent has no rights or legitimate interests in respect of the disputed domain name since the Respondent has never received any authorization, license, or permission to use the Complainant’s trademark or register the disputed domain name, is not commonly known by the disputed domain name and does not own any trademark registration or application for ASHCROFT CAPITAL.

The Complainant also states that the Respondent did not use, or make demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use since the Respondent has configured the disputed domain name to resolve to a website purporting to describe an investor lawsuit filed against the Complainant providing a made up and defamatory description of the case which was, in fact, a civil rights employment discrimination case that was promptly and voluntarily dismissed by the plaintiff.

The Complainant states that the Respondent is not using the disputed domain name for a genuine and non-commercial commentary or criticism website and points out that any ostensible fair use is purely pretextual because the Respondent's website: (i) makes unnecessarily replete and prominent use of the ASHCROFT CAPITAL trademarks, (ii) is being used by the Respondent in conjunction with a slew of nearly identical, fictitious, AI-generated "news" articles to enable monetization, through the misdirection of Internet traffic; and (iii) attempts to defame the Complainant by asserting false claims of illegal activity.

The Complainant further states that, even assuming that the Respondent's website content could be capable of being considered fair criticism or commentary regarding the Complainant, the Respondent simply need not use the Complainant's identical trademark ASHCROFT CAPITAL in the disputed domain name where the term "lawsuit" suggests authentic legal information from the Complainant or genuine information about a real legal proceeding involving the Complainant.

The Complainant contends that, through the use of the disputed domain name and the Respondent's website content, the Respondent falsely implies that its website is somehow associated with the Complainant, and that the false and malicious statements made by the Respondent are somehow authentic or have originated from the Complainant. Specifically, the Complainant notes that the Respondent's website is purportedly authored by a person who is described as a legal professional who is delivering insights on class actions, lawsuits, and regulatory matters "at Ashcroft Capital Lawsuit" and was also identified as the author of the content on the identical website originally published at the domain name <ashcroftcapitallawsuits.com>, which was recovered by the Complainant through the prior case *Ashcroft Capital LLC v. ali hassan, Webwalay,* WIPO Case No. D2025-5445. The Complainant further submits that the Respondent's website purports to contain "Ashcroft Capital's Official Response to the Case […] in a public statement following the lawsuit […]", which the Complainant claims to be completely fictitious.

The Complainant further states that additional facts and circumstances do not support a claim of fair use or any legitimate interest according to the Complainant, including: i) the Respondent's website content, published solely as pretext for website monetization and an illegal extortion scheme; ii) the fact that the Respondent (or individuals working in concert with the Respondent) already extorted USD 1,500 from the Complainant to disable substantially similar defamatory website content that resolved through the earlier registered domain name <ashcroftcapitallawsuit.com>; iii) the Complainant already successfully recovered the domain name <ashcroftcapitallawsuits.com> from the Respondent (or individuals working in concert with the Respondent), which resolved to a website displaying identical content as that currently published on the website at the disputed domain name; iv) the fact that the Respondent deliberately registered the disputed domain name as a pretext for falsely and maliciously associating the Complainant with illegal activity and a fictitious investor litigation; v) the website content published by the Respondent has been duplicated across a slew of nearly identical, fictitious, AI-generated "news" reports and blogs that are each associated with pay-per-click hyperlinks, popup ads, and even grayware and malware security threats; vi) in response to the Complainant's latest cease-and-desist letter concerning the disputed domain name, the Respondent (or individuals working in concert with the Respondent) has attempted to extort an additional USD 1,000 from the Complainant to transfer the disputed domain name and thereby disable the Respondent's defamatory website content; and vii) based upon numerous hyperlinks on the Respondent's website to additional websites for "Other Lawsuits", namely "Credit One Bank Lawsuit Settlement" or "Isotonix Lawsuit Details, Allegations, and Legal Updates 2025", the Respondent is continuing to target third-party companies with the same defamation, monetization, and extortion scam.

In view of the above, the Complainant highlights that the Respondent's clear modus operandi is to register domain names confusingly similar to brands involved in litigation, use AI to publish defamatory content that mischaracterizes real cases or hallucinates fictitious cases, and ultimately leverage the resultant reputational harm to monetize website traffic, garner website traffic for inauthentic search engine optimization, and/or extort takedown or domain transfer fees from the Respondent's victims.

Lastly, the Complainant emphasizes that although the Respondent's website content contains several disclaimers, they are buried on (and hyperlinked through) the website footer and are therefore insufficiently clear or prominent and merely tantamount to an admission by the Respondent that visitors may be confused.

The Complainant states that the Respondent registered and is using the disputed domain name in bad faith since the Respondent appears to have deliberately acted with clear knowledge of the Complainant and with the specific intent of targeting the Complainant, its trademarks and its current and prospective investors, by publishing false and malicious statements about fictitious litigation in furtherance of a scheme to monetize traffic to related "news" reports and blogs and extort money from the Complainant.

Indeed, the Complainant highlights that the Respondent was also involved in two other earlier cases, both related to domain names incorporating the Complainant's ASHCROFT CAPITAL trademark, namely, <ashcroftcapitallawsuit.com> and <ashcroftcapitallawsuits.com>, and used in connection with websites displaying the same content and following the same scheme.

The Complainant further contends that beyond the Respondent's actual knowledge of the Complainant's ASHCROFT CAPITAL trademark, the Respondent also had constructive knowledge borne from the Complainant's physical presence and extensive trademark use, in the United States where the Respondent's website content and efforts are targeted.

The Complainant claims that the Respondent's bad faith was also highlighted by the fact that the disputed domain name was used to divert internet traffic intended for the Complainant, to the Respondent's website for monetization or inauthentic search engine optimization purposes, considering each AI-generated "news" report or blog, mimics the exact same false and defamatory information in the same language and uses the same wording and phraseology as that published on the Respondent's website, each of which intentionally mischaracterizes the dismissed civil rights employment discrimination claims filed against the Complainant as currently ongoing securities fraud claims filed by the Complainant's investors.

The Complainant submits that the Respondent's request of USD 1,000 to transfer the disputed domain name formulated in reply to the cease and desist letter sent by the Complainant's counsel exacerbates the Respondent's bad faith conduct and its intent to extort money from the Complainant through the publication of a defamatory website.

Lastly, the Complainant contends that the Respondent's use of a proxy service and its provision of inaccurate or fictitious registration information in connection with the disputed domain name further demonstrates the Respondent's bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

(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. Indeed, the Complainant has provided evidence of a valid trademark registration for the word mark ASHCROFT CAPITAL.

The entirety of the mark is reproduced within the disputed domain name. 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 "lawsuit" may bear on the assessment of the second and third elements, the Panel finds the addition of such term 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.

As to the gTLD ".org", it is a standard registration requirement and can be disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

Therefore, 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.

According to the evidence on record, there is no relationship between the Complainant and the Respondent, and the Complainant has not authorized the Respondent to register or use its trademark or the disputed domain name. Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The disputed domain name resolves to a website providing information on a lawsuit allegedly filed against the Complainant. Therefore, the Panel must assess whether the Respondent's use could amount to fair use in the form of commentary or criticism.

One of the core factors UDRP panels look at in assessing fair use is the nature of the domain name. In this regard, where a domain name consists of a trademark plus an additional term, UDRP panels have held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. WIPO Overview 3.1, section 2.5.1. The Panel concurs with the views expressed by the Panel in *ESH Strategies Branding, L.L.C. v. Sergio Quinones*, WIPO Case No. D2017- 2286, cited in *Ashcroft Capital LLC v. ali hassan, Webwalay*, WIPO Case No. D2025-5445, where it was stated:

"The use of the word 'lawsuit' in the disputed domain name does not, on its face, immediately suggest sponsorship or endorsement by Complainant, given that the disputed domain name could be seen by consumers as relating to a lawsuit involving or against Complainant and its EXTENDED STAY AMERICA hotels. However, the disputed domain name could just as easily be seen by some consumers as relating to an informational page from Complainant regarding a lawsuit initiated by or being defended by Complainant. Simply put, the disputed domain name does not in and of itself trigger a definite inference of affiliation or non-affiliation. Consequently, the disputed domain name needs to be assessed in the context of the use that has been made of such by Respondent."

The Panel has reviewed the Complainant's evidence and notes that it clearly establishes that the allegations regarding the alleged lawsuit referenced on the Respondent's website are untrue since the lawsuit cited on the website involved a matter of employment law which was dismissed by the plaintiff and was not related to the alleged financial irregularities cited on the Respondent's website.

The Panel notes that, as stated in WIPO Overview 3.1, section 2.6.1, "[t]o support fair use under UDRP paragraph 4(c)(iii), the respondent's criticism must be genuine (i.e., not pretextual)" and "In assessing the genuineness of criticism, mindful that there may be a difference of opinion or factual dispute between the parties, panels do not look at the veracity or accuracy of the criticism as such, nor any allegations that the criticism is defamatory in nature; rather they will look at whether the motivation behind the criticism is genuine, as opposed to being a sham or pretext to hide another motive such as cybersquatting or commercial activity". An additional relevant factor in assessing fair use is whether the respondent reasonably believes that its use (whether referential, or for praise or criticism) to be truthful and well-founded. WIPO Overview 3.1, section 2.5.2.

In the present case, as indicated above, the evidence shows that the allegations contained on the Respondent's website are false and the Respondent, by not submitting a Response, has not provided any evidence to suggest otherwise. In the circumstances, the Panel finds that the Respondent's criticism was not genuine, and that the Respondent could not reasonably have believed it to be truthful or well-founded. Therefore, the Panel finds that the Respondent has not used the disputed domain name for a fair use. The Panel's finding is in line with the conclusion reached by the panel in *Ashcroft Capital LLC v. ali hassan, Webwalay*, WIPO Case No. D2025-5445 regarding the domain name <ashcroftcapitallawsuits.com>, which was used in connection with a website substantially similar to the one currently published at the disputed domain name.

In view of the above, the Panel finds the second element of the Policy has also 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.

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 the present case, the Panel finds that, in light of the prior registration and use of the trademark ASHCROFT CAPITAL by the Complainant and the promotion of the Complainant's trademark online via the website "www.ashcroftcapital.com", the Respondent knew or should have known of the Complainant's trademark at the time of registration of the disputed domain name. WIPO Overview 3.1, section 3.2.2.

Moreover, in view of the composition of the disputed domain name, entirely encompassing the Complainant's trademark ASHCROFT CAPITAL, and the reference made to the Complainant on the website to which the disputed domain name resolves, it is clear that the Respondent was actually aware of, and intended to target, the Complainant and its trademark.

The evidence on record shows that the Respondent has used the disputed domain name in connection with a website where it has published false allegations concerning a lawsuit filed against the Complainant. The Panel finds that the Respondent's use of the disputed domain name is apt to tarnish the Complainant's trademark and reputation. This clearly demonstrates that the Respondent acted in bad faith. WIPO Overview 3.1, section 3.12.

The Complainant claims that the Respondent is connected to two additional domain names which were used in a similar manner, namely, <ashcroftcapitallawsuit.com>, the registrant of which requested USD 1500 to transfer the domain name to the Complainant and disable the respective website content, and <ashcroftcapitallawsuits.com>, which resolved to a website displaying content substantially similar to that available at the disputed domain name and was the subject of the prior case *Ashcroft Capital LLC v. ali hassan, Webwalay*, WIPO Case No. D2025-5445. In that case, the panel found that, on balance of probabilities, there was a connection between the two ".com" domain names and that the respondent intended "to seek money from the Complainant, as was done for the singular domain name, especially considering that the disputed domain name has been used for patently false, harmful content".

The Panel notes that, according to the records, the registrant information for the disputed domain name is different from that of the domain names <ashcroftcapitallawsuit.com> and <ashcroftcapitallawsuits.com>, even though both the original registrant of the latter domain name and the Respondent are based in the same country. However, considering the similarities in the composition of the domain names and the content, as displayed on the corresponding websites – including reference to the same author displayed on the website at "www.ashcroftcapitallawsuits.com" and on the website to which the disputed domain name resolves – the Panel finds that, on balance of probabilities, there is a connection between the disputed domain name and the prior domain names <ashcroftcapitallawsuit.com> and <ashcroftcapitallawsuits.com> cited by the Complainant. Moreover, the Respondent's request of USD 1,000 to transfer the disputed domain name to the Complainant supports the conclusion that the Respondent published malicious statements about a fictitious litigation to defame the Complainant and monetize the misdirection of Internet users, in furtherance of an elaborate scheme to extort money from the Complainant, under the fraudulent pretext of fair use commentary or criticism about the Complainant.

In addition, the Complainant has provided evidence that several AI-generated websites reproduce the false allegations included on the Respondent's website and, as noted by the panel in the prior case *Ashcroft Capital LLC v. ali hassan, Webwalay*, WIPO Case No. D2025-5445, "it appears likely that these websites and blogs, which are monetized through advertising, were published in order to further the Respondent's scheme and to benefit the Respondent commercially through click-through advertising".

Furthermore, the use by the Respondent of false contact details in the WhoIs records of the disputed domain name, including a clearly false address, and the failure by the Respondent to submit a response further support a finding of bad faith. WIPO Overview 3.1, section 3.2.1.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 <ashcroftcapitallawsuit.org> be transferred to the Complainant.

/Luca Barbero/
Luca Barbero
Sole Panelist
Date: November 6, 2026