ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Phoenix Tower International Investments, LLC v. Mart Richardson
Case No. D2026-4468

1. The Parties

Complainant is Phoenix Tower International Investments, LLC, United States of America ("United States"), internally represented.

Respondent is Mart Richardson, United States.

2. The Domain Name and Registrar

The disputed domain name <phoenixlntnl.com> (the "Domain Name") is registered with Wild West Domains, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 1, 2026. On October 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On October 6, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Registration Private) and contact information in the Complaint. The Center sent an email to Complainant on October 6, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on October 6, 2026.

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 Respondent of the Complaint, and the proceedings commenced on October 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 27, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on October 28, 2026.

The Center appointed Robert A. Badgley as the sole panelist in this matter on November 2, 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

According to Complainant:

"The Complainant is the owner of the trademark PHOENIX TOWER INTERNATIONAL, registered with the United States Patent and Trademark Office (USPTO) under Registration No. 7375183 (Serial No. 97265653), filed on February 14, 2022, and registered on April 30, 2024, on the Principal Register, in International Classes 037 and 038, covering telecommunications infrastructure and related construction/engineering services. […] The Complainant has used this mark continuously in connection with its legitimate domain name in the operation of its telecommunications infrastructure business."

Complainant operates a commercial website at the domain name <phoenixintnl.com>.

The Domain Name was registered on August 26, 2026. The Domain Name does not resolve to an active website. According to Complainant, "the sole demonstrated use of the disputed domain name has been to configure it with mail exchange (MX) records pointed to Microsoft 365 infrastructure […] in order to send fraudulent emails impersonating the Complainant's Chief Executive Officer and Chief Financial Officer to the Complainant's business partners." Annexed to the Complaint are two examples of such emails from September 2026.

Respondent has not disputed the foregoing allegations or challenged Complainant's supporting evidence.

5. Parties' Contentions

A. Complainant

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

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

(i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
(ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
(iii) the Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Panel concludes that Complainant has rights in the trademark PHOENIX TOWER INTERNATIONAL through registration demonstrated in the record.

The Panel also finds that the Domain Name is confusingly similar to Complainant's mark. The Domain Name incorporates the word "phoenix" and an apparent abbreviation for "international." The word "tower" is absent from the Domain Name, but in the Panel's view the mark remains recognizable within the Domain Name.

The Panel observes further that the Domain Name is almost identical to Complainant's own domain name, except the letter "i" in "intnl" is replaced with a lower-case "l" – which character is easily mistaken visually for the "i."

In these circumstances, Respondent is in no position to dispute that the Domain Name is confusingly similar to Complainant's mark. Indeed, the record here shows that creating such confusing similarity via typosquatting was precisely Respondent's intention.

Complainant has established Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

(i) before any notice of the dispute, 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; or
(ii) Respondent (as an individual, business, or other organization) has been commonly known by the Domain Name, even if Respondent has acquired no trademark or service mark rights; or
(iii) Respondent is making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes that Respondent lacks rights or legitimate interests in respect of the Domain Name. Respondent has not come forward to dispute Complainant's contentions, including the allegation and evidence that Respondent has sought to impersonate Complainant by sending fraudulent emails in the name of Complainant's CEO to Complainant's business partners. Such conduct clearly does not give rise to rights or legitimate interests via-à-vis the Domain Name.

The Panel concludes that Complainant has established Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation," are evidence of the registration and use of the Domain Name in "bad faith":

(i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or
(ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
(iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or
(iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website or location or of a product or service on Respondent's website or location.

The Panel concludes, on this undisputed record and on a balance of probabilities, that Respondent has registered and used the Domain Name in bad faith. The Panel incorporates its discussion above in the "Rights or Legitimate Interests" section.

On this undisputed record, the Panel concludes that Respondent registered the Domain Name with Complainant's mark in mind. This is obvious from both the substitution of the letter "l" for the letter "i" in the Domain Name, and Respondent's use of the name of Complainant's CEO in the emails sent to Complainant's business partners. This is a classic instance of bad faith registration and use within the meaning of the above-quoted Policy paragraph 4(b)(iv).

Complainant has established Policy paragraph 4(a)(iii).

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 Domain Name <phoenixlntnl.com> be transferred to Complainant.

/Robert A. Badgley/
Robert A. Badgley
Sole Panelist
Date: November 3, 2026