

ADMINISTRATIVE PANEL DECISION

Cantor Fitzgerald Securities v. chsptmonar chsptmonar
Case No. DCC2025-0007

1. The Parties

The Complainant is Cantor Fitzgerald Securities, United States of America (“United States”), represented by Akerman LLP, United States.

The Respondent is chsptmonar chsptmonar, United States.

2. The Domain Name and Registrar

The disputed domain name <cantorfx.cc> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 10, 2025. On March 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 11, 2025, 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 March 11, 2025, 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 March 11, 2025.

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 March 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 7, 2025.

The Center appointed Angela Fox as the sole panelist in this matter on April 22, 2025. 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 well-known, United States-based international business trading in global financial services, including broker-dealer, domestic and international equities, fixed income and currencies, real estate, and investment banking services. It was formed over 75 years ago and has over 1,800 employees and more than 5,000 institutional clients in 35 locations internationally. It carries out its business under the names and trademarks CANTOR and CANTOR FITZGERALD.

The Complainant is the proprietor of registered trademark rights in CANTOR and CANTOR FITZGERALD, in jurisdictions including the United States, the European Union, Australia, the United Kingdom, Canada, and China. These include the following, details of which were annexed to the Complaint:

United States registration no. 2682690 for CANTOR in Class 36, registered on February 4, 2003;

United States registration no. 4930552 for CANTOR in Class 36, registered on April 5, 2016;

United States registration no. 3170687 for CANTOR (Stylised) in Classes 9 and 36, registered on November 14, 2006.

The Complainant asserts that it spent significant sums promoting its business under the CANTOR and CANTOR FITZGERALD marks, and that it has used them in advertising through international magazines and newspapers; on television, outdoor signs, billboards, and the Internet; and through sponsorship of major cultural and philanthropic programs or events. The Complainant asserts that this exposure has resulted in its trademarks becoming well known generally and in the financial community particularly. The Complainant attached a number of examples of unsolicited media coverage relating to its business under these marks.

The Complainant also owns and has used the domain name <cantor.com> since at least as early as 1998 in connection with a website relating to the Complainant's financial services.

The disputed domain name was registered on December 31, 2024, and has been used for what appears to be a trading platform for various national currencies, such as United States dollars ("USD") and Euros, and cryptocurrencies such as Bitcoin and Ethereum. Printouts of the Respondent's website were annexed to the Complaint. When the website is accessed, a title and header tab appear which describe the website as being that of "Cantor Fitzgerald Group Ltd.". The header tab and the website both display a slightly forward-leaning capital letter "C" in blue which appears to be identical to the appearance of that letter as used by the Complainant, as shown in the evidence of how it uses the CANTOR and CANTOR FITZGERALD marks, which was annexed to the Complaint.

The Complainant also annexed an example of an email that it received from a member of the public identifying the Respondent's website as a scam, and also included copies of communications that individual had with the Respondent regarding his account. The annexed communications indicate that the victim thought the Respondent's website was linked to the Complainant, and that he opened an account and placed money in it at the Respondent's request, but was then unable to retrieve any of the funds.

Nothing further is known about the Respondent, save that its contact details appear to be false, with, as the Complainant has pointed out, a nonsensical address of "US Illinois asdasd 3050 Bowers Avenue" with a zip code in North Dakota.

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 identical or confusingly similar to its CANTOR trademark, with the letters "fx" merely denoting foreign exchange services, and the country code Top Level Domain ("ccTLD") suffix ".cc" not being sufficient to distinguish the disputed domain name from the Complainant's trademark.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. There is no relationship between the Complainant and the Respondent giving rise to any license, permission, or other right by which the Respondent could own or use any domain name incorporating the CANTOR mark, nor is there any evidence that the Respondent is commonly known by reference to it. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services nor making a legitimate noncommercial or fair use of it. Indeed, on the contrary, the Complainant submits that the communications annexed to the Complaint show that the disputed domain name has been used in relation to a fraudulent scheme to defraud Internet users by passing the Respondent off as the Complainant.

Finally, the Complainant submits that the disputed domain name was registered and has been used in bad faith. The Complainant argues that the Respondent's registration of the disputed domain name was an act of opportunistic bad faith carried out for the purposes of defrauding Internet users through promoting an alleged online financial currency and cryptocurrency trading service masquerading as the Complainant. The fact that the Respondent has used a header tab with the name "Cantor Fitzgerald Group Ltd" makes it clear that the Respondent was targeting the Complainant when it registered and used the disputed domain name, and the evident fraudulent nature of the use, coupled with the apparent provision of false contact details, further demonstrate that the Respondent has acted in bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions and is in default. No exceptional circumstances explaining the default have been put forward. Therefore, in accordance with paragraphs 14 (a) and (b) of the Rules, the Panel will decide the Complaint and shall draw such inferences as it considers appropriate from the Respondent's default.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant can only succeed in an administrative proceeding under the Policy if the panel finds that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in the disputed domain name; and
- (iii) the disputed domain name has been registered or is being used in bad faith.

All three elements must be present before a complainant can succeed in an administrative proceeding under the Policy.

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

In this case, the Complainant has shown rights in respect of the trademark CANTOR for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the CANTOR 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 3.0](#), 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 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 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 3.0](#), 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. Moreover, the Complainant has provided evidence that the disputed domain name has been used in connection with an online currency and cryptocurrency trading service masquerading as the Complainant, and which appears to have been used to defraud consumers. [WIPO Overview 3.0](#), section 2.13.1 states, "Panels have categorically held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or illegal pharmaceuticals, phishing, distributing malware, unauthorized account access/hacking, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent".

The Respondent has not attempted to rebut the Complainant's assertions and evidence.

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 Complainant has shown evidence that the disputed domain name has been used in connection with a website offering a fraudulent online currency and cryptocurrency exchange service, and that the Respondent has been using a header tab which holds that website out as being that of “Cantor Fitzgerald Group Ltd”, which is likely to be connected with the Complainant and its substantial international business in financial services. It is clear from that, and from the Respondent’s adoption of a domain name incorporating the Complainant’s trademark CANTOR and the generic abbreviation “fx” for foreign exchange services, that the Respondent was targeting the Complainant when it registered the disputed domain name.

[WIPO Overview 3.0](#), section 3.1.4, states that “the use of a domain name for per se illegitimate activity such as the sale of counterfeit goods or phishing can never confer rights or legitimate interests on a respondent” and that “such behavior is manifestly considered evidence of bad faith”. In addition, [WIPO Overview 3.0](#), section 3.4, states that “the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution”.

The Panel finds that the Complainant has established the third element of the Policy, and that the disputed domain name was registered and has been used in bad faith.

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 <cantorfx.cc> be transferred to the Complainant.

/Angela Fox/

Angela Fox

Sole Panelist

Date: May 6, 2025