

ADMINISTRATIVE PANEL DECISION

N. M. Rothschild & Sons Limited v. Ilias Ntokoros
Case No. DGE2024-0006

1. The Parties

Complainant is N. M. Rothschild & Sons Limited, United Kingdom, represented by Freshfields, Bruckhaus, Deringer, United Kingdom.

Respondent is Ilias Ntokoros, Germany.

2. The Domain Name and Registry

The disputed domain name <rothschildandco.ge> (hereinafter “Disputed Domain Name”) is registered with Caucasus Online LLC (the .GE Registry).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 8, 2024. On November 8, 2024, the Center transmitted by email to the .GE Registry a request for registry verification in connection with the Disputed Domain Name. On November 11, 2024, the .GE Registry transmitted by email to the Center its verification response identifying INWX.com as the Registrar and disclosing registrant and contact information for the Disputed Domain Name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to Complainant on November 11, 2024, providing the registrant and contact information disclosed by the .GE Registry, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on November 14, 2024, by Center.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .GE Domain Name Dispute Resolution Policy (the .GE Policy), the Rules for .GE Domain Name Dispute Resolution Policy (the .GE Rules), and the WIPO Supplemental Rules for .GE Domain Name Dispute Resolution Policy (the Supplemental Rules).

In accordance with the .GE Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on November 19, 2024. In accordance with the .GE Rules, paragraph 5, the due date for Response was December 9, 2024. Respondent did not submit any formal response, but a Third Party sent an email communication to the Center on November 20, 2024, before Response due date. Accordingly, the Center notified Commencement of Panel Appointment Process on December 10, 2024.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on December 18, 2024. 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 .GE Rules, paragraph 7.

On January 10, 2025, the Panel issued a Procedural Order. In response to the Procedural Order the Third Party sent email communications to the Center on January 11 and 21, 2025, and Complainant sent email communication to the Center on January 24, 2025. On February 4, 2025, the Third Party submitted another email communication, and on February 7, 2025, Complainant replied to this email. On February 12, 2025, the technical contact associated with the disputed domain name sent an email to the Center.

4. Factual Background

Complainant and its related companies (hereinafter collectively referred to as simply “Complainant”) have provided financial services for over 200 years under the trademarks ROTHSCILD and ROTHSCILD & CO (hereinafter the “Marks”). Many decisions under the Policy have recognized that Complainant is well known. See, e.g. *N. M. Rothschild & Sons Limited v. John Williams, Charles Hamilton*, WIPO Case No. [D2017-1439](#) (Complainant is “a well-known provider of financial services on a worldwide”); *N. M. Rothschild & Sons Limited v. Domain Administrator, PrivacyGuardian.org / Albert Rothschild*, WIPO Case No. [D2019-0517](#) (“a well-known global financial services company”).

Complainant owns several trademark registrations for the Marks, including:

- European Union Trademark Registration No. 000206458 (registered October 8, 1998) (for ROTHSCILD)
- European Union Trademark Registration No. 017924819 (registered October 31, 2018) (for ROTHSCILD & CO)
- German Registration No. 1041064, registered November 24, 1982, for N.M. ROTHSCILD & SONS

Complainant owns the domain name <rothschildandco.com> which resolves to a website through which Complainant offers some of its financial services. Complainant also uses this domain name to communicate via email messages in the form “___@rothschildandco.com”.

The Disputed Domain Name was registered September 2, 2024. Although it does not resolve to an active website, the Disputed Domain Name has been setup to send and receive email, which would be configured in the form “___@rothschildandco.ge”.

5. Parties’ Contentions

A. Complainant

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

Notably, Complainant contends that Respondent registered and intends to use the Disputed Domain Name to impersonate Complainant and engage in online fraud such as phishing.

B. Respondent

Respondent did not respond to the Complaint. However, a Third Party filed several informal responses claiming rights in the Disputed Domain Name. As explained more fully below, the Panel will consider these responses.

C. Third Party Communications

On November 20, 2024, the Center received an email from “Rothschild and Sons ____@rothschildandsons.de” with the subject line “Clarification Regarding Domain Ownership: rothschildandco.ge - Case No. DGE 2024 – 0006” with attachments. The email stated:

“I am reaching out in response to the letter you sent to Mr. Dokoros of AURAC AG concerning the domain rothschildandco.ge.

As Rothschild & Co LLC, my company, is the majority shareholder of AURAC AG, I had asked Mr. Dokoros to assist me in acquiring the domains rothschildandco.ge and rothschildandsons.de on my behalf.

Until now, I did not consider it significant whether the domain was registered under AURAC AG or directly under my name, as I ultimately control the company. Nevertheless, I will ensure that ownership of the domain is transferred directly to me to avoid further confusion.

As for the domains rothschildandsons.de and rothschildandco.ge, I can confirm that I do not intend to develop websites under these domain names. They are used exclusively for email purposes. I am fully aware of and adhere to the family rules in this regard.

I would like to formally contest your request, as both my company, Rothschild C Co LLC, and I, [...] Rothschild, are legally entitled to use my given name, Rothschild.

To support my position, I have attached copies of my passport and an official extract from the corporate register of Georgia.

Should you require any additional information or documentation, please do not hesitate to let me know. I trust that this matter can now be resolved amicably.

Best regards,

[...] Rothschild”

The Center’s file for this matter does not include any reference to a “Mr. Dokoros”, but this may be an alternate spelling of “Ntokoros”. Respondent’s email address is “____@aurac.com.”

Attached to the email was a color copy of a passport in the name of [...] Rothschild issued by the Ministry of Justice of the Republic of Georgia on August 1, 2024. Also attached was a document purporting to be issued by the “Ministry of Georgia LEPL National Agency of Public Registry”, that reflects the registration dated August 15, 2024, of the firm name “Rothschild and Co LLC” as a Limited Liability Company with an address in Tbilisi, Georgia.

On November 25, 2024, the Center responded by email to [...] Rothschild (hereinafter “Third Party”), with a copy to Respondent. The Center observed that the named Respondent was Ilias Ntokoros, noted the option to secure from Respondent a copy of the Complaint and Annexes, and advised that a Response to the Complaint was due December 9, 2024.

Neither Respondent nor the Third Party filed a Response to the Complaint before the December 10, 2024, due date.

Procedural Order

On January 10, 2025, the Panel issued a Procedural Order as follows:

The Panel has reviewed the case file and notes that a Third Party has sent email communication to the Center on November 20, 2024. The Third Party's email communication has been forwarded to the Parties on November 25, 2024.

The Panel requests the Respondent to comment on the Third Party's communication by January 15, 2025.

If the Respondent does not submit any comment, the Third Party is requested to submit evidence supporting his control of the disputed domain name by January 20, 2025.

The Complainant will then be given 3-days to comment on the Third Party's email communication and any additional submissions, either from the receipt of the Respondent's or the Third Party's submission or from the end of the Third Party's deadline, whichever is earliest.

Responses to Procedural Order

Respondent did not submit any response to the Procedural Order.

The Third Party submitted two responses to the Procedural Order. On January 11, 2025, the Third Party submitted an email to the Center stating:

"I am in ongoing communications with Ilias Ntokoros regarding the transfer of the domain name in question, and he has already initiated the process (please see the attached document for confirmation).

Given that the transfer is managed by a third party and not within our direct control, I kindly request that the Pental[sic] consider extending the current deadlines. I want to reassure you that the domain will soon be under my ownership, and I will solely use it for email communication in strict adherence to my global family rules."

The Third Party attached to this email a United Domains¹ "Change of Client Data" form dated December 5, 2024, which the Panel used Google Translate to convert from German to English. Although the form is partially redacted, the form's blanks are filled in to show a request by "Ilias Ntokoros" with an email address of "____@gmail.com". This email address is different from the email address that the Registrar verified for Respondent, which was "____@aurac.com". The form purports to request a change of the contact information for a redacted customer number to "Rothschild & Co. LLC," represented by Jacob Rothschild with email "____@rothschildandsons.de". The form does not identify the domain name to which the request relates, and, as noted, the customer number is redacted. The signature block on the "Change of Client Data" form does not identify with type-font text the name of the party signing the document, and the hand-written signature is not legible. The Panel cannot determine who signed the form. Importantly, there is no information (such as a "filed" stamp or "downloaded from" URL record) on the form that would confirm that the document was submitted to any registrar.

On January 21, 2025 (one day after January 20, 2025, the due date stated in the Procedural Order), the Third Party submitted an email to the Center, stating that:

"[...]. My associate at AURAC AG, Mr. Ilias Ntokoros, is currently in the process of transferring the domains into my direct and sole ownership. While the transfer between GoDaddy² accounts initially appeared to be straightforward process, it has proven to be more time-consuming than anticipated.

¹ The Third Party does not explain why a United Domains form was used instead of a form appropriate for INWX.com, the Registrar that the .GE Registry identified in its verification. The Panel understands that INWX.com and United Domains are different companies.

² There is no other mention of GoDaddy in the file.

More importantly, I would like to emphasize that both I and my entity, Rothschild & Co LLC in Georgia, have the confirmed and legal rights to use the following names:

- Rothschildandsons
- Rothschild&Co
- Jacobrothschild

[...]. While I sincerely appreciate your support in safeguarding my family name, I must reiterate that I cannot accept any conclusions or claims that challenge my lawful use of my name, as well as the registered and approved company names and associated domains.”

In support of the assertions in this email, the Third Party attached three untranslated Georgian documents. Based on Google Translate, these documents state the following:

- “M 39231 Trademark: jacobrothschild Owner: Rothschild & Co. Ltd.”
- “M 39230 Trademark: Rothschild & Co. Owner: Rothschild & Co. Ltd.”
- “M 39232 Trademark: rothschildandsons Owner: Rothschild & Co. Ltd.”

On January 24, 2025, Complainant filed its “Additional Submissions” with the Center, having received from the Panel a 1-day extension in view of the Third Party’s submission, which was 1 day late.

Complainant observes that Respondent has never submitted a response to either the Complaint or to the Panel Order.

Complainant also contends that the Third Party has not provided information to substantiate his control over the Disputed Domain Name beyond mere assertions. Complainant notes that on November 20, 2024, the Third Party asserted that “I will ensure that ownership of the domain is transferred directly to me . . .” and on January 11, 2025, the Third Party asserted that he was in “ongoing communication with Ilias Ntokoros regarding transfer of the domain in question, and he [the Respondent] has already initiated the process.” Despite these assurances, neither Respondent nor the Third Party has demonstrated that the Disputed Domain Name was registered on behalf of the Third Party or that the Third Party controls the Disputed Domain Name.

Complainant also protests the untimeliness of the responses by Respondent (none) and the Third Party (1 day late).

Complainant asserts that there is evidence of the Third Party’s bad faith. First, Complainant contends that the Third Party has no relationship to the Rothschild family. Consequently, Respondent’s statement that “he is aware of and adhere to the family rules” is false because he is not a member of the well-known Rothschild family. Second, with respect to the Georgian trademark registrations (Nos. 39231, 39230, and 39232), attached to the Third Party’s January 21, 2025, email, Complainant submits that the applications for these registrations were filed on December 12, 2024,³ well after Respondent received notice of the Complaint on November 19, 2024. Complainant contends that applying for these trademark registrations after the proceedings commenced reflects bad faith. Third, Complainant asserts that “According to the Georgian business registry, the Third Party was previously known [by a different personal name] which suggests that he later changed his name to falsely create an association with Complainant and the Rothschild family”. Complainant did not submit copies of the government records that support this assertion, but as explained below, this claim is corroborated by the Limited Liability Company creation documents dated August 15, 2024, that the Third Party attached to his November 20, 2024, email to the Center.

On January 30, 2025, the Registrar responded to a request from the Center (at the Panel’s request) and confirmed that Respondent Ilias Ntokoros is still listed as the Registrant for the Disputed Domain Name.

³ The Panel verified these dates by its own online review of the Georgian trademark database.

On February 4, 2025, the Third Party submitted another email to the Center generally denying Complainant's allegations and arguments, which the Third Party asserted were as abusive and defamatory. For example, the Third Party asserted that Complainant's "reliance on speculative claims and irrelevant details (such as my previous name) is a transparent attempt to distract from the fact that they have no legitimate grounds for their complaint." The Third party also asserted that, "I have never claimed to be a member of the Rothschild family [...]"

On February 7, 2025, Complainant responded to Respondent's February 4 email, asserting that the Third Party "appears to confirm that he had a previous name, and his birth name was not in fact [...] Rothschild."

Preliminary Ruling regarding Third Party Communications.

Paragraph 1 of the .GE Rules defines Respondent as "the holder of the domain name registration against which a complaint is initiated" and paragraph 5(a) of the .GE Rules requires that Respondent shall submit a response within twenty (20) days. Paragraph 5(c)(viii) of the .GE Rules requires that Respondent include with its response a statement certifying that "the information contained in this Response is to the best of Respondent's knowledge complete and accurate, that this Response is not being presented for any improper purpose [...]"

The .GE Rules do not authorize third parties to participate in the proceedings.

Respondent did not respond to the Complaint or advise the Center that it registered the Disputed Domain Name on behalf of any third party or that any third party was authorized to communicate on Respondent's behalf with respect these proceedings.

The Third Party failed to substantiate his claim to control the Disputed Domain Name. Although he claimed on January 11, 2025, to be "in ongoing communications with Ilias Ntokoros", the Third Party never offered any evidence (such as a declaration) from Mr. Ntokoros validating the Third Party's right to respond on behalf of Respondent. Given the Third Party's claims to control the Disputed Domain Name and to be in close communication with Respondent, it should have been straight forward to arrange for Mr. Ntokoros to simply file a Response to the Complaint or to submit a declaration attesting that "I registered the Disputed Domain Name on behalf of" the Third Party.

The Third Party offers several documents to substantiate the Third Party's claim of legal rights in personal and business names corresponding to the Disputed Domain Name, but these documents do not show that Respondent has any interest in these rights.

The "Change of Client Data" form is not sufficient to show that the Third Party has rights in the Disputed Domain Name. The form makes no reference to the Disputed Domain Name and it is not clear who signed the form. There is no evidence that the form was submitted to the relevant Registrar. Even if one assumes that the form relates to the Disputed Domain Name, that it was signed by Respondent, and that it was submitted to the correct Registrar, the fundamental fact remains that no change has been made. Even though the form is dated December 5, 2024, the .GE Registry informed the Center on January 31, 2025, that the Disputed Domain Name was still registered in the name of Respondent Ilias Ntokoros.

The Panel rules that the Third Party has not substantiated its right to participate in these proceedings or otherwise act on behalf of Respondent.

Nonetheless, it cannot be denied that Respondent and the Third Party have some undefined relationship. The Panel acknowledges that the Third Party sent an email to the Center regarding the Complaint on November 20, 2024, one day after the Center sent notice of the Complaint to Respondent. The email includes the case number in the subject line. After that, the Third Party made two additional submissions regarding this dispute.

The Panel acknowledges the risk that the Third Party may in fact be the beneficial owner of the Disputed Domain Name. Rather than risk a ruling that does not consider the arguments of all Parties with a potential interest, the Panel will address the Third Party's submissions.

Consideration of Untimely Communications

Both Complainant and the Third Party submitted communications to the Center after the deadline for responding to the Procedural Order. The Panel exercises its discretion to consider all of these submissions.

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 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 1.7.⁴

Complainant has shown rights in respect of a trademark or service mark for the purposes of the .GE Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Marks are recognizable within the Disputed Domain Name. The entire ROTHSCILD trademark is reproduced within the Disputed Domain Name. The ROTHSCILD & CO trademark is recognizable within the Disputed Domain Name. The substitution of "and" for "&" is a trivial difference that does not prevent a finding of confusing similarity between the Disputed Domain Name and the Mark for the purposes of the .GE Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the .GE Policy has been established.

B. Rights or Legitimate Interests

1. Respondent does not have rights or a legitimate interest in the Disputed Domain Name.

Paragraph 4(c) of the .GE 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 .GE 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Disputed Domain Name. Respondent has not rebutted

⁴As the criteria under the .GE Policy are similar to the criteria under the Uniform Domain Name Dispute Resolution Policy (UDRP), the Panel considers that the principles which have been developed under the UDRP (notably including the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)")) may be applied where appropriate under the .GE Policy. See *Région Ile-de-France v. Il De France LTD*, WIPO Case No. [DGE2024-0001](#).

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 .GE Policy or otherwise.

Because is no active website associated with the Disputed Domain Name, the named Respondent has no basis for a claim of rights or legitimate interest based on the content of a website associated with the Disputed Domain Name. As explained below, Respondent has not denied Complainant's allegation there is a high risk that Internet users will perceive an affiliation with Complainant and that use of the Disputed Domain Name as an email address is fraught with potential for phishing or other fraud. Panels have held that the use of a domain name for phishing, impersonation/passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

2. The Third Party does not have rights or a legitimate interest in the Disputed Domain Name.

The Panel finds with respect to the Third Party, as it did with respect to Respondent, that Complainant has established a prima facie case that the Third Party lacks rights or legitimate interests in the Disputed Domain Name. The Third Party 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 Name such as those enumerated in the .GE Policy or otherwise.

There is more than an implied risk of implied affiliation here. The Third Party claims to be related to the Rothschild family, but gives assurances that he is "fully aware of and adhere to the family rules in this regard" and that "I will solely use it for email communications in strict adherence to my global family rules." This is, in essence, a claim to licensed or authorized by Complainant to use Complainant's trademarks. The Third Party does not state what the purported "family rules" are. Complainant denies that the Third Party is related to the family that controls Complainant and also denies that there are any "family rules" that would permit the Third Party to claim even a limited affiliation with the family that controls Complainant.

The Panel finds that the Third Party has not substantiated its claim of a relationship to the family that controls Complainant. Neither does he certify that these claims are "complete and accurate" as is required of a Respondent who files a formal response, paragraph 5(c)(viii) of the .GE Rules. Accordingly, the Third Party has not rebutted Complainant's prima facie case that neither Respondent nor the Third Party is authorized to claim an affiliation with Complainant.

The Third Party's submissions are not sufficient to show that it has rights to and a legitimate interest in the Disputed Domain Name.

On August 20, 2024, the Third Party registered "Rothschild and Co LLC" as a Limited Liability Company in Georgia, but "as has frequently been observed in cases under the Policy, the mere incorporation of a company with a name corresponding to a domain name does not typically, on its own, lead to a finding of rights and legitimate interest under the Policy." *SAP SE v. SAP Plus Plus LLC*, WIPO Case No. [D2024-3209](#) (use of SAP++ as tradename in Egypt did not confer legitimate rights). In *Royal Bank of Canada v. RBC Bank*, WIPO Case No. [D2002-0672](#), the panel ruled that, even though the respondent incorporated "RBC Bank" in Montenegro before it registered the domain name <rbcalliancebank.com>, this was not sufficient to demonstrate legitimate rights under UDRP Policy because the respondent offered no evidence that it conducted any business before registering the domain name at issue there. The *Royal Bank of Canada* panel's observations about the UDRP are equally applicable to the .GE Policy, and especially relevant here:

"In the Panel's view, proof of mere registration of the company, without more, is not enough to demonstrate that the Respondent was *commonly known* by the domain name."

If the intention of the [.GE] Policy were otherwise, every cybersquatter would be able to avoid the operation of the [.GE] Policy by the simple expedient of: (i) quietly registering someone else's trademark as a corporation name (possibly in some jurisdiction having no connection with either the trademark owner or the cybersquatter); (ii) waiting some decent interval of time before registering the corporation name as a domain

name; and (iii) resisting the trademark owner's challenge under the [.GE] Policy by claiming that the fact of the registration of the corporation proves that the corporation has been "commonly known by" the corporation name/trademark/domain name, and therefore has a legitimate interest in the domain name.

Any construction of the [.GE] Policy which could open the door to a result like that cannot be right, and it seems to the Panel that the words "commonly known by" in paragraph 4(c)(ii) of the [.GE] Policy call for at least some use of the name by the corporation prior to the registration of the corporation's name as a domain name. In other words, "commonly known by" must mean commonly known by at least some other people (i.e. other than those responsible for the registration of the corporation).

These observations foreshadow the instant facts. The Third Party has not offered any information about its business activity under "Rothschild and Co LLC". On the contrary, he represents that "I do not intend to develop websites under these domain names. They are used exclusively for email purposes." The Third Party offers no information about the quantity or character of the claimed email usage. This is not enough to establish that the Third Party was "commonly known by" a name corresponding to the Disputed Domain Name. Compare *G.A. Modefine S.S. v. A.R. Mani*, WIPO Case No. [D2001-0537](#) (respondent offered samples of email usage to demonstrate legitimate rights).

For similar reasons, the Panel finds that the three trademark registrations that the Third Party submitted on January 21, 2025, are not sufficient to show that the Third Party has rights in the Disputed Domain Name. In addition to the Third Party's failure to show any actual use of the trademarks as registered, the Third Party failed to disclose that he applied for these registrations on December 12, 2024, which was after the commencement of these proceedings and, of course, long after he registered the Disputed Domain Name on September 2, 2024.

The facts here reflect the pattern that the panel in *RBC Bank case* warned against. The Third Party's Limited Liability Company was created August 15, 2024, barely two weeks before the Disputed Domain Name was registered on September 2, 2024. The Georgian trademark registration for "Rothchild & Co" was registered December 31, 2024, based on an application filed December 12, 2024. Instead of proving legitimate rights, this timeline supports a finding that these registrations have merely been "adopted opportunistically by the respondent in order to give a spurious air of legitimacy to an otherwise questionable registration". See *Riemann Trading APS V. Riemann, Michael*, WIPO Case No. [D2017-0111](#).

The Third Party's passport was issued August 1, 2024. Of course, the Third Party may have been issued prior passports under the same name.

The Third Party argues that he is entitled to use his Rothschild surname in the Disputed Domain Name. It is true that even if the Third Party is not affiliated with Complainant, he could still use his surname for genuinely intended noncommercial purposes. *Mathiesen S.A.C. v. Allan Mathiesen*, WIPO Case No. [D2009-0087](#). But "this does not give the Respondent the right to profit from Complainant's trademarks [...]", *Riemann*, supra, at *11. Here, the Third Party is not restricting use of the Disputed Domain Name to non-commercial uses. On the contrary, he proposes to use the Disputed Domain Name in business related emails. This can be inferred from the Disputed Domain Name itself, which is not limited to the surname "Rothschild", which includes "andco," but also from the registration of the Limited Liability Company and the registration of "Rothschild & Co" as a trademark in Georgia in Nice class 36, which relates to "financial, monetary and banking services."

Complainant contends that "according to the Georgian business registry, the Third Party was previously known by a different personal name which suggest that he later changed his name and surname to '[...] Rothschild' to falsely create an association the Complainant and the Rothschild family." Although Complainant has not submitted copies of the name change records to which it refers, the documents that Respondent submitted evidencing his creation of the "Rothschild & Co LLC" identify "[...] Rothschild, 59001015398" as "Director" and "[the different personal name], 59001015398, as "Debtor". The Panel notes that both names have the same identification number, which suggests some legal relationship. In his February 4 email to the Center, Respondent says that Complainant's reference to "my previous name" is

speculative and irrelevant. There is certainly reason to be concerned about Respondent's apparent change of name, but the Panel finds that the facts are not clear enough to support a finding in Complainant's favor on this point. Instead, the Panel bases its ruling the foregoing analysis and, in particular, on the Third Party's admitted intention to exploit the famous surname for commercial purposes.

The Panel finds the second element of the .GE Policy has been established with respect to both Respondent and the Third Party.

C. Registered and Used in Bad Faith

Unlike the UDRP, a complainant under the .GE Policy must establish only that the Disputed Domain Name has been either registered or subsequently used in bad faith by Respondent under the third element of the .GE Policy. See paragraph 4(a)(iii)⁵ the .GE Policy; *Région Ile-de-France v. Il De France LTD*, WIPO Case No. [DGE2024-0001](#).

1. Respondent's bad faith

Complainant has alleged that, because the Disputed Domain Name is confusingly similar to the Marks and nearly identical to Complainant's email address, which is incorporated into Complainant's email address "____@rothschildandco.com", there is a heightened risk that the Disputed Domain Name could be used to send phishing emails to Complainant's clients or be used for other fraudulent purposes. Panels have held that the use of a domain name for illegal activity for phishing or impersonation/passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Respondent has not denied these allegations.

Although Complainant has not submitted evidence that any fraudulent activities have already occurred, the Panel has discretion under .GE Rules, paragraph 14(b), to draw adverse inferences from Respondent's failure to respond and deny Complainant allegations "where a particular conclusion is prima facie obvious, where an explanation by the respondent is called for but is not forthcoming, or where no other plausible conclusion is apparent". See [WIPO Overview 3.0](#), section 4.3.

The Panel deems adverse inferences appropriate here.

Given that Complainant and its Marks are well known, it is probable that Respondent was aware of and targeted Complainant when he registered the Disputed Domain Name, which is nearly identical to Complainant's Marks and email address. This creates a high risk that third parties would be confused or deceived by messages from an email address that incorporates the Disputed Domain Name. See *N. M. Rothschild & Sons Limited v. Contact Privacy Inc. Customer 12410746041 / "FAPI III"*, WIPO Case No. [D2021-3915](#) (<rothschildandcos.com> held "inherently deceptive and ripe to be used in a phishing scam or other nefarious activity"). Accordingly, the Panel finds Respondent registered that the Disputed Domain Name in bad faith.

2. The Third Party's bad faith

The Panel finds that the Third Party's conduct and statements also evidence bad faith registration of the Disputed Domain Name. The Third Party admits that he was well aware of Complainant's rights when he registered the Disputed Domain Name. He claims to be related to the Rothschild family that controls Complainant. He says he abides by the "family rules."

The Panel finds that the Third Party's claim of a relationship to the Rothschild family is false and evidences an intent to target Complainant. The Panel also finds false the Third Party's claim that there are "family rules" that, if followed, permit his use of the ROTHSCILD Marks, including his registration of the Disputed Domain Name.

⁵ The .GE Policy paragraph 4(a)(iii) provides: "your domain name has been registered or is being used in bad faith." (emphasis added).

The Third Party asserts his last email that “I have never claimed to be a member of the Rothschild family.” This denial is verifiably false. The Third Party responded to the Complaint with assurances that he would use the Disputed Domain Name “in strict adherence to my global family rules.” This false denial makes more glaring the Third Party’s lack of candor, which support’s the Panel’s finding of bad faith.”

The Panel finds that Complainant has established the third element of the .GE Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the .GE Policy and 15 of the .GE Rules, the Panel orders that the Disputed Domain Name <rothschildandco.ge> be transferred to Complainant.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: February 8, 2025.