ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Guggenheim Capital, LLC v. LE THI THAO
Case No. DIO2026-0024

1. The Parties

The Complainant is Guggenheim Capital, LLC, United States of America ("United States"), represented by Snell & Wilmer, LLP, United States.

The Respondent is LE THI THAO, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <guggenheim.io> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 4, 2026. On June 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 5, 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, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 9, 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 June 9, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the "Policy"), the Rules for .IO Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .IO 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 June 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 21, 2026.
The Center appointed Steven A. Maier as the sole panelist in this matter on July 27, 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 is an international provider of investment and financial advisory services under trademarks comprising or incorporating the mark GUGGENHEIM.

The Complainant is the owner of the following trademark registrations:

- United States trademark registration number 3121127 for the word mark GUGGENHEIM, registered on July 25, 2006 in International Classes 16, 36, and 41;

- United States trademark registration number 3110878 for the word mark GUGGENHEIM PARTNERS, registered on July 4, 2006 in International Class 36; and

- United States trademark registration number 3712544 for the word mark GUGGENHEIM INVESTMENT ADVISORS, registered on November 17, 2009 in International Class 36.

The Complainant operates a website at "www.guggenheimpartners.com".

The disputed domain name was registered on December 18, 2025.

The disputed domain name does not appear to have resolved to any active website.

5. Parties' Contentions

A. Complainant

The Complainant submits that it has traded under the GUGGENHEIM mark for over 20 years. It states that it operates 15 offices in six different countries and employs over 2,200 individuals worldwide, managing over USD 350 billion in assets. It submits that it has spent many millions of dollars over the years in advertising and promoting its services under the GUGGENHEIM mark.

The Complainant contends that the disputed domain name is both identical and confusingly similar to its GUGGENHEIM trademark. It submits that the disputed domain name incorporates that mark in its entirety, and that the country code Top-Level Domain ("ccTLD") ".io" should be disregarded for the purpose of comparison.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its GUGGENHEIM trademark, that the Respondent has not commonly been known by the disputed domain name, and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name.

The Complainant contends that the disputed domain name was both registered and is being used in bad faith. It submits that, given the worldwide reputation of the GUGGENHEIM trademark and the extent of the Complainant's investment business, it is not plausible to conceive of circumstances where the Respondent was unaware of the Complainant's trademark. It further contends that, given the distinctive and well-known nature of the GUGGENHEIM mark and the implausibility of any good faith use to which it could be put by the Respondent, the Respondent's passive holding of the disputed domain name represents use of the disputed domain name in bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are 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 respect of the disputed domain name; and

(iii) the disputed domain name has been registered or is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of registered trademark rights in the mark GUGGENHEIM. The disputed domain name wholly incorporates that trademark, with no addition other than the ccTLD “.io”, which may typically be disregarded for the purposes of comparison. The disputed domain name is therefore identical to the Complainant’s trademark.

The Panel therefore finds that the first element under the Policy has been established.

B. Rights or Legitimate Interests

In the view of the Panel, the Complainant’s submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in this proceeding, and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise. Nor does it appear from the record that the Respondent is commonly known by the name GUGGENHEIM.

The Panel therefore finds that the second element under the Policy has been established.

C. Registered or Used in Bad Faith

The Panel finds the Complainant’s GUGGENHEIM trademark to be distinctive in nature, and not to represent any dictionary word or term in common usage. The Panel finds further that the Complainant’s trademark has become widely known, on an international basis, by virtue of factors including its longstanding use in connection with investment advisory services and the substantial value of its assets under management.

The Respondent having provided no explanation for its registration of the disputed domain name, the Panel infers, in all the circumstances and on the balance of probabilities, that the Respondent registered the disputed domain name with the Complainant’s GUGGENHEIM trademark in mind, and with the intention of taking unfair commercial advantage of the reputation of that trademark.

While it appears to the Panel that there are other entities that operate in various jurisdictions under the name and trademark GUGGENHEIM, those entities appear to be concerned primarily with the arts as opposed to investment and financial services; equally, the fact of such third-party rights would not support any claim by the Respondent to its own potential legitimate interest in the disputed domain name. The Complainant's mark is widely known in connection with financial and investment services and, in the view of the Panel, the registration of an exact-match domain name corresponding to that mark creates a particular risk of impersonation or other deceptive conduct directed at Internet users seeking the Complainant. In the circumstances, the Panel considers it likely that the Respondent targeted the Complainant's trademark rights specifically, rather than any other entity associated with the GUGGENHEIM name.

As to the Respondent's use of the disputed domain name, the considerations applicable to a disputed domain name which is passively held are discussed in WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1"), section 3.3 (see also *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. D2000-0003). These factors include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iii) the respondent's taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement).

Further, taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the disputed domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa.

The Panel finds in this case that the Complainant's trademark is both distinctive and widely known, that the Respondent has failed to submit a Response or provide any evidence of any contemplated good faith use of the disputed domain name, and that it is implausible that there is any good faith use to which the Respondent could put the disputed domain name. (Given that privacy or proxy services are, nowadays, commonly provided by registrars by default, the Panel does not consider it significant that the disputed domain name was registered behind such a service.)

Accordingly, while the Policy requires only that the Complainant demonstrates registration or use of the disputed domain name in bad faith, the Panel finds that the disputed domain name has been both registered and used in bad faith in this case.

The Panel therefore finds that the third element under the Policy has been established.

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 <guggenheim.io> be transferred to the Complainant.

/Steven A. Maier/
Steven A. Maier
Sole Panelist
Date: August 10, 2026