Decision for dispute CAC-UDRP-108234

Case number	CAC-UDRP-108234
Time of filing	2025-12-17 08:43:06
Domain names	nomadcapitealist.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Nomad Capitalist Limited

Complainant representative

Organization	UDRPKing.com

Respondent

Name	Zuraiz Shahzad

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant bases its Complaint on the following trademarks:

- Unites States of America national trademark “NOMAD CAPITALIST”, no. 5179722, registered on 11 April, 2017, for services in class 35;
- European Union trademark “NOMAD CAPITALIST”, no. 018672291, filed on 15 March, 2022, registered on 28 June, 2022, for services in class 35;
- United Kingdom national trademark “NOMAD CAPITALIST”, no. UK00003998308, registered on 31 May, 2024, for services in classes 35, 36, 45.

FACTUAL BACKGROUND

The Complainant is a consulting firm that designs and implements strategies for entrepreneurs, investors and high-net-worth individuals.

The Complainant’s core services include international tax strategy and compliance, offshore company formation, banking and payments setup, second residency and second citizenship (including citizenship by descent), portfolio/asset diversification across multiple jurisdictions and ongoing advisory for structuring, relocation and lifestyle optimization.

The Complainant's company operates globally and has guided clients to relocate, bank, incorporate or obtain residency/citizenship internationally.

The Complainant publishes daily content and research, and its media coverage includes Forbes, TheWire, while being present also on social media, like Facebook, Youtube, Instagram, X (Twitter), LinkedIn, Tiktok.

The Complainant is the owner of the NOMAD CAPITALIST trademarks cited above.

The disputed domain name <nomadcapitealist.com> was registered on 13 July 2022 and at the time when the Complaint was filed resolved to a page displaying an Internet browser error message stating that "This site can't be reached".

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

The Complainant's contentions are the following:
The disputed domain name <nomadcapitealist.com> is confusingly similar to the Complainant's trademark NOMAD CAPITALIST, that the Respondent lacks rights or legitimate interests in the disputed domain name for a number of reasons and that the disputed domain name was registered and is being used in bad faith.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

1. Confusing Similarity

The Panel agrees that the disputed domain name <nomadcapitealist.com> is confusingly similar to the Complainant's trademark NOMAD CAPITALIST. The disputed domain name <nomadcapitealist.com> represents a typosquatting version of the trademark NOMAD CAPITALIST, reproducing this trademark with the addition of the letter "E" within the word part "CAPITALIST", which is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademark and it does not change the overall impression of the designation as being connected to the trademark NOMAD CAPITALIST.

A domain name that consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains

sufficiently recognizable aspects of the relevant mark, as is the case. (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Jurisprudential Overview 3.0"), point 1.9).

Moreover, the extension ".com" is not to be taken into consideration when examining the similarity between the Complainant's trademark and the disputed domain name (WIPO Case No. D2005-0016, Accor v. Noldc Inc.). The mere adjunction of a gTLD such as ".com" is irrelevant as it is well established that the generic Top Level Domain is insufficient to avoid a finding of confusing similarity (WIPO Case No. 2013-0820, L'Oréal v Tina Smith, WIPO Case No. D2008-0820 Titoni AG v Runxin Wang and WIPO Case No. D2009-0877, Alstom v. Itete Peru S.A.).

Therefore, the Panel is satisfied that the first condition under the Policy is met.

2. Lack of Respondent's rights or legitimate interests

The Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such a prima facie case is made, the burden of proof shifts to the respondent to come forward with appropriate allegations or evidence demonstrating rights or legitimate interests in the disputed domain name. If the respondent fails to come forward with such appropriate allegations or evidence, a complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the UDRP.

Based on the available evidence, the Respondent does not appear to be known by the disputed domain name as such is not identified in the WHOIS database as the disputed domain name. The Respondent is not a licensee of, nor has any kind of relationship with, the Complainant. The Complainant has never authorised the Respondent to make use of its trademark, nor of a confusingly similar trademark in the disputed domain name.

Based on the available evidence, at the time when the Complaint was filed, the domain name resolved to a page displaying an Internet browser error message stating that "This site can't be reached", being also listed for sale on Afternic (GoDaddy) for the amount of USD 25,000.

The above does not amount to a bona fide offering of goods or services, or to a legitimate noncommercial or fair use of the disputed domain name.

The Panel notes that the Respondent had an opportunity to comment on the Complaint's allegations by filing a Response, which the Respondent failed to do.

Thus, the Panel is satisfied that the Complainant has at least established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Accordingly, the Panel takes the view that also the second requirement under the Policy is met.

3. Bad Faith

Based on the available evidence, the Complainant's US and EU trademarks NOMAD CAPITALIST predate the registration date of the disputed domain name. Thus, the Respondent has chosen to register the disputed domain name representing a typosquatting version of the Complainant's NOMAD CAPITALIST trademark in order to create confusion with such trademark. Therefore, the Panel concludes that at the time of registration of the disputed domain name, the Respondent was well aware of the Complainant's NOMAD CAPITALIST trademark and has intentionally registered it in order to create confusion with such trademark.

In the present case, the following factors should be considered:

(i) the Complainant's US and EU trademarks NOMAD CAPITALIST predates the registration date of the disputed domain name;

(ii) the Respondent failed to submit any response and has not provided any evidence of actual or contemplated good faith use of the disputed domain name;

(iii) the Respondent registered the disputed domain name representing a typosquatting version of a registered trademark;

(iv) the Respondent has no business relationship with the Complainant, nor was ever authorised to use a domain name similar to the Complainant's trademark;

(v) at the time when the Complaint was filed, such resolved to a page displaying an Internet browser error message stating that "This site can't be reached", being also listed for sale on Afternic (GoDaddy) for the amount of USD 25,000.

In light of the foregoing, the Panel concludes that the Respondent has registered and has been using the disputed domain name in bad faith. Thus, also the third and last condition under the Policy is satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **nomadcapitealist.com**: Transferred

PANELLISTS

Name	**Delia-Mihaela Belciu**

DATE OF PANEL DECISION 2026-01-23

Publish the Decision