

ADMINISTRATIVE PANEL DECISION

Signet FFF Holding Ltd v. Bright Space Ltd
Case No. DCC2024-0027

1. The Parties

The Complainant is Signet FFF Holding Ltd, Cyprus, represented by /c LAW, Luxembourg.

The Respondent is Bright Space Ltd, Seychelles.

2. The Domain Name and Registrar

The disputed domain name <signetcapital.cc> (the “Domain Name”) is registered with Sarek Oy (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 4, 2024. On October 4, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On October 11, 2024, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. Due to a possible deficiency in the Complaint, the Complainant filed an amended Complaint on October 14, 2024.

The Center verified that the Complaint and 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 October 15, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 4, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 5, 2024.

The Center appointed Ian Lowe as the sole panelist in this matter on November 8, 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 Rules, paragraph 7.

4. Factual Background

The Complainant is a member of the Signet Group (“Signet”), which comprises a number of different entities acting worldwide, including Signet Capital Management Ltd in Cyprus, Signet Capital Management Limited in the United Kingdom (“UK”), and Signet Capital Management AG in Switzerland. Signet is an asset manager and wealth advisor serving individual, family office and institutional clients globally. Signet Capital Management Limited in the UK was incorporated in January 2003. It is a regulated Alternative Investment Fund Management company (AIFM) licensed by the UK Financial Conduct Authority (FCA).

The Complainant is the proprietor of a number of registered trademarks comprising SIGNET, including Switzerland trademark number 765377 SIGNET FFF registered on June 15, 2021; European Union trademark number 018401330 stylized word mark SIGNET FFF and device registered on November 29, 2022; and Benelux trademark number 1502594 figurative mark SIGNET FFF registered on July 2, 2024.

Signet operates a website at “www.signetglobal.com” promoting its services. The Complainant registered the <signetglobal.com> domain name in January 2020.

The Domain Name was registered on December 6, 2022. It does not currently resolve to an active website, but at the time of preparation of the Complaint it resolved to a website at the Domain Name branded “SIGNET CAPITAL” (the “Respondent’s Website”) but whose contact name and address were given as those of the Respondent. The website purported to offer a trading platform for foreign exchange rates and other financial instruments. It invited users to open a trading account.

The website claimed that “Signet Capital is authorized and regulated under the European Financial Security”. However, no European financial regulatory authority exists by the name of “European Financial Security”. The European Union’s financial markets regulator and supervisor is ESMA (the European Securities and Markets Authority), which has not authorized the Signet Capital referred to on the Respondent’s Website or the Respondent.

The Ontario Securities Commission in Canada, the Austrian Financial Market Authority and the German Federal Financial Supervisory Authority have all issued warnings, between February 2022 and April 2024, in relation to other websites operated by the Respondent as to the absence of any authorization of the Respondent to carry out trading in securities or banking transactions.

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 Domain Name.

B. Respondent

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

6. Discussion and Findings

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

- (i) the Domain Name is 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 Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

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.

The Complainant has uncontested rights in the SIGNET FFF trademark (the "Mark"), both by virtue of its trademark registrations for marks the distinctive element of which is SIGNET, and as a result of its widespread use of the Mark over a number of years. Ignoring the country-code Top-Level Domain ".cc", the Domain Name comprises the distinctive element of the Complainant's SIGNET FFF trademark together with the term "capital". In the view of the Panel, this addition does not prevent a finding of confusing similarity between the Domain Name and the Mark. Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights, and 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. Accordingly, 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 evidence, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy or otherwise.

The Respondent has not used the Domain Name for a bona fide offering of goods or services, but rather for a website purporting to offer a trading platform for foreign exchange rates and other financial instruments. Although the Respondent's Website claimed that it was appropriately authorized and regulated to trade in such financial products, the body referred to does not exist and the genuine European regulator has not authorized the Respondent. In the Panel's view, this indicates that at best the Respondent is involved in unlawful financial transactions or at worst the Respondent's Website is designed to phish for personal data or for other fraudulent activities, using the Complainant's Mark and name to draw Internet users to the Respondent's Website.

Panels have held that the use of a domain name for illegal activity such as indicated in this case - phishing, unauthorized account access or other types of fraud - can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 light of the nature of the Domain Name, comprising as it does the distinctive element of the Complainant's Mark together with the term "capital", so mimicking the names of three of the Signet Group companies, the Panel is satisfied on balance that the Respondent had the Complainant and its rights in the Mark in mind when it registered the Domain Name. The Panel considers that the Respondent has registered and used the Domain Name to deceive Internet users into believing that the Domain Name is operated or authorized by the Complainant, and to attract Internet users by creating a likelihood of confusion with the Mark, clearly for commercial gain.

Furthermore, given that the Respondent has falsely claimed to be authorized and regulated to carry out financial activities and that three regulators around the world have issued warnings in relation to the Respondent's activities, the Panel considers it likely that the Respondent is using the Domain Name in connection with unlawful or fraudulent activities. Such behavior is manifestly considered evidence of bad faith; see [WIPO Overview 3.0](#), section 3.4.

The Panel finds the third element of 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 Domain Name <signetcapital.cc> be transferred to the Complainant.

/Ian Lowe/

Ian Lowe

Sole Panelist

Date: November 22, 2024