

## **ADMINISTRATIVE PANEL DECISION**

Bridgewater Associates, LP v. NameSilo, LLC, Domain Administrator  
Case No. DIO2024-0031

### **1. The Parties**

The Complainant is Bridgewater Associates, LP, United States of America (“United States”), represented Cowan, Liebowitz & Latman, P.C., United States.

The Respondent is NameSilo, LLC, Domain Administrator, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <bridgewaterassociates.io> is registered with NameSilo, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 8, 2024. On October 9, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 9 and October 10, 2024, 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 (Domain Administrator, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 10, 2024, 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 amendment to the Complaint on October 10 and 14, 2024.

The Center verified that the Complaint together with the amendment to the 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 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 Parties of the Respondent’s default on November 5, 2024.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on November 11, 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 hedge fund established in 1975 in the United States. It is the proprietor of several trademark registrations, including the following:

- United States Trademark Registration No. 2395503 for BRIDGEWATER (word mark), registered on October 17, 2000, for services in class 36, claiming a date of first use in 1975;
- United States Trademark Registration No. 3302018 for BRIDGEWATER (device mark), registered on October 2, 2007 for services in class 36;
- European Union Trade Mark No. 003179264 for BRIDGEWATER (word mark), registered on April 21, 2004 for goods and services in classes 16 and 36.

The Complainant operates its business website at the domain name <bridgewater.com>.

The disputed domain name was registered on July 23, 2024. At the time of the Complaint, it resolved to a website entitled “Bridgewater Associates Client Portal.” Text on the website stated: “Welcome to Bridge Water Associates. The worlds [sic] first digital bank... We can match your investments with our company credit with no additional fees.” The website stated that it was a “Client Portal.” At the time of this Decision, the disputed domain name did not resolve to an active website.

#### **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 it is the world’s largest hedge fund and has used the BRIDGEWATER mark continuously since its establishment in 1975. The Complainant is the subject of frequent media coverage in major publications and the mark has developed substantial public recognition and incalculable goodwill and is well known. The disputed domain name reflects the Complainant’s BRIDGEWATER mark in its entirety, and the term “associates” does not obviate confusing similarity, as the Complainant’s corporate name is “Bridgewater Associates, LP.” The Respondent is not authorized by the Complainant to use its mark. The disputed domain name resolves to a website that purports to offer online financial services, including online foreign exchange trading, crypto trading and stock trading, that are closely related the Complainant’s own services. The website prominently displays the Complainant’s company name and marks. The Complainant believes that these services are fake. The website fails to list an address; the telephone number is likely fake. The website contains placeholder text. The use of the Complainant’s mark causes initial interest confusion. The Respondent deliberately registered a domain name that is confusingly similar to the Complainant’s mark and with the intention of attracting Internet users to a website that offers likely fake services.

The Complainant requests transfer of the disputed domain name.

## B. Respondent

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

## 6. Discussion and Findings

The Policy requires the Complainant to make out all three of the following:

- (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 Respondent has registered or is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

### 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. <sup>1</sup>

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

The entirety of the Complainant's BRIDGEWATER 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.

Although the addition of other terms (here, “associates”) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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

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<sup>1</sup> Given the similarities between the .IO Policy and Rules and the Uniform Domain Name Dispute Resolution Policy (“UDRP”) and Rules, the Panel finds UDRP precedent generally to be relevant to this case (except to the extent of relevant differences between the policies, such as the absence of a conjunctive requirement for bad faith). See *IOTA Foundation v. Privacy Service provided by Withheld for Privacy ehf /Super Green*, WIPO Case No. [DIO2022-0001](#).

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. 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 disputed domain name such as those enumerated in the Policy or otherwise.

The Panel notes that the disputed domain name reflects the Complainant's BRIDGEWATER mark in its entirety, together with the term "associates," which directly refers to the Complainant's company name. Such a composition carries a risk of implied affiliation with the Complainant, which is inconsistent with a finding that the Respondent has rights or legitimate interests in the disputed domain name. See [WIPO Overview 3.0](#), section 2.5.1.

The Panel notes that the Respondent's website displays the words "Bridge Water Associates." The Respondent purports to offer similar services to the Complainant and invites Internet visitors to create an account, likely collecting Internet users' personally identifiable information. The Respondent's website lists what appears to be false contact information. Consistent with UDRP practice, the Panel finds that the use of the disputed domain name for illegal activity (here, claimed impersonation/passing off) cannot confer rights or legitimate interests on the Respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

### **C. Registered or Used in Bad Faith**

In the present case, the Panel notes that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark. The disputed domain name was registered more than 20 years after the Complainant first registered its BRIDGEWATER trademark and more than 40 years after the Complainant first asserted rights in that mark. The disputed domain name reflects the Complainant's mark with the addition of the term "associates", thereby implying a connection to the Complainant, the corporate name of which is "Bridgewater Associates, LP." The available record does not provide any support for a conclusion that the disputed domain name reflects the name of the Respondent. Under these circumstances, the Panel finds that the disputed domain name was registered in bad faith. [WIPO Overview 3.0](#), section 3.1.

The circumstances also demonstrate bad faith use of the disputed domain name. Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off, or other types of fraud) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. The record contains evidence that the Respondent's website prominently features the term "Bridgewater Associates," referencing the Complainant's company name. The Respondent's website purports to offer services that are similar or identical to those of the Complainant. The Respondent's website lists contact information that does not demonstrate indicia of credibility; the website invites Internet users to submit their personal information by creating a user account. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Respondent has provided no evidence of actual or contemplated good-faith use of the disputed domain name, nor does the Panel find any such use plausible.

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

## 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 <bridgewaterassociates.io> be transferred to the Complainant.

*/Ingrīda Kariņa-Bērziņa/*

**Ingrīda Kariņa-Bērziņa**

Sole Panelist

Date: November 25, 2024