



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE
DOMAIN NAME DISPUTE
ADMINISTRATIVE PANEL
DECISION

CIIDRC case number:	25617-CDRP	Decision date: January 15, 2026
Domain Name:	nwtassembly.ca	
Panel:	Barry Effler C. Arb (Fellow) (Chair), Leslie Maerov, FCIArb., Q. Arb., Yana Zhou, LL.B., LL.M.	
Complainant:	Northwest Territories Legislative Assembly	
Registrant:	Donn MacDougall	

1. OVERVIEW

This matter concerns a registered domain, **nwtassembly.ca** (the “Domain Name”).

This matter is a proceeding under the Canadian Dispute Resolution Policy (“CDRP”) and the Canadian Dispute Resolution Rules (“Rules”) of the Canadian Internet Registry Authority (“CIRA”). The Canadian International Internet Dispute Resolution Centre (“CIIDRC”) is a recognized service provider to the CIRA Domain Name Dispute Resolution Policy (the “Policy”) of the Canadian Internet Registration Authority (“CIRA”).

2. PROCEDURAL HISTORY

The procedural history of this case was set out in a letter from CIIDRC to the Panel:

- “1. On September 24, 2025, Mark Fancourt-Smith of Lawson Lundell filed a Complaint on behalf of the Northwest Territories Legislative Assembly, pursuant to the CDRP and the Resolution Rules. The required commencement fee was paid on the same day. The complaint was in administrative compliance with CIRA’s requirements under Rule 3.2.
2. On September 24, 2025, CIRA was notified of this proceeding and on September 25, 2025, CIRA transmitted by email to CIIDRC its verification response informing that the registrant of the Disputed

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Domain Name is Donn MacDougall (the “Registrant”). CIRA also confirmed that the disputed domain name was placed on a Registrar LOCK and that the Domain Name has a Registration Date of 2022 04-20 (the “Registration Date”).

3. Pursuant to Resolution Rule 4.4, CIIDRC notified the Registrant of this administrative proceeding and forwarded a Notice of Complaint along with the Complaint to the Registrant on September 25, 2025.

4. The deadline for submitting a Response was set for October 15, 2025.

5. On September 28, 2025, Donn MacDougall filed the Registrant’s Response to the Complaint in accordance with the CIRA Domain Name Dispute Resolution Rules.

6. The Complainant paid the required panel fee on October 8, 2025, pursuant to the extension permitted under the CIRA Resolution Rules, Paragraph 14.2.

7. In accordance with Paragraph 6 of the Rules, the Provider shall appoint a three-member Panel, with consideration to the nominees of the parties, and select a Chair.

8. CIIDRC names Leslie Maerov, FCIArb., Q.Arbitrator., and Yana Zhou, as panelists. Barry Effler is named as Chair of the Panel.”

Procedural Order no. 1 was issued by the Panel requesting submissions that 1. the Complainant submit further information on the date the Domain Name was first registered by the Registrant; 2. the Complainant make a submission about what Marks, as defined in Policy paragraph 3.2, are relied on by the Complainant.

The Domain Name was first registered on February 4, 2020.

3. FACTS

Background facts alleged by the Complainant and accepted by the Panel as probative are summarized here from the Complaint and a further submission from the Complainant and a further submission from the Respondent. For clarity, some disputed facts are set and noted as such and are reviewed in the analysis portion of this decision.

The Complainant is the Northwest Territories Legislative Assembly (sometimes referenced herein as “NTLA”), continued as the legislative body holding legislative power in the Northwest Territories, pursuant to section 10 of the Northwest Territories Act, S.C. 2014, c. 2, s. 2.

The NTLA is distinct from the Executive Council of the Northwest Territories, established pursuant to section 8 of the Northwest Territories Act. The Executive Council directs the Government of the Northwest Territories (“GNWT”).

The NTLA has registered the following trademarks under the Trademarks Act, R.S.C. 1985, c. T-13 (collectively, the “NTLA Marks”):

Prohibited Mark; Official Mark **ntassembly** - application number 0927118, registered 2022-09-28

Prohibited Mark; Official Mark **Legislative Assembly of the Northwest Territories** – application number 0927119, registered 2022-02-09.

The NTLA marks are a distinct type of mark specially reserved for Canadian public authorities under s. 9(1)(n) of the Trademarks Act and are granted a higher level of protection beyond that afforded to a standard trademark.

The official website of the NTLA is “<https://www.ntlegislativeassembly.ca/>”. Members of the NTLA, their constituency assistants, and all employees in the Office of the Clerk are provided with email addresses in the format “@ntassembly.ca”.

The Respondent was an employee of the GNWT between 2006 and 2014.

The Complaint states the Registrant registered the Domain Name on April 20, 2022. The domain at the time of the Complaint hosted a website, which contains a screenshot of the NTLA’s Privacy Statement page which the Registrant has marked up to show what he believes are various errors and typos. The Panel notes the most recent registration of the Domain Name was April 20, 2022 and the first registration was February 4, 2020.

Between those dates, the registration of the Domain Name had been suspended by two different registrars after requests by the Complainant alleging misuse.

The Complaint cited *MacDougall v. Northwest Territories* 2025 FC 1062. This was an action by the Registrant against THE GOVERNMENT OF THE NORTHWEST TERRITORIES (“GNWT”) AND THE NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY (“NTLA”). The action was struck by the Federal Court. Relevant to this Domain Name matter was the following summary of the history of registration of the Domain Name by Madam Justice Whyte Nowak:

“[19] By letter dated March 3, 2021, the GNWT filed a complaint with GoDaddy requesting that it delete portions of *infobreach.ca* [GoDaddy GNWT Complaint]. GoDaddy rejected the complaint.

[20] Counsel for the NTLA wrote to GoDaddy by letter dated June 11, 2021 [GoDaddy NTLA Complaint] requesting that GoDaddy disable the domains *nwtassembly.ca* and *nwtassembly.com* on the basis that the NTLA owns the domain *ntassembly.ca* and the impugned domains were phishing websites designed to steal personal information.

[21] On June 17, 2021, the Plaintiff received notice from GoDaddy that his shopper account, which included the domains *infobreach.ca*, *nwtassembly.ca* and *nwtassembly.com*, was “permanently suspended” because of alleged malicious content on the *nwtassembly.com* website.

[22] When the registration periods with GoDaddy expired and the domains were made available, the Plaintiff re-registered the domain names *infobreach.ca*, *nwtassembly.ca* and *nwtassembly.com* with a different host, Super Privacy Service Ltd., care of Dynadot [Dynadot] on February 1, 2023, April 20, 2023 and April 23, 2023, respectively.

[23] On February 28, 2023, NTLA’s counsel sent a letter to Dynadot requesting that the domains be disabled [Dynadot NTLA Complaint] [the GoDaddy GNWT Complaint, the GoDaddy NTLA Complaint and the Dynadot NTLA Complaint are hereinafter collectively referred to as the Domain Complaints].

[24] Dynadot disabled the domain *nwtassembly.com* and advised the Plaintiff of the fact by letter dated March 2, 2023.

[25] In April 2023, the Plaintiff again re-registered the domain name *nwtassembly.ca* and *infobreach.ca* with yet another host. According to the Plaintiff’s Reply, he did not re-register his domain name for *nwtassembly.com*.

[26] **The GNWT and the NTLA have defended the action and the NTLA has commenced a counterclaim seeking relief under the Trademarks Act, RSC 1985, c T-13, in connection with the Plaintiff’s use of the domain names *nwtassembly.ca* and *nwtassembly.com*.”** [emphasis added]

The Complainant stated this counterclaim is on hold pending the outcome of this domain name proceeding.

The record refers to an initial domain name registration in 2020 and a subsequent registration in 2022. As the Panel does not proceed to determine the merits of the dispute, it is unnecessary to reconcile this chronology, and the issue does not arise for determination.

4. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant arguments are extensive but will not be detailed as a result of the analysis and decision set out below.

- **Registrant**

The Registrant filed a Response and a response to the Procedural Order no. 1. There was little content beyond the statement that the first registration of the Domain Name was February 4, 2020. The Response did not address any of the allegations of the Complaint or additional Complainant submission.

- **Remedy Sought**

The Complainant requests the Domain Name be transferred to it.

5. DISCUSSION AND FINDINGS

5.1 Eligibility

The Complainant, the NTLA, is continued as the legislative body holding legislative power in the Northwest Territories, pursuant to section 10 of the Northwest Territories Act, S.C. 2014, c. 2, s. 2. In addition to the rights, privileges, immunities, and powers conferred by the Legislative Assembly and Executive Council Act, S.N.W.T. 1999, c. 22, the NTLA, its Members, and its committees have the same rights, privileges, immunities, and powers as those held by the House of Commons of Canada and the members and committees of that House.

The NTLA is therefore a territorial entity as contemplated under s. 2(16) of the Canadian Presence Requirements, and as such has the requisite authority to bring this complaint.

5.2 Requirements

In accordance with Paragraph 4.1 of the CDRP, the onus is on the Complainant to prove that:

- (a) the Domain Name is Confusingly Similar to a trademark or service mark in which the Complainant had rights prior to the date of registration of the Domain Name and continues to have such Rights; and
- (b) the Registrant registered the Domain Name in bad faith.

and the Complainant must provide some evidence that:

- (c) the Registrant has no legitimate interest in the Domain Name.

5.3 Analysis

The Panel notes that the factual background underlying this CDRP proceeding is substantially identical to that before the Federal Court. There is a live counterclaim before the Federal Court under the Trademarks Act concerning the same Domain Name and arising from the same factual matrix.

While the Panel has jurisdiction to proceed under the CDRP notwithstanding the existence of parallel court proceedings, the Panel considers it appropriate, in the circumstances of this case, to exercise restraint. Given the overlap between the issues before the Panel and those before the Federal Court, the Panel declines to proceed further at this stage and expresses no view on the merits of the parties' respective positions.

The Panel defers to the Federal Court proceeding.

6 DECISION and ORDER

For the above reasons, in accordance with Paragraph 4 of the CDRP, Paragraph 12 of the Resolution Rules, the Panel orders that the Complaint is dismissed, without prejudice.

Made as of January 15, 2026.

SIGNATURE OF PANEL

Barry C. Effler, LL.B., LL.M., C. Arb. (Fellow)

Leslie Maerov, FCIArb., Q. Arb.

Yana Zhou, LL.B., LL.M.