



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	27717-CDRP	Decision date: October 1, 2026
Domain Name:	<firstnationals.ca>	
Panel:	Zak Muscovitch	
Complainant:	First National Financial LP	
Registrant:	Benjamin Sweetbaum	

A. OVERVIEW

1. This matter concerns the registered domain name <firstnationals.ca> (the “Domain Name”). This matter is a proceeding under the CIRA Domain Name Dispute Resolution Policy (the “Policy” or the “CDRP”) and the CIRA Domain Name Dispute Resolution Rules (the “Rules” or the “Resolution Rules”) of the Canadian Internet Registration Authority (“CIRA”). The Canadian International Internet Dispute Resolution Centre (the “CIIDRC”) is a recognized service provider under the Policy.

B. PROCEDURAL HISTORY

2. The procedural history of this case was set out in a letter from the CIIDRC to the Panel dated September 29, 2026:
3. On August 27, 2026, James Green and Sharon Chernyak of Gowling WLG (Canada) LLP filed a Complaint with the CIIDRC on behalf of the Complainant, First National Financial LP, pursuant to the Policy and the Rules. The required commencement fee was paid on September 2, 2026. The Complaint was in administrative compliance with CIRA’s requirements under Rule 3.2.
4. On September 2, 2026, CIRA was notified of this proceeding and, on the same day, transmitted by email to the CIIDRC its verification response confirming that the registrant of the Domain Name is Benjamin Sweetbaum (the “Registrant”). CIRA also confirmed that the Domain Name had been placed on a Registrar lock and that the Domain Name has a Registration Date of July 2, 2026 (the “Registration Date”).

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5. Pursuant to Rule 4.4, the CIIDRC notified the Registrant of this administrative proceeding and forwarded a Notice of Complaint together with the Complaint to the Registrant on September 2, 2026.
6. In accordance with the Rules, the deadline for the submission of a Response was September 22, 2026.
7. As of the date of the CIIDRC's letter, the Registrant had not submitted a Response, and no Response has since been submitted.
8. The Complainant elected for a Panel consisting of a single member and deposited the required Panel fee on September 25, 2026.
9. In accordance with Paragraph 6 of the Rules, the CIIDRC appointed the undersigned, Zak Muscovitch, as a single-member Panel on September 29, 2026. The Panel submitted a Statement of Acceptance and Declaration of Impartiality and Independence as required under Paragraph 7 of the Rules.
10. The Panel has also reviewed the record of notification. The CIIDRC's Notification of Commencement of Proceedings dated September 2, 2026 was delivered by email and by mail to the Registrant at the postal address and email address disclosed by CIRA, and by email to the postmaster address associated with the Domain Name, in accordance with Rules 2.1 and 4.4. The Registrant was expressly advised that a Response was due by September 22, 2026. On September 24, 2026, the CIIDRC notified the parties of the Registrant's default. The Panel is satisfied that the Registrant received notice of this proceeding in accordance with the Policy and the Rules, and that the proceeding was properly constituted.

C. FACTS

11. The Complainant, First National Financial LP, is a mortgage lender and underwriter based in Toronto, Ontario. According to the Complaint, it has offered and originated commercial and residential mortgages in Canada since 1988. Its 2025 Annual Information Form (Annex 6) reports approximately \$166.2 billion in mortgages under administration and approximately 1,873 active employees as at December 31, 2025.
12. The Complainant is the owner of Canadian trademark registration No. TMA1123487 for FIRST NATIONAL, filed October 23, 2017 and registered March 18, 2022, in association with, inter alia, mortgage services, mortgage lending services, mortgage administration services and related financial services (Annex 2). The Complainant also owns Canadian trademark registrations No. TMA1123486 for FIRST NATIONAL FINANCIAL LP, registered March 18, 2022, and No. TMA1104881 for FIRST NATIONAL FINANCIAL LP & Design, registered September 2, 2021 (Annex 3) (together, the "FIRST NATIONAL Marks"). Each registration predates the Domain Name's Registration Date by several years.
13. The Complainant has operated its website at <firstnational.ca> since 2000 (Annexes 7 to 9), and its employees use email addresses at that domain name in carrying on the Complainant's business.

14. The Domain Name was registered on July 2, 2026 through the registrar NameSilo Technologies Corp., with the registrant's identity withheld from the public WHOIS record (Annex 1). According to CIRA's verification response, the Registrant is an individual located in Edmonton, Alberta, registered under the Canadian Presence Requirements category of Canadian citizen. The Domain Name does not resolve to an active website.
15. The Complainant's evidence (Annex 11 and paragraph 31 of the Complaint) shows an email exchange on July 2, 2026 between one of the Complainant's clients and persons purporting to be the Complainant's Commercial Asset Management department and three of its employees, including an Associate Analyst. The emails reproduced the Complainant's signature block, logo, telephone numbers and confidentiality notices. The printout of the chain at Annex 11 identifies the senders and copied parties by display name only and does not show their email addresses. The addresses appear in a screenshot of the 12:02 p.m. email reproduced at paragraph 31 of the Complaint, which shows that email as sent from, and copied to, addresses at the Domain Name, in the form "@firstnationals.ca". Those addresses differ from the Complainant's genuine employee addresses only by the added letter "s".
16. The Complaint states, subject to the Complainant's certification, that the emails in the chain were sent from those addresses. The emails advised the client that the Complainant could no longer accept payment by cheque, requested payment of an outstanding interest billing by EFT or wire transfer, and, when the client asked for banking details, supplied wiring instructions for a bank account in the name of a numbered company whose name, as it appears in those instructions, misspells the word "Ontario".
17. Before acting on the instructions, the client contacted one of the genuine employees whose name had been used, who confirmed that no such instruction had been given. No funds were transferred. The email chain begins with an email dated June 30, 2026, attaching an interest billing letter for the period June 1 to July 1, 2026. That email predates the Registration Date and so cannot have been sent through the Domain Name.
18. The Complaint describes the whole chain as correspondence between the Registrant and the client, and does not say whether the June 30, 2026 email was a genuine communication from the Complainant. The chain is consistent with the June 30, 2026 email having been genuine and with the impersonator having inserted itself two days later into an existing exchange about a genuine billing, replying from addresses at the newly registered Domain Name so that the client's responses would be diverted to it. Whichever is the case, the emails on which the Complaint relies are those of July 2, 2026, each of which postdates the registration of the Domain Name.
19. At the Complainant's request, CIRA disclosed a list of the domain names registered by the Registrant (Annex 12). The list contains 23 .ca domain names, including the Domain Name. The Complainant identifies one of the others, <gflenvs.ca>, as reproducing the name of GFL Environmental Inc., the owner of Canadian trademark registration No. TMA848313 for GFL & Design, whose website is located at <gflenv.com>, with the same appended letter "s". The Panel observes that a number of the other domain names on the list

appear on their face to follow a similar construction, being a business name with the letter “s” appended or with some other minor variation.

D. CONTENTIONS OF THE PARTIES

Complainant

20. The Complainant submits that the Domain Name is Confusingly Similar to the FIRST NATIONAL Marks, in which it had Rights prior to the Registration Date and continues to have Rights. It submits that the Domain Name incorporates the whole of the registered mark FIRST NATIONAL and differs from it only by the addition of a single terminal letter “s”, which does not alter the overall impression, relying on [*The Toronto-Dominion Bank v. Lefebvre*](#), DCA-1911-CIRA (<tdcanadatrusts.ca>).
21. The Complainant submits that the Registrant has no legitimate interest in the Domain Name. It addresses each of the circumstances in Paragraph 3.4 of the Policy and submits that none applies: the Domain Name has not been used to distinguish any goods, services or business of the Registrant; it is neither clearly descriptive nor generic; it has not been used for any non-commercial activity; it is not the Registrant’s legal name or a name by which the Registrant is commonly identified; and it is not a geographical name.
22. The Complainant submits that the only known use of the Domain Name has been to host email addresses impersonating its employees for the purpose of fraud, which can never confer a legitimate interest, citing [*Fenwick & West LLP v. Privacy Service Provided by Withheld for Privacy ehf / Be Fast*](#), WIPO Case No. D2022-0835; [*Lennar Pacific Properties Management, Inc. and Lennar Title, LLC v. Contact Privacy Inc. Customer 1249304591 / Shelly W Wagner*](#), WIPO Case No. D2021-0372; [*Workplace Safety and Insurance Board v. Gregory Dickson*](#), CIIDRC Case No. 18847-CDRP (<wsib-on.ca>); and [*Magna International Inc. v. Mustafa Mashari*](#), WIPO Case No. D2015-0645.
23. The Complainant submits that the Domain Name was registered in bad faith within the meaning of Paragraphs 3.5(b), 3.5(c) and 3.5(d) of the Policy, and in any event within the ordinary meaning of that term. Under Paragraph 3.5(b), it relies on the CIRA disclosure at Annex 12 as showing a pattern of registrations appending a letter “s” to the names of trademark owners. Under Paragraph 3.5(c), it submits that the Domain Name was registered primarily to disrupt the Complainant’s business, and that a registrant who capitalizes on confusion with a complainant’s mark is a “competitor” for the purposes of that paragraph, relying on [*Amazon.com Inc. v. David Abraham*](#), DCA-784-CIRA.
24. Under Paragraph 3.5(d), it submits that the use of the Domain Name to create a likelihood of confusion with the FIRST NATIONAL Marks in furtherance of a fraudulent scheme satisfies that paragraph, relying on [*Huron Consulting Group, Inc. v. Martine Colas*](#), DCA-1829-CIRA (<huronconsultinggroup.ca>), and [*Workplace Safety and Insurance Board v. Gregory Dickson*](#), supra. The Complainant also submits that the creation of email addresses impersonating its employees on the very day the Domain Name was registered admits of no explanation other than a fraudulent purpose.

Registrant

25. The Registrant did not file a Response and has not otherwise participated in this proceeding.

Remedy Sought

26. The Complainant requests that the Domain Name be transferred to it.

E. DISCUSSION AND FINDINGS

Eligibility

27. Paragraph 1.4 of the Policy requires that a complainant satisfy the Canadian Presence Requirements for Registrants at the time of submitting a complaint, unless the complaint relates to a trademark registered in the Canadian Intellectual Property Office ("CIPO") and the complainant is the owner of that registered trademark. The Complaint relates to the Complainant's CIPO registration No. TMA1123487 for FIRST NATIONAL, of which the Complainant is the registered owner. The Complainant is accordingly an eligible complainant under Paragraph 1.4 of the Policy.

Requirements

28. In accordance with Paragraph 4.1 of the Policy, the onus is on the Complainant to prove, on a balance of probabilities, that:

(a) the Domain Name is Confusingly Similar to a Mark in which the Complainant had Rights prior to the Registration Date and continues to have such Rights; and

(b) the Registrant has registered the Domain Name in bad faith as described in Paragraph 3.5;

and the Complainant must provide some evidence that:

(c) the Registrant has no legitimate interest in the Domain Name as described in Paragraph 3.4.

29. The Registrant's default does not relieve the Complainant of that onus, and the Complainant must still establish each of the required elements. The Complainant relies on decisions under the Policy and under the UDRP. Paragraph 3.2(l) of the Rules expressly contemplates that a complainant may refer to decisions in dispute resolution proceedings applicable to domain names registered under other top-level domains which it considers persuasive, and panels under the Policy have accordingly drawn on decisions under the UDRP where the provisions are analogous. The Panel has accordingly considered the Complaint and the evidence filed with it on their merits, and addresses each requirement in turn.

Analysis

Whether the Domain Name is Confusingly Similar to a Mark in which the Complainant has Rights

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30. A “Mark” is defined in Paragraph 3.2 of the Policy to include a trademark that is registered in CIPO. The Complainant’s registration No. TMA1123487 for FIRST NATIONAL, registered March 18, 2022, qualifies as a Mark, and the Complainant has had Rights in it since well before the Registration Date of July 2, 2026 and continues to have such Rights.
31. Paragraph 3.3 of the Policy directs that, in determining whether a domain name is Confusingly Similar to a Mark, the Panel shall only consider whether the domain name so nearly resembles the Mark in appearance, sound or the ideas suggested by the Mark as to be likely to be mistaken for the Mark. Pursuant to Paragraph 1.2 of the Policy, the “dot-ca” suffix is excluded from the comparison.
32. The Domain Name consists of the whole of the mark FIRST NATIONAL with a single letter “s” appended. Where the distinctive element of a mark is reproduced in a domain name and the remainder consists of descriptive or functional matter, the domain name is likely to be mistaken for the mark: [*Disney Enterprises, Inc. v. Realm Solutions Inc.*](#) (<disneystore.ca> et al.) (Resolution Canada, January 8, 2020). That is all the more so where the addition is a single letter that merely pluralizes the mark. In [*Amazon.com Inc. v. David Abraham*](#), supra, a three-member panel held that the addition of the letter “s” to AMAZON was not sufficient to distinguish <amazons.ca> from the AMAZON marks in appearance, sound or idea suggested, and in [*The Toronto-Dominion Bank v. Lefebvre*](#), supra, the panel reached the same conclusion in respect of <tdcanadatrusts.ca>.
33. The Panel finds that the Domain Name is Confusingly Similar to a Mark in which the Complainant had Rights prior to the Registration Date and continues to have such Rights. The first requirement is satisfied.

Whether the Registrant registered the Domain Name in Bad Faith

34. The Complainant’s case on bad faith rests principally on the July 2, 2026 emails. The Panel has considered that evidence with some care. It consists of the email chain as printed from the client’s mail program, which shows display names but not addresses, together with a single screenshot in the body of the Complaint showing the sender and copied addresses of one email in the chain as addresses at the Domain Name, and the Complainant’s certified statements to the same effect.
35. The underlying message headers are not in evidence, and the emails were not filed in a form that displays the addresses of each message. The Panel is conscious that the sender address displayed in an email can, in some circumstances, be forged by a person who has no control over the domain name displayed, and a panel should not assume that every email displaying a domain name was in fact transmitted through it. The screenshot is, however, consistent in every visible respect with the corresponding email in the Annex 11 printout, the Complainant has certified the accuracy of the Complaint, and the Registrant has not disputed it. The screenshot, together with the Complainant’s certified allegations and the surrounding correspondence, is sufficient on a balance of probabilities to establish that the July 2, 2026 emails were sent using addresses at the Domain Name.

36. The Panel is satisfied, on a balance of probabilities, that the Registrant registered the Domain Name for the purpose of the scheme disclosed in the evidence.
37. According to CIRA's verification response, the Domain Name was registered on July 2, 2026. The emails bearing addresses at the Domain Name were sent that same day. A domain name that reproduces the Complainant's mark and the Complainant's own domain name, registered on the very day that addresses at that domain name were used to impersonate the Complainant, does not admit of an innocent explanation.
38. This was not a single unsolicited message but a back-and-forth correspondence over the course of a morning, in which the client replied and the impersonator answered, ultimately supplying wiring instructions in response to the client's request. An exchange of that kind is strongly consistent with functioning email addresses at the Domain Name under the impersonator's control, and corroborates the Complainant's certified evidence to that effect. Receiving the replies is the very reason a fraudster registers a look-alike domain name rather than merely forging a display address.
39. The CIRA disclosure at Annex 12 shows that the Registrant also holds <gflenvs.ca>, which reproduces the name of another Canadian business with the same appended letter "s", and that several other domain names on the list appear on their face to follow the same construction. The registration of the Domain Name was not an isolated act.
40. A registrant confronted with evidence that its domain name was used, on the day of registration, in an attempt to divert the funds of a mortgage lender's client could be expected to say so if that evidence were mistaken. The Registrant, though duly notified, has offered no explanation. While default does not relieve the Complainant of its burden, Rule 11.5 provides that where a party does not comply with the Rules, the Panel shall draw such inferences as it considers appropriate, and the Panel draws the appropriate inference from the Registrant's failure to answer evidence that plainly calls for an explanation.
41. Quite apart from the emails, the choice of the Domain Name itself points the same way. FIRST NATIONAL is the registered mark of a long-established and substantial Canadian mortgage lender. The Domain Name reproduces it in full, together with the Complainant's own domain name, save for a single added letter. No plausible good faith reason for registering it has been offered and, in the circumstances, it is more likely than not that it was registered because of the Complainant's trademark rights.
42. The Registrant's conduct also falls squarely within Paragraph 3.5(d) of the Policy. By using email addresses at the Domain Name to induce the Complainant's client, for commercial gain, to communicate and act in the mistaken belief that the communications originated from the Complainant, the Registrant intentionally attracted an Internet user to an on-line location under its control by creating a likelihood of confusion with the Complainant's Mark as to the source of the communications, which is precisely what Paragraph 3.5(d) contemplates. Prior panels have applied Paragraph 3.5(d) to email fraud of this kind: in [*Huron Consulting Group, Inc. v. Martine Colas*](#), supra, the domain name was used to send fraudulent emails offering

employment with the complainant, and in [Workplace Safety and Insurance Board v. Gregory Dickson](#), supra, as here, it was used to create email addresses impersonating the complainant's employees in order to solicit wire transfers. Similarly, in [Sysco Corporation v. Privacy Protected](#) (<interview-sysco.ca> and <hire-sysco.ca>) (Resolution Canada, May 4, 2020), an email impersonating the complainant directed job seekers to a fraudulent hiring website at the domain names, where their personal information was solicited.

43. In light of these findings, it is unnecessary to consider Paragraphs 3.5(b) or 3.5(c). The Panel finds that the Registrant registered the Domain Name in bad faith. The second requirement is satisfied.
44. The Panel would add, for the assistance of future complainants, that where a complaint rests on fraudulent emails sent from a disputed domain name, the emails should be filed in a form that displays the sender and recipient addresses of each message, and ideally with their headers. A printout that shows display names alone leaves a panel to rely on a screenshot and the complainant's say-so. That sufficed here, given the timing, the nature of the exchange and the Registrant's silence, but it will not always.

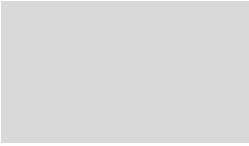
Whether there is Some Evidence that the Registrant has No Legitimate Interest in the Domain Name

45. Paragraph 3.4 of the Policy sets out, without limitation, the circumstances in which a registrant has a legitimate interest in a domain name. There is no evidence that the Domain Name was a Mark in which the Registrant had Rights; that it was used in good faith in association with goods, services or a business for which it is clearly descriptive or generic; that it was used in good faith for any non-commercial activity; that "First Nationals" is a name by which the Registrant is commonly identified; or that it is the geographical name of the location of any business or activity of the Registrant.
46. The only use of the Domain Name in evidence is its use to impersonate the Complainant's employees in an attempt to defraud the Complainant's client. Such use cannot confer a legitimate interest, as the panels held in the decisions relied upon by the Complainant, including [Workplace Safety and Insurance Board v. Gregory Dickson](#), supra, and [Fenwick & West LLP v. Privacy Service Provided by Withheld for Privacy ehf / Be Fast](#), supra.
47. The Complainant has provided the evidence required of it under Paragraph 4.1(c). The Registrant has not responded and has offered no explanation of its registration or use of the Domain Name. The Panel finds that the Registrant has no legitimate interest in the Domain Name. The third requirement is satisfied.

F. DECISION AND ORDER

48. For the above reasons, and in accordance with Paragraph 4 of the Policy and Paragraph 12 of the Resolution Rules, the Panel orders that the Domain Name <firstnationals.ca> be transferred to the Complainant, First National Financial LP.

Dated: October 1, 2026



Zak Muscovitch

Sole Panelist

