

## **ADMINISTRATIVE PANEL DECISION**

Scentbird Inc. v. Maci Woyat, Maci Woyat  
Case No. D2025-5233

### **1. The Parties**

Complainant is Scentbird Inc., United States of America (“United States”), represented by Cole-Frieman & Mallon, LLP, United States.

Respondent is Maci Woyat, United States.

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

The disputed domain name <driefts.com> is registered with Dominet (HK) Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 15, 2025. On December 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 17, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on December 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on December 19, 2025.

The Center verified that the Complaint together with the 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 Respondent of the Complaint, and the proceedings commenced on December 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 11, 2026. Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 12, 2026.

The Center appointed Jeffrey D. Steinhardt as sole panelist in this matter on January 16, 2026. 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**

Complainant was founded in 2013. Complainant offers a United States-based subscription service for designer fragrances, operating through its websites including at “www.scentbird.com” and “www.drift.co”.

Complainant owns various registrations for its DRIFT trademarks, including United States Trademark Registration No. 6321131, registered in International Class 5 on April 13, 2021; United States Trademark Registration No. 7931659, registered in International Classes 3, 4 and 35 on September 2, 2025; and United States Trademark Registration No. 6332127, registered in International Classes 5 and 35 on April 27, 2021 (“DRIFT Marks”).

The disputed domain name was registered on November 14, 2025 and resolves to a website purporting to offer “DRIFT” branded products and presenting a style and content that bears considerable similarity to Complainant’s websites listed above.

#### **5. Parties’ Contentions**

##### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant avers that the disputed domain name resolves to an online storefront that prominently uses the “DRIFT” brand styling and offers fragrance products matching or overlapping with the goods covered by the DRIFT Marks, including “Home Scent Diffuser,” “Reed Diffuser,” “Room Spray,” “Scented Candle,” and “Wood/Stone/Metal Car Freshener Refill,” among others. Complainant also avers that Respondent’s website also copies Complainant’s website graphics, layout, and written content, which are subject to copyright protection, further reinforcing the impersonation of Complainant by Respondent’s website.

##### **B. Respondent**

Respondent did not reply to Complainant’s contentions.

#### **6. Discussion and Findings**

##### **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.

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

The Panel finds that the mark is recognizable 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](#), sections 1.7 and 1.9.

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

The Panel finds that the first element of Policy paragraph 4(a) 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 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.

Upon comparison, the Panel finds that the website to which the disputed domain name resolves repeatedly displays Complainant’s registered marks, holding itself out as offering Complainant’s trademarked goods and reproducing substantial content and graphic material taken from Complainant’s actual websites.

The Panel accepts Complainant’s unopposed allegations that Complainant has never assigned, granted, licensed, sold, transferred or authorized Respondent to register or use the DRIFT Marks in any manner, and that Respondent has no relationship with Complainant. It also appears to the Panel that Respondent is not commonly known by the disputed domain name as referred to in Policy paragraph 4(c)(ii).

Having reviewed the available record, the Panel finds that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegitimate activity (here, alleged impersonation/passing off 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 that the second element of Policy 4(a) 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 the present case, the Panel notes that Respondent's website effectively impersonates Complainant's official websites and uses Complainant's trademarks and protected intellectual property, without authorization. In the Panel's view, Respondent is using the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion. Under the Policy, this constitutes evidence of bad faith. Policy paragraph 4(b)(iv).

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may also be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegitimate activity (here, alleged impersonation/passing off or other types of fraud) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds that Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Under the circumstances, the Panel also finds that Respondent's failure to maintain complete contact details in accordance with Respondent's agreement with the Registrar and Respondent's failure to respond to the Complaint in this proceeding are further evidence of bad faith.

The Panel finds that Complainant has established the third element of Policy paragraph 4(a).

## **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 <driefts.com> be transferred to Complainant.

*/Jeffrey D. Steinhardt/*

**Jeffrey D. Steinhardt**

Sole Panelist

Date: January 19, 2026