

ADMINISTRATIVE PANEL DECISION

AmuzelT Ltd v. Nazar Bodnarenko

Case No. D2026-1363

1. The Parties

The Complainant is AmuzelT Ltd, Cyprus, internally represented.

The Respondent is Nazar Bodnarenko, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <flirtify.pro> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 30, 2026. On March 31, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 1, 2026, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 1, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not submit an amendment to the Complaint.

The Center verified that the 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 April 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 6, 2026.

The Center appointed Kaya Köklü as the sole panelist in this matter on May 15, 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. Further Procedural Considerations

Paragraph 10(b) of the Rules requires the Panel to ensure that the parties are treated with equality and that each party is given a fair opportunity to present its case. Paragraph 10(c) requires that the administrative proceeding takes place with due expedition.

The Respondent's mailing address is reportedly in Ukraine, which is subject to an international conflict at the date of this Decision. These circumstances may impact case notification and it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

The Panel is of the view that the proceedings should continue, having considered all the circumstances of the case. The Panel notes that the Center has used the Respondent's email address as registered with the Registrar for the purposes of notifying the Complainant. There is no evidence that the case notification email to this email address was not successfully delivered.

It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant's goodwill in its trademark.

The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceedings take place with due expedition the Panel will proceed to a Decision accordingly.

5. Factual Background

The Complainant is based in Cyprus and operates an online video chat service that pairs people from around the world. The service is available through its website and mobile application.

The Complainant provides its services under the trademark FLIRTIFY, which is protected by the Cypriot Trademark Registration No. 94288, registered on May 21, 2024, and the European Union Trademark Registration No. 019053798, filed on July 12, 2024, registered on December 27, 2024, both covering protection for various goods and services in classes 9, 25, 35, 38, 41, 42, and 45.

The Complainant operates its main website at the domain name <flirtify.com>.

The Respondent is reportedly located in Ukraine.

The dispute domain name was registered on October 27, 2024.

According to unrebutted evidence provided by the Complainant, the disputed domain name resolved to a website in the English language, promoting an online video chat service that pairs people in one-on-one online meetings, while prominently using the Complainant's FLIRTIFY trademark and creating the look and feel as if the associated website is operated or at least endorsed by the Complainant.

At the time of the Decision, the disputed domain name no longer resolves 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.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

As per paragraph 4(a) of the Policy, the complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

Concerning the uncontested information provided by a complainant, the panel may, where relevant, accept the provided reasonable factual allegations in a complaint as true. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.1](#) and, where appropriate, will decide consistently with the consensus views captured therein.

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the FLIRTIFY trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the FLIRTIFY mark is reproduced within the disputed domain name without any additions or amendments. Accordingly, the disputed domain name is identical to the FLIRTIFY mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 that 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 3.1](#), 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 evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Respondent has particularly failed to demonstrate any of the nonexclusive circumstances evidencing rights or legitimate interests under the Policy, paragraph 4(c) or other evidence of rights or legitimate interests in the disputed domain name. Bearing in mind that the disputed domain name, which is identical to the Complainant’s FLIRTIFY trademark (with the Second-Level Domain identical to that of the Complainant’s own domain name <flirtify.com>), resolved to a website prominently reproducing the Complainant’s trademark and creating the overall look and feel of the Complainant’s website (including use of the language and service description similar to that on the Complainant’s website) as if the website under the disputed domain name was operated by the Complainant, the Panel has no doubt that the Respondent was aware of the Complainant and its FLIRTIFY trademark before registering and while using the disputed domain name. The Panel notes that the inherently misleading nature of the disputed domain name along with the content of the associated website indicates the Respondent illegitimate intention to mislead Internet users into believing that the associated website is at least endorsed by the Complainant.

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.

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 be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

As already indicated above, the Panel notes that the Respondent must have been aware of the Complainant and its FLIRTIFY trademark when registering the disputed domain name. It is obvious to the Panel that the Respondent has deliberately chosen the inherently misleading disputed domain name, which is identical to the Complainant’s FLIRTIFY trademark, to target the Complainant and mislead Internet users.

With respect to the use of the disputed domain name, the Panel notes that the disputed domain name resolved to a website with an online video chat service creating an overall look and feel as if the associated website was operated by the Complainant or at least with its authorization for illegitimate commercial gain.

The fact that the disputed domain name currently does not resolve to an active website does not prevent a finding of bad faith under the Policy. Rather, in the Panel's view, in the circumstances it reinforces the finding that there was no good faith intention behind the registration and prior use of the disputed domain name.

Taking all facts of the case into consideration, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <flirtify.pro> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: May 29, 2026