

ADMINISTRATIVE PANEL DECISION

Sack Consulting Inc. v. jack mc, Miran Vibol, asrhserth, Carson Kallen, erin eunkyu, faith fei, Risawa Atsutomu
Case No. D2026-2367

1. The Parties

The Complainant is Sack Consulting Inc., United States of America ("United States"), represented by Nelson Mullins Riley & Scarborough, L.L.P., United States.

The Respondents are jack mc, United States; Miran Vibol, asrhserth, United States; Carson Kallen, United States; erin eunkyu, United Kingdom; faith fei, United States; Risawa Atsutomu, United States.

2. The Domain Names and Registrars

The disputed domain names <getresilia.shop>, <resilia-oilforegano.site>, <resilia.online>, <resiliaorgano.shop>, <takeresilia.com>, and <tryresiliassups.shop> are registered with NameCheap, Inc.

The disputed domain names <resiliaofficial.shop>, and <resiliashop.shop>, are registered with Spaceship, Inc.

The disputed domain names are further collectively referred to as the "Disputed Domain Names" and NameCheap, Inc. and are further collectively referred to as the "Registrars".

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 2, 2026. On June 2, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Disputed Domain Names. On June 2, 2026, the Registrars transmitted by email to the Center their verification response disclosing registrants and contact information for the Disputed Domain Names 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 June 5, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the Disputed Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all Disputed Domain Names are under common control. The Complainant filed an amended Complaint on June 5, 2026.

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 the Respondents of the Complaint, and the proceedings commenced on June 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 2, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondent’s default on July 3, 2026.

The Center appointed Marilena Comanescu as the sole panelist in this matter on July 6, 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

The Complainant is an online health and nutritional supplements company. One of the Complainant’s top brand is RESILIA, used for oil of oregano supplements.

The Complainant began using its RESILIA trademark in commerce in the United States on September 1, 2024. The Complainant’s RESILIA supplements can be purchased online through the website located at the domain name <resilia.shop>, which was registered on August 31, 2024.

Since launching the RESILIA brand, the Complainant has spent on average the amount of USD 2.8 million on marketing and advertising. During this time, the Complainant’s website has seen Internet traffic on average totalling 1.1 million visitors per month. The Complainant is very active on the social networks, for example its Facebook account has around 11,700 followers, its Instagram account has around 8,500 followers, its Tik Tok account has around 2,600 followers, and its YouTube account has around 6,700 followers.

Over the 22-month period since the RESILIA brand launched, the Complainant is averaging USD 4.5 million in sales revenue per month; with sales revenues in the previous five months of USD 14.2 million, USD 14.3 million, USD 15.8 million, USD 14 million, and USD 12 million.

The Complainant has pending trademark registrations for RESILIA, such as the United States Trademark application having serial number 99402158 for RESILIA (word), filed on September 19, 2025, covering goods in International Class 5.

The Disputed Domain Names were registered as follows:

- <getresilia.shop>, was registered on February 9, 2026;
- <resilia.online>, was registered on March 6, 2026;
- <resiliashop.shop>, was registered on March 15, 2026;
- <resiliaofficial.shop>, was registered on March 20, 2026;
- <tryresiliassups.shop>, was registered on April 15, 2026;
- <resiliaorgano.shop>, was registered on April 20, 2026;
- <resilia-oilforegano.site>, was registered on April 29, 2026; and
- <takeresilia.com>, was registered on May 18, 2026.

At the time of filing of the Complaint, the Disputed Domain Name <resiliashop.shop> was used in connection with a website purportedly promoting similar goods to those of the Complainant at discounted prices, using the mark RESILIA, without displaying a disclaimer to accurately disclose the relationship with the Complainant.

At the time of filing of the Complaint, the Disputed Domain Name <takeresilia.com> was used to redirect Internet visitors to a third party website purportedly promoting skin care products.

The other six Disputed Domain Names were not actively used, leading to blank pages, or to the Registrar's landing page indicating that for such Disputed Domain Names there is a Whois verification pending.

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 Names.

Notably, the Complainant contends that:

- the Complainant has acquired strong common law rights in the RESILIA mark since its launch in 2024, as a result of its substantial marketing and advertising efforts;
- the Disputed Domain Name <resilia.online> is identical to the RESILIA mark; the rest of the Disputed Domain Names are confusingly similar to the Complainant's trademark since they incorporate the mark exactly alongside words or phrase directly related to the Complainant's supplements business or to conducting a business in general (namely "get", "shop", "official," "try", "supps", "oregano", "oil of oregano", "take") and it is well settled that the addition of such terms does not prevent a finding of confusing similarity;
- the Respondents have no rights or legitimate interests in the Disputed Domain Names mainly because: (i) the Respondents do not have the Complainant's permission, authorization, consent, or license to use the RESILIA mark, are not authorized or legitimate resellers of RESILIA products; and (ii) there is no evidence that the Respondents are commonly known by the Disputed Domain Names. Instead, the Respondents: have used some of the Disputed Domain Names in connection with illegal activities, namely, to impersonate the Complainant (such as <resiliashop.shop>), to redirect on a third party website (such as <takeresilia.com>) and possibly/probably also to harvesting of personal information under false pretences; and
- the Respondents registered and are using the Disputed Domain Names in bad faith mainly because: (i) the Complainant has obtained common law rights in the RESILIA mark, dating back to 2024, when the Complainant first began using the RESILIA mark in commerce in the United States, which is well before the registration of the Disputed Domain Names; (ii) the Complainant's RESILIA line of supplements has experienced meteoric success such that it is a well-known supplement brand and the RESILIA mark is itself a highly distinctive, non-descriptive mark; (iii) the number of copycat domain names registered by the Respondent is further proof that the Respondent knew of the Complainant when registering the Disputed Domain Names; (iv) the use of the Disputed Domain Names in furtherance of fraudulent/illegal activities, such as impersonation/passing off, including the passive holding of the Disputed Domain Names does which do not preclude a finding of bad faith; (v) the Complainant submits that the Disputed Domain Names were registered by the Respondents as part of a concerted and coordinated plan to impersonate the Complainant in order to trade off the goodwill associated with the Complainant's RESILIA mark, either to benefit financially through the sale of counterfeit products, to collect personal information of visitors to the site, or both; and (vi) the provision of false Whois information is a factor tending to indicate that a registrant lack any rights or legitimate interest in a domain name.

B. Respondents

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

6. Discussion and Findings

6.1. Preliminary Procedural Issue: Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different Disputed Domain Name registrants. The Complainant alleges that the Disputed Domain Name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple Disputed Domain Name registrants pursuant to paragraph 10(e) of the Rules.

The Disputed Domain Name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the Disputed Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that the Disputed Domain Names: (i) were created in a similar manner (except for the Disputed Domain Name <resilia.online>), namely fully incorporating the Complainant's trademark RESILIA, together with English words/phrases related to the Complainant's business ("get", "oil of oregano", "oregano", "take", "try", "supps"-from "supplements", "official", and "shop"); (ii) are registered with two Registrars within a short timeframe, between February 9, 2026, and May 18, 2026; (iii) were registered using the same privacy service and most of the Whols information for the underlying registrants is inaccurate or contains false information; (iv) six of them are kept inactive, and two are used either to impersonate the Complainant or to redirect to a third party website; and (v) the Respondents have not objected to the consolidation claims made by the Complainant despite the notification of the Complaint sent by the Center to them.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different Disputed Domain Name registrants (referred to below as "the Respondent") in a single proceeding.

6.2. Substantive Issue: Three Elements

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the Disputed Domain Names are 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 the Disputed Domain Names; and
- (iii) the Disputed Domain Names have been registered and are being used in bad faith.

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 Names. [WIPO Overview 3.1](#), section 1.7.

Based on the available record, the Panel finds the Complainant, through its extensive use of the mark RESILIA for oregano supplements, has established unregistered trademark or service mark rights for the purposes of the Policy as the Complainant has shown that its RESILIA mark has become a distinctive identifier that consumers associate with its health supplements. [WIPO Overview 3.1](#), section 1.3.

In addition, the Panel notes that the Respondent is shown to have been targeting the RESILIA mark on the website under the Disputed Domain Name <resiliashop.shop>, in an attempt to pass off as coming from the Complainant. The Panel also notes that the Respondent has combined RESILIA with a description of the Complainant's top product at least in the Disputed Domain Names <resilia-oilforegano.site> and <resiliaorgano.shop>. The Panel considers that such use supports the Panel's finding that the Complainant's RESILIA mark has achieved significance as a source identifier for the purpose of the Policy. [WIPO Overview 3.1](#), section 1.3.

The entirety of the mark is reproduced within the Disputed Domain Name <resilia.online>. Accordingly, such Disputed Domain Name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The Panel finds the mark RESILIA is recognizable within all the other seven Disputed Domain Names. Accordingly, each of the Disputed Domain Names is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

While the addition of other terms, here "get", "oil of oregano", "oregano", "take", "try", "supps", "official", and "shop" and a hyphen in the case of the Disputed Domain Name <resilia-oilforegano.site>, may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the Disputed Domain Names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 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 record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Names. 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 Names such as those enumerated in the Policy or otherwise.

The Panel notes the composition of the Disputed Domain Names, which combines the Complainant's distinctive trademark RESILIA with terms closely associated with the Complainant's business (i.e., "get", "oil of oregano", "oregano", "take", "try", "supps"- the abbreviation for "supplements", "official", and "shop"), is suggesting an affiliation with the Complainant. Prior panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.1](#), section 2.5.1.

According to the evidence provided in the Complaint, the Respondent has attempted to use the Disputed Domain Name <resiliashop.shop> to impersonate the Complainant's official website. Panels have held that the use of a domain name for illegal activity (e.g., impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

In the present case, the Panel notes that the Disputed Domain Names were registered in bad faith, with knowledge of the Complainant, its trademark and products, particularly because the Disputed Domain Names incorporate the Complainant's trademark together with terms/phrases related to the Complainant's area of commercial activity, the use of the trademark in commerce predates the registration of the Disputed Domain Names by about one year and half and the RESILIA mark is distinctive and acquired reputation in the relevant industry.

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.

The Disputed Domain Name <resiliashop.shop> has been used to attempt to impersonate the Complainant, and the Disputed Domain Name <takeresilia.com> has been used to redirect to a third party website. The use of a domain name for illegal activity such as impersonation/passing off, and the redirection of the domain name to a third party website, is evidence that the Respondent has intended to attract Internet users to access the websites corresponding to the Disputed Domain Names who may be confused and believe that the websites are held, controlled by, or somehow affiliated or related to the Complainant, for its commercial gain, and it is considered evidence of bad faith. [WIPO Overview 3.1](#), section 3.1.4.

At the time of filing the Complaint, six of the Disputed Domain Names did not resolve to active websites. Prior panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark; the composition of the Disputed Domain Names; the Respondent's failure to come forward with any evidence demonstrating any rights or legitimate interests in the Disputed Domain Names; the provision of inaccurate/incomplete contact information in most registration data of the Disputed Domain Names; the implausibility of any good faith use to which the Disputed Domain Names may be put, and finds that, in the circumstances of this case, the passive holding of these six Disputed Domain Names does not prevent a finding of bad faith under the Policy. [WIPO Overview 3.1](#), section 3.3.

In addition, paragraph 4(b)(ii) of the Policy lists the situation when the Respondent has registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct. Here, the Respondent registered eight Disputed Domain Names, subject to the present procedure. Therefore, the Panel finds that the Respondent has established a pattern of bad faith conduct. [WIPO Overview 3.1](#), section 3.1.2.

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 Panel therefore 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 Names, <getresilia.shop>, <resilia-oiloforegano.site>, <resilia.online>, <resiliaorgano.shop>, <takeresilia.com>, <tryresiliassupps.shop>, <resiliaofficial.shop>, and <resiliashop.shop>, be transferred to the Complainant.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: July 20, 2026