

## **ADMINISTRATIVE PANEL DECISION**

FLRT, Inc. v. Yann Delrue, VirtualVideos  
Case No. D2025-0759

### **1. The Parties**

The Complainant is FLRT, Inc., United States of America, represented by Silverstein Legal, United States of America.

The Respondent is Yann Delrue, VirtualVideos, France.

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

The disputed domain name <feetfindre.online> (the “Disputed Domain Name”) is registered with Namecheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 24, 2025. On February 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On February 26, 2025, 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 February 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on February 26, 2025.

The Center verified that the Complaint together with the amendment to 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 February 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 19, 2025. Between February 28 and March 4, 2025, there has been email correspondence between the Complainant, the Center and a recipient of the Center's notification of the Complaint. The latter stated not to be the registrant of the Disputed Domain Name. In an email to the parties of March 5, 2025, the Center noted that the name and email address of the Respondent, as confirmed by the Registrar, was different from the name and email address of the person who was corresponding with the Complainant and the Center. The Center also confirmed it would not communicate with this person any further, unless otherwise instructed. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 26, 2025.

The Center appointed Flip Jan Claude Petillion as the sole panelist in this matter on March 31, 2025. 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, FLRT, Inc., owns and operates a social media platform that allows users to post and subscribe to online foot fetish content.

The Complainant is the owner of several FEETFINDER trademarks, including:

- FEETFINDER, European Union word mark registered under No. 018918577 on December 8, 2023, in class 35;
- FEETFINDER, European Union figurative mark depicted below, registered under No. 018918556 on December 8, 2023, in class 35; and



- FEETFINDER / FEET FINDER, series of two United Kingdom word marks registered under No. UK00003951117 on November 24, 2023, in class 35.

The Complainant operates the domain name <feetfinder.com> resolving to its official website.

The Disputed Domain Name was registered on November 2, 2024. The Disputed Domain Name redirects users to a website allowing users to download a mobile application which appears to offer foot fetish content, similar to the content provided through the Complainant's services.

#### **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.

First, the Complainant contends that the Disputed Domain Name is a typosquatted version of its FEETFINDER mark and is therefore confusingly similar to a trademark in which it claims to have rights.

Second, the Complainant claims that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name, as, according to the Complainant:

- the Respondent has no connection or affiliation with the Complainant and has not received any authorization, license, or consent, whether express or implied, to use the Complainant's mark in the Disputed Domain Name or in any other manner;
- the Respondent is not commonly known by the Complainant's mark and does not hold any trademarks for the Disputed Domain Name;
- no evidence indicates that Respondent is known by the text of the Disputed Domain Name; and
- the Respondent is using the Complainant's marks within the Disputed Domain Name to redirect users to a website allowing users to download a mobile application which offers similar foot fetish content in direct competition with Complainant's services.

Finally, the Complainant claims that the Disputed Domain Name was registered and is being used in bad faith. According to the Complainant:

- the Disputed Domain Name was registered nearly a year after the Complainant attained registered rights in the FEETFINDER mark;
- the practice of typosquatting is evidence of bad faith registration;
- the Respondent registered the Disputed Domain Name to divert Internet traffic to a direct competitor of the Complainant;
- the website to which the Disputed Domain Name redirects contains a logo that is confusingly similar to the Complainant's registered figurative mark depicted above; and
- an adverse inference of bad faith registration and use may be drawn from (i) the Respondent's failure to participate in the present proceeding, (ii) the Respondent's failure to respond to the Complainant's cease-and-desist letter, and (iii) the registration of the Disputed Domain Name under a privacy shield. The Complainant claims it sent two cease-and-desist letters to the Respondent but never received any response. Moreover, the Complainant claims that the Respondent engaged in cyberflight by moving the Disputed Domain Name to another registrar sometime after the Respondent's receipt of the Complainant's first cease-and-desist letter in 2023.

## **B. Respondent**

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

As mentioned under section 3 above, there has been email correspondence between the Complainant, the Center and a recipient of the Center's notification of the Complaint. The latter was notified because its email address is mentioned on the website to which the Disputed Domain Name redirects. This person claims it is not the registrant of the Disputed Domain Name.

## **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 typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

Based on the available record, the Panel finds the 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 Disputed Domain Name appears to be a misspelling of the Complainant's FEETFINDER trademark: the Disputed Domain Name incorporates the Complainant's FEETFINDER trademark in its entirety except for the inversion of the letter "r" and the last letter "e". This practice is commonly referred to as "typosquatting". The Panel finds that this small change does not prevent the Disputed Domain Name from being confusingly similar to the Complainant's FEETFINDER mark. [WIPO Overview 3.0](#), section 1.9.

It is well established that generic Top-Level-Domains ("gTLDs"), here ".online", may be disregarded when considering whether the Disputed Domain Name is confusingly similar to a trademark in which the Complainant has rights.

Based on the available record, 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 3.0](#), 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 relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise.

The Panel notes that the Respondent has not apparently been commonly known by the Disputed Domain Name, and that the Respondent does not seem to have acquired trademark or service mark rights. According to the information provided by the Registrar, the Respondent is named "yann delrue" of "VirtualVideos".<sup>1</sup>

Fundamentally, a respondent's use of a domain name will not be considered "fair" if it falsely suggests affiliation with the trademark owner. The correlation between a domain name and the complainant's mark is often central to this inquiry. In this case, the Panel finds that the Disputed Domain Name can be considered as almost identical or confusingly similar to the Complainant's FEETFINDER trademark as it incorporates the Complainant's FEETFINDER trademark in its entirety except for the inversion of the letter "r" and the last letter "e". The Panel finds that this subtle misspelling is intended to impersonate the Complainant, and there is a risk that Internet users will not notice the difference between such misspelling and the Complainant's

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<sup>1</sup>The Panel notes that, in the context of the present proceedings, there has been email correspondence with a recipient of the Center's notification of the Complaint. The name and email address of this recipient differs from the information provided by the Registrar, and this recipient claims it is not the registrant of the Disputed Domain Name. The Panel finds that it is not necessary to make any substantive assessment on the merits of this claim, as it has no impact on the Panel's decision.

mark. See *Banque et Caisse d'Epargne de l'Etat, Luxembourg, v. Domain Admin, Whoisprotection.cc / hans larsson*, WIPO Case No. [D2022-1505](#).

Beyond looking at the domain name and the nature of any additional terms appended to it, UDRP panels assess whether the overall facts and circumstances of the case, and the absence of a response, support a fair use or not. [WIPO Overview 3.0](#), sections 2.5.2 and 2.5.3.

The Panel observes that the Disputed Domain Name redirects to a website allowing users to download a mobile application which appears to offer similar foot fetish content in direct competition with the Complainant's services. Given the nature of the Disputed Domain Name (misspelling the Complainant's mark), the Panel finds that this does not constitute a legitimate noncommercial or fair use of the Disputed Domain Name. See section 2.5 of the [WIPO Overview 3.0](#).

The Respondent had the opportunity to demonstrate its rights or legitimate interests but did not do so. In the absence of a Response from the Respondent, the prima facie case established by the Complainant has not been rebutted.

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.

As mentioned above, the Disputed Domain Name redirects to a website allowing users to download a mobile application which appears to offer similar foot fetish content in direct competition with the Complainant's services. The website also uses a logo and color scheme which present some similarities with the Complainant's figurative mark and official website. In the Panel's view, the circumstances of this case indicate that the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark. [WIPO Overview 3.0](#), section 3.2.4.

Other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel finds that the Respondent must have been aware of the Complainant and its trademark rights when it registered the Disputed Domain Name as:

- the Complainant proves its website benefitted from a certain degree of notoriety in the relevant sector as it attracted several millions of visits during the month in which the Disputed Domain Name was registered;
- the Disputed Domain Name was registered nearly a year after the Complainant attained registered rights in the FEETFINDER mark; and
- the Disputed Domain Name consists of a misspelling of the Complainant's trademark and redirects to a website offering competing services. The Panel holds, based on the balance of probabilities, that the misspelling of the Complainant's mark in the Disputed Domain Name is a form of typosquatting, which is in an attempt to impersonate and target on the Complainant's domain name <feetfinder.com> and is further evidence of bad faith. See *ESPN, Inc. v. XC2*, WIPO Case No. [D2005-0444](#); *WestJet Airlines Ltd. v. Taranga Services Pty Ltd*, WIPO Case No. [D2010-1814](#); and *Compagnie Générale des Etablissements Michelin v. Terramonte Corp, Domain Manager*, WIPO Case No. [D2011-1951](#).

Finally, the Respondent did not formally take part in the administrative proceedings. According to the Panel, this serves as additional indication of the Respondent's bad faith.

Based on the available record, 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 <feetfindre.online> be transferred to the Complainant.

*/Flip Jan Claude Petillion/*

**Flip Jan Claude Petillion**

Sole Panelist

Date: April 29, 2025