

## ADMINISTRATIVE PANEL DECISION

BuDhaGirl, LLC v. Bill John, Billjohngroup  
Case No. D2025-1902

### 1. The Parties

Complainant is BuDhaGirl, LLC, United States of America (“United States”), represented by RegitzMauck PLLC, United States.

Respondent is Bill John, Billjohngroup, United States.

### 2. The Domain Name and Registrar

The disputed domain name <budhagirlsw.shop> is registered with Web Commerce Communications Limited dba WebNic.cc (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2025. On May 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 13, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

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 Respondent of the Complaint, and the proceedings commenced on May 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 8, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on June 10, 2025.

The Center appointed Timothy D. Casey as the sole panelist in this matter on June 17, 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**

Complainant has operated an on-line retail business featuring jewelry and gifts since 2013, and has offered jewelry since 2011, under the BUDHAGIRL brand name.

Complainant has trademark registrations in the United States for BUDHAGIRL (the “BUDHAGIRL Marks”), including the following:

<b>Mark</b>	<b>Jurisdiction</b>	<b>Class(es)</b>	<b>Registration No.</b>	<b>Registration Date</b>
BUDHAGIRL	United States	14	4,324,229	April 23, 2013
BUDHAGIRL	United States	35	6,013,392	March 17, 2020

The disputed domain name was registered on April 2, 2025, and at the time of filing the Complaint, the disputed domain name resolved to a website selling ecommerce products.

#### **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 contends it has the trademark rights noted above and that the disputed domain name is confusingly similar to the BUDHAGIRL Marks because it is a typosquatting version of the BUDHAGIRL Marks that merely adds the letters “sw” after the marks. Complainant contends that the disputed domain name is designed to unlawfully redirect consumers from Complainant’s website for the purpose of diverting business to Respondent’s website.

Complainant contends that Respondent has no rights or legitimate interest in the disputed domain name because the disputed domain name is a typosquatting version of the BUDHAGIRL Marks that deceptively directs consumers searching for authentic products at Complainant’s website to Respondent’s website. Complainant contends that Respondent has used the same letters “sw” behind at least one other mark as part of a similar typosquatting scheme using the “.shop” Top Level Domain.

Complainant repeats the same allegations above in contending the disputed domain name was registered and has been used in bad faith by Respondent.

##### **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 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 entirety of the mark is reproduced 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](#), section 1.7.

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

Noting the composition of the disputed domain name, the Panel considers it carries a risk of implied affiliation with Complainant. [WIPO Overview 3.0](#), section 2.5.1. The use of a domain name for an ecommerce webpage with products unrelated to Complainant nor to the terms reproduced within the disputed domain name cannot give rise to rights or legitimate interests on Respondent.

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 Respondent’s disputed domain name appears to typosquat on Complainant’s domain name. Respondent also appears to have done the same with a third party’s domain name, indicating a pattern of bad faith conduct that intentionally attempts to attract, for commercial gain, Internet users by creating a likelihood of confusion with Complainant’s mark.

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 3.0](#), section 3.2.1.

Noting the similarities between the Complainant's domain name, the BUDHAGIRL Marks and the disputed domain name, the Panel considers that the Respondent's registration and use of the disputed domain name seeks to take an unfair advantage of these similarities. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that 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 <budhagirlsw.shop> be transferred to Complainant.

*/Timothy D. Casey/*

**Timothy D. Casey**

Sole Panelist

Date: July 1, 2025