

ADMINISTRATIVE PANEL DECISION

Hims, Inc. v. Cameron Price, My Store
Case No. D2025-2794

1. The Parties

Complainant is Hims, Inc., United States of America, represented by Protakedown Pte. Ltd d/b/a PhishFort, Singapore.

Respondent is Cameron Price, My Store, United States of America.

2. The Domain Name and Registrar

The disputed domain name <himnhers.com> (the “Domain Name”) is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 15, 2025. On July 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 16, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Contact Privacy Inc.) and contact information in the Complaint. The Center sent an email to Complainant on July 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 July 18, 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 July 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on August 13, 2025.

The Center appointed Robert A. Badgley as the sole panelist in this matter on August 26, 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 sells dietary supplements, pharmaceuticals, vitamins, and the like. Complainant owns the domain name <hims.com> and uses that domain name to host a commercial website.

Complainant owns a registered trademark with the United States Patent and Trademark Office (“USPTO”) for the word mark HIMS, USPTO Reg. No. 5752037, registered on May 14, 2019 in connection with “online retail store services featuring hair care preparations, skin care preparations, dietary and nutritional supplements, vitamins, pharmaceuticals for the treatment of erectile dysfunction; pharmaceutical services, namely, processing online prescription orders in retail pharmacies,” with a November 1, 2017 date of first use in commerce.

Complainant also owns a registered trademark for the word mark HIMS & HERS, USPTO Reg. No. 7237194, registered on December 5, 2023 in connection with “dietary and nutritional supplements; dietary and nutritional supplements, namely, sleep supplements; dietary and nutritional supplements, namely, recovery supplements; dietary and nutritional supplements, namely, protein supplements; powdered nutritional supplement concentrate; powdered nutritional supplement drink mix; powdered food supplement drink mix containing protein,” with an April 5, 2020 date of first use in commerce.

The Domain Name was registered on June 25, 2023. The Domain Name currently resolves to an error page. For a time, however, the Domain Name was redirected to another website. Complainant asserts:

“The domain himnhers.com is redirecting to the website [redacted] which is a fake webshop impersonating ‘Hims & Hers’ brand. This infringement is clear and evidence from the pop ups used on the website mentioning ‘Hims & Hers’ brand. Additionally, the following pages are explicitly impersonating ‘Hims & Hers’ brand with fake contact information and without the Complainant authorization: [redacted].”

According to screenshots annexed to the Complaint, the website to which the Domain Name was redirected repeatedly referred to the site operator as “Him&Hers” and asked visitors to provide their phone number purportedly to save 20% on their order.

Respondent has not denied any of the foregoing allegations and has not disputed the evidence presented by Complainant in support of those allegations.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is 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 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.

The Panel finds that Complainant has rights in the trademark HIMS & HERS through registration demonstrated in the record. The Panel also finds that the Domain Name is confusingly similar to that mark. Apart from the ampersand being replaced in the Domain Name by a colloquial "n" (meaning "and"), the only difference between the mark and the Domain Name is that the first "s" in the mark is absent from the Domain Name. Despite these minor differences, the Panel finds that Complainant's mark is recognizable within the Domain Name.

Complainant has established Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes that Respondent lacks rights or legitimate interests in respect of the Domain Name. Respondent has not come forward to articulate any bona fide basis for registering the Domain Name, and has not disputed the allegations made by Complainant. The undisputed record here indicates that Respondent has used the Domain Name to redirect to a website attempting to be affiliated with Complainant by using a name Him&Hers that is virtually identical to Complainant's brand HIMS & HERS. Such conduct does not give rise to a right or legitimate interest.

Complainant has established Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation," are evidence of the registration and use of the Domain Name in "bad faith":

(i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or

(ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or

(iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or

(iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website or location or of a product or service on Respondent's website or location.

The Panel concludes, on the record provided here, that Respondent has registered and used the Domain Name in bad faith. The Panel incorporates its discussion above in the "Rights or Legitimate Interests" section. Although Complainant does not provide evidence of the extent to which its registered trademark HIMS & HERS enjoyed renown at the time the Domain Name was registered, the fact that the Domain Name was redirected to a possible fake shopping site noting although the website referred to Him&Hers as the trade name and brand under "Terms of service", "Privacy policy", "Contact information", it displayed a different name HIMHER when purportedly offering a 20% off on orders, and referred to another name 33dings on top left of the web page, and the fact that Complainant had been using the mark HIMS & HERS for more than three years at the time the Domain Name was registered provide just enough evidence to conclude, on a balance of probabilities and on this undisputed record, that Respondent more likely than not had Complainant's mark in mind. It is not clear from the record who operated the website to which the Domain Name was redirected (i.e., Respondent or some third party), but in the circumstances of this case it is reasonable to infer that Respondent derived some form of commercial benefit from this arrangement, in violation of the above-quoted Policy paragraph 4(b)(iv).

Complainant has established Policy paragraph 4(a)(iii).

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 Domain Name <himnhers.com> be transferred to Complainant.

/Robert A. Badgley/

Robert A. Badgley

Sole Panelist

Date: September 5, 2025