

## ADMINISTRATIVE PANEL DECISION

Supercuts, Inc. v. LIVE BLOGGER

Case No. D2025-3793

### 1. The Parties

The Complainant is Supercuts, Inc., United States of America (“United States”), represented by Frost Brown Todd LLC, United States.

The Respondent is LIVE BLOGGER, India.

### 2. The Domain Name and Registrar

The disputed domain name <supercutsla.com> (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 September 17, 2025. On September 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On September 18, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 19, 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 amended Complaint on September 24, 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 the Respondent of the Complaint, and the proceedings commenced on October 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 21, 2025. The Respondent sent email communications to the Center on September 19 and 24, and October 1 and 22, 2025.

The Center appointed Nick J. Gardner as the sole panelist in this matter on October 27, 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 is a Delaware corporation with its principal place of business in Minneapolis, Minnesota, United States. Founded in California in 1975, the Complainant is one of the most established hair salon franchises in the United States with a legacy spanning over 50 years in the hair salon industry.

The Complainant began as a modern unisex alternative to traditional barbershops and women's hair salons, offering walk-in appointments, fast and proficient styling and cuts, low costs for basic haircuts, and transparency regarding prices for add-on services. The Complainant commenced franchising its salons in 1978, and by the mid-1980s, hundreds of SUPERCUTS-branded franchise locations had opened throughout the United States.

Today, the Complainant is a leader in the salon industry for haircare services, with over 33 million customer visits per year. The Complainant operates more than 1,800 no-appointment-necessary salons across the United States, with additional locations in Puerto Rico and Canada.

The Complainant owns various United States federal trademark registrations for SUPERCUTS and related marks, including SUPERCUTS, Reg. No. 1488847, registered May 17, 1988, for "Hair Care and Hair Cutting Services" in Class 42 (filed November 2, 1981). These trademarks are referred to as the "SUPERCUTS trademark" in this Decision.

Since 1995, the Complainant and its predecessors-in-interest have owned and used the domain name <supercuts.com> to link to the Complainant's website (the "Complainant's Website") which promotes and provides information about its services. Customers can learn about the Complainant, its services, find salon locations, and check in for appointments through the Complainant's Website.

The Disputed Domain Name was registered on June 6, 2024. According to the evidence submitted, when accessible, the website associated with the Disputed Domain Name (the "Respondent's Website") purported to provide information about the Complainant's services, including pricing lists, hours of operation for various salon locations, and coupon codes. The website mimicked the appearance of the Complainant's Website including using the same color scheme and typestyle. The Respondent's Website included a copyright notice stating "2025 © Supercuts of Los Angeles All rights reserved", with a disclaimer contained in the footer of the website. The Respondent's Website is currently inaccessible.

The Complainant became aware of the Disputed Domain Name after a franchisee reported receiving customer complaints that the Respondent's Website displayed inaccurate pricing information for the Complainant's services. This confusion led some customers to conclude that the Complainant and/or its franchisee were engaged in a bait-and-switch scheme by promoting one price on the Respondent's Website but charging a higher price for services.

Evidence shows that Mail Exchange ("MX") records have been set up for the Disputed Domain Name, enabling the sending and receiving of emails from addresses as "[...]@supercutsla.com".

## **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.

The Complainant argues that:

- (i) The Disputed Domain Name is confusingly similar to the SUPERCUTS trademark in which the Complainant has rights, as it incorporates the SUPERCUTS trademark in its entirety with only the addition of the geographical abbreviation "la" (for Los Angeles) and the generic Top-Level Domain ("gTLD") ".com";
- (ii) The Respondent has no rights or legitimate interests in the Disputed Domain Name as the Respondent is neither a licensee nor franchisee of the Complainant, nor is the Respondent otherwise affiliated with the Complainant or authorized to provide information about SUPERCUTS services or offer discount codes;
- (iii) The Disputed Domain Name was registered and is being used in bad faith, as evidenced by the Respondent's creation of a website that mimicked the Complainant's official website, provided inaccurate information that caused actual customer confusion, and the setting up of MX records for potential fraudulent email communications, and used privacy protection to conceal the Respondent's identity.

### **B. Respondent**

The Respondent did not submit a formal Response. The Respondent's informal email dated October 22, 2025, to the Center stated "I don't know whats happening i am agree to leave this domain."

In its prior communications to the Center on September 19, 22, and October 1, 2025, the Respondent asked about possible resolutions stating that it bought the Disputed Domain Name from a seller and was not aware of any trademark rights.

## **6. Discussion and Findings**

To succeed, in accordance with paragraph 4(a) of the Policy, the Complainant must satisfy the Panel that:

- (i) the Disputed Domain Name is identical with 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 respect of the Disputed Domain Name;
- (iii) the Disputed Domain Name has been registered and is being used in bad faith.

### **A. Identical or Confusingly Similar**

The Complainant has rights in the SUPERCUTS trademark. The Panel finds the Disputed Domain Name is confusingly similar to this trademark. Previous UDRP panels have consistently held that domain names are identical or confusingly similar to a trademark for purposes of the Policy "when the domain name includes the trademark, or a confusingly similar approximation, regardless of the other terms in the domain name" (*Wal-Mart Stores, Inc. v. Richard MacLeod d/b/a For Sale*, WIPO Case No. [D2000-0662](#)). It is established that, where a mark is the distinctive part of a disputed domain name, the disputed domain name is considered to be confusingly similar to the registered mark (*DHL Operations B.V. v. DHL Packers*, WIPO Case No. [D2008-1694](#)).

Furthermore, mere addition of a generic or descriptive term does not prevent a finding of confusing similarity under the first element (*PRL USA Holdings, Inc. v. Spiral Matrix*, WIPO Case No. [D2006-0189](#)). Here, the addition of “la”, commonly designating Los Angeles which is a location where the Complainant does business, does not prevent such a finding.

It is also well established that the gTLD, in this case “.com”, does not affect the Disputed Domain Name for the purpose of determining whether it is identical or confusingly similar. See, for example, *Rollerblade, Inc. v. Chris McCrady*, WIPO Case No. [D2000-0429](#).

Accordingly, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant’s trademark and hence the first condition of paragraph 4(a) of the Policy has been fulfilled.

## **B. Rights or Legitimate Interests**

The Panel finds the SUPERCUTS trademark is, on the evidence before the Panel, a term in which the Complainant has developed a significant reputation.

Paragraph 4(c) of the Policy provides a list of circumstances any of which is sufficient to demonstrate that a respondent has rights or legitimate interests in a domain name:

- (i) before any notice to the respondent of the dispute, 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) the respondent has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) the respondent is 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.

None of these apply in the present circumstances. The Complainant has not authorised, licensed, or permitted the Respondent to register or use the Disputed Domain Name or to use SUPERCUTS trademark. The Complainant has prior rights in the SUPERCUTS trademark which precede the Respondent’s acquisition of the Disputed Domain Name. The Complainant has therefore established a prima facie case that the Respondent does not have any rights or legitimate interests in the Disputed Domain Name and thereby the burden of production shifts to the Respondent to produce evidence demonstrating rights or legitimate interests in respect of the Disputed Domain Name (see, for example, *Do The Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#); *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#)).

The Panel finds that the Respondent has failed to produce any evidence to establish his rights or legitimate interests in the Disputed Domain Name. Accordingly, the Panel finds the Respondent has no rights or any legitimate interests in the Disputed Domain Name and the second condition of paragraph 4(a) of the Policy has been fulfilled.

## **C. Registered and Used in Bad Faith**

In the present circumstances the evidence as to the extent of the reputation the Complainant enjoys in the SUPERCUTS trademark, and the fact that the Disputed Domain Name was linked to the Respondent’s Website which impersonated the Complainant’s Website lead the Panel to conclude the registration and use were in bad faith.

The Panel concludes that the Respondent chose to register a name comprising the Complainant’s trademark combined with the geographical designation “la” in order to facilitate a scheme where the Respondent’s website impersonated that of the Complainant.

Under paragraph 4(b) of the Policy a non-exhaustive list of factors evidencing registration and use in bad faith comprises:

- (i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or
- (ii) you have 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 you have engaged in a pattern of such conduct; or
- (iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.

In the present circumstances the Panel agrees with the Complainant that although the Respondent's exact motivation is difficult to discern it seems more likely than not that factor (iv) applies as the Respondent was seeking to achieve some form of commercial gain by impersonating the Complainant. In any event, the Panel also infers that factor (iii) applies given the Respondent's Website directly impersonates the Complainant's own website and provides inaccurate and misleading pricing information. The Panel also notes that the Respondent has not filed a formal Response and has not provided evidence that would support a finding of good faith. The Panel infers that none exists.

The Panel notes that the Respondent's Website contained a disclaimer in the footer. The Panel considers this was insufficient to avoid confusion, particularly given: (i) the disclaimer was buried at the bottom of the page and not prominently displayed; (ii) it appeared below a copyright notice falsely claiming "2025 © Supercuts of Los Angeles All rights reserved"; and (iii) there is evidence of actual customer confusion despite the disclaimer.

Given the above finding the Panel does not need to determine the Complainant's further case based upon the configuration of MX records for potential fraudulent email communications, and the use of privacy protection to conceal the Respondent's allegedly fraudulent identity.

Accordingly, the Panel finds that the Disputed Domain Name has been registered and is being used in bad faith and the third condition of paragraph 4(a) of the Policy has been fulfilled.

## **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 <supercutsla.com> be transferred to the Complainant.

*/Nick J. Gardner/*

**Nick J. Gardner**

Sole Panelist

Date: November 10, 2025