

ADMINISTRATIVE PANEL DECISION

Fridababy, LLC v. John Jay

Case No. D2025-3934

1. The Parties

The Complainant is Fridababy, LLC, United States of America (“United States” or “U.S.”), represented by Abion AB, Sweden.

The Respondent is John Jay, United States.

2. The Domain Name and Registrar

The disputed domain name <fridanest.com> (the “Disputed Domain Name”) is registered with GMO Internet, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 26, 2025. On September 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On September 30, 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 (Whois Privacy Protection Service by onamae.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 30, 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 October 2, 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 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 9, 2025.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on November 12, 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 states that it was founded in 2016 and develops and sells “products in the field of baby care, pregnancy and fertility.” The Complainant further states that its products “can be found in over 50+ countries and in over 40,000 stores throughout the United States.” The Complainant further states that “owns numerous domain names,” including frida.com (created on October 2, 1997), which it uses in connection with a website for the previously mentioned products.

The Complainant states, and provides documentation to support, that it is the owner of “multiple trademark registrations for FRIDA® in different jurisdictions,” including the following:

- Int'l Reg. No. 1,591,897 for FRIDA (registered December 17, 2020) for use in connection with, inter alia, “online retail store services featuring baby care products, clothing, and postpartum products for women”; and
- U.S. Reg. No. 6,532,417 for FRIDA (registered October 19, 2021) for use in connection with, inter alia, “online retail store services featuring baby care products, postpartum products for women and clothing”.

The registrations listed above are referred to herein as the “FRIDA Trademark.”

The Disputed Domain Name was created on May 21, 2025. The Complainant states, and provides documentation in support thereof, that the Disputed Domain Name is used in connection with “a website featuring the Complainant’s original website, showcasing signs identical to the Complainant’s copyrighted logos and images..., while providing several mentions clearly referring to the Complainant, its trademarks, products, business activity, and overall field.”

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.

Notably, the Complainant contends that:

- The Disputed Domain Name is confusingly similar to the FRIDA Trademark because the FRIDA Trademark “is clearly recognizable in the Disputed Domain Name.”
- Respondent has no rights or legitimate interests in the Disputed Domain Name because, inter alia, “Complainant has never granted the Respondent with any rights to use the FRIDA® trademark in any form, including in the Disputed Domain Name”; “Complainant has not found that the Respondent is known by the Disputed Domain Name”; and by using the Disputed Domain Name to “resolve[] to a website featuring the Complainant’s original website,... it suggests an intent to deceive or confuse users by falsely associating the website at the Disputed Domain Name with the Complainant and its trademarks.”
- The Disputed Domain Name was registered and is being used in bad faith because, inter alia, “the Disputed Domain Name resolves to a website featuring the Complainant’s original website, repeatedly displaying a logo identical to the Complainant’s copyrighted logo for ‘FRIDA’ in prominent positions and

copyrighted images, while providing several mentions clearly referring to the Complainant, its products, trademarks and business activity,” which is a clear indication that the Respondent knew of the Complainant’s trademarks, products, and business at the time of the registration of the Disputed Domain Name and that it registered the same having the Complainant in mind”; and “[t]he fact that the Disputed Domain Name resolved to a website featuring the Complainant’s original website, trademarks and logos, while providing several mentions clearly referring to the Complainant, its products, business activity, and overall field further indicates an intentional effort to deceive users by creating a false impression of affiliation with the Complainant.”

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

Based upon the trademark registrations cited by the Complainant, it is apparent that the Complainant has rights in and to the FRIDA Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the FRIDA Trademark, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., “fridanest”) because “[t]he applicable Top-Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test”. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.11.1.

As set forth in section 1.7 of [WIPO Overview 3.0](#): “in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.” Here, the Disputed Domain Name incorporates the entirety of the FRIDA Trademark.

Further, as set forth in section 1.8 of [WIPO Overview 3.0](#): “Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.” Here, the addition of the word “nest” is a descriptive term that does not prevent a finding of confusing similarity.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Complainant has argued that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, *inter alia*, “Complainant has never granted the Respondent with any rights to use the FRIDA® trademark in any form, including in the Disputed Domain Name”; “Complainant has not found that the Respondent is known by the Disputed Domain Name”; and by using the Disputed Domain Name to “resolve[] to a website featuring the Complainant’s original website,... it suggests an intent to deceive or confuse users by falsely associating the website at the Disputed Domain Name with the Complainant and its trademarks.”

[WIPO Overview 3.0](#), section 2.1, states: “[w]hile 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.”

The Panel finds that Complainant has established its *prima facie* case and without any evidence from Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or 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 the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant 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 the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's 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 the registrant's website or location or of a product or service on the registrant's website or location. Policy, paragraph 4(b).

It is unclear from the record whether the merchandise (purportedly) sold by Respondent on the website associated with the Disputed Domain Name is authorized by Complainant. However, it is clear that the Respondent's use of the Disputed Domain Name to (purportedly) sell the merchandise is not authorized. As a result, users are likely to be confused that the Respondent's website is sponsored by, affiliated with, or endorsed by the Complainant, creating bad faith under Policy para. 4(b)(iv). See, e.g., *Janie and Jack LLC v. jing guan*, WIPO Case No. [D2024-1004](#) (finding bad faith where “the disputed domain name resolved to a website purporting to sell clothing for children using the [complainant's] mark without disclosing the Respondent's lack of a relationship with the Complainant”); *B. Forever v. Mostow Co.*, WIPO Case No. [D2024-2689](#) (finding bad faith where “[t]he disputed domain name... resolves to a website that seems to offer clothing for sale under the [complainant's] trademark”); and *ConexionBorn, S.L. v. Bhdhs Vhfdq*, WIPO Case No. [D2024-2576](#) (finding bad faith where “the disputed domain name resolves to a website purportedly offering for sale yoga clothes and accessories under names which each time include... a prominent feature of the Complainant's trademark”).

Indeed, a likelihood of confusion is exacerbated by the Respondent's use of the Disputed Domain Name in connection with a website that, as described by the Complainant, “feature[es] the Complainant's original website.” See, e.g., *Mandarin Oriental Services B.V. v. Domain Administrator, Matama*, WIPO Case No. [D2017-0615](#) (redirecting a disputed domain name to a complainant's own website “may increase customer confusion that the disputed domain name is somehow licensed or controlled by the Complainant”); and *PayPal Inc. v. Jon Shanks*, WIPO Case No. [D2014-0888](#) (“use of the Disputed Domain Name to redirect to Complainant's own website only serves to increase customer confusion that the Disputed Domain Name is somehow licensed or controlled by Complainant”).

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 <fridanest.com> be transferred to the Complainant.

/Douglas M. Isenberg/
Douglas M. Isenberg
Sole Panelist
Date: November 18, 2025