

## **ADMINISTRATIVE PANEL DECISION**

Curio Brands, LLC v. Allen Aiden  
Case No. D2025-4271

### **1. The Parties**

Complainant is Curio Brands, LLC, United States of America (“United States” or “U.S.”), represented by Fredrikson & Byron, P.A., United States.

Respondent is Allen Aiden, United States.

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

The disputed domain name <thecapribluebase.shop> is registered with Spaceship, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 17, 2025. On October 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 20, 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 (John Doe / Redacted for Privacy Purposes, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on October 21, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on October 22, 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 Respondent of the Complaint, and the proceedings commenced on October 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 13, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on November 17, 2025.

The Center appointed Jeffrey M. Samuels as the sole panelist in this matter on November 20, 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 specializes in the manufacture and retail sale of bath and body products, candles, cleaning products, and home fragrances. Since at least as early as 2001, Complainant, or its predecessors, have used the trademark CAPRI BLUE in connection with candles, scented room sprays, soaps, bath products, and other fragranced products.

Complainant owns, notably, United States trademark registration for the CAPRI BLUE trademark of July 21, 2015 (Registration No. 4775046).

The disputed domain name was registered on July 18, 2025. The disputed domain name resolves to a website that displays Complainant's trademark and logo, appears to sell products offered by Complainant on its own website and, as alleged in the Complaint, mimics Complainant's website at the domain name <capri-blue.com>.

#### **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 that the disputed domain name is identical or confusingly similar to the CAPRI BLUE trademark. It points out that the disputed domain name includes the entirety of the CAPRI BLUE mark.

Complainant further alleges that Respondent should be considered to have no rights or legitimate interests in respect of the disputed domain name. Complainant indicates that it has never authorized Respondent to register or use the disputed domain name or to provide any goods or services for Complainant. Moreover, "[t]here is no connection or relationship of any kind or nature between Complainant and Respondent."

Complainant asserts that the unauthorized registration of Complainant's trademark in the disputed domain name undermines a claim of bona fide use under the Policy and that Respondent has no legitimate noncommercial or fair use reason to use the CAPRI BLUE mark in its domain name.

With respect to the issue of "bad faith" registration and use, Complainant maintains that "[b]y using the domain name, and creating a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, or endorsement of the Respondent's goods, the Respondent has intentionally attempted to attract visitors to its website or location for commercial gain."

##### **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 the 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 Panel finds the mark is recognizable 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.

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 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.

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 finds that the disputed domain name resolves to a website that uses Complainant's mark and images of Complainant's products, claiming to sell these products, without disclosing its lack of relationship with Complainant. Respondent also copies the look and feel of Complainant's own website. As alleged by Complainant, "[i]t is clear that Respondent is attempting to hold itself out as Complainant or an affiliate of Complainant."

Based on the above finding, the Panel concludes that, by registering and using the disputed domain name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to his website by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of such website or the products on such website, within the meaning of paragraph 4(b)(iv) of 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 <thecapribluebase.shop> be transferred to Complainant.

*/Jeffrey M. Samuels/*

**Jeffrey M. Samuels**

Sole Panelist

Date: November 28, 2025