

ADMINISTRATIVE PANEL DECISION

FLRish IP, LLC v. John A. Anderson, Dreamers Designs
Case No. D2025-4321

1. The Parties

The Complainant is FLRish IP, LLC, United States of America (“United States”), represented by Crown, LLP, United States of America.

The Respondent is John A. Anderson, Dreamers Designs, United States.

2. The Domain Name and Registrar

The disputed domain name <kingpenofficialstore.net> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 21, 2025. On October 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 23, 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 October 23, 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 23, 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 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 21, 2025.

Further to expiry and status communications between the Registrar and Parties, the Registrar confirmed the disputed domain name was active and locked as of January 3, 2026.

The Center appointed Evan D. Brown as the sole panelist in this matter on January 13, 2026. 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 in the business of selling cannabis products, accessories, and other related goods and services. It owns the trademark KINGPEN, for which it enjoys the benefits of registration in a number of jurisdictions, including the United States (Reg. No. 6034123, registered on April 14, 2020). The record also shows that the Complainant has common law rights in the KINGPEN mark based on marketing and promotion of goods and services under the mark, as well as a high volume of sales of products bearing the KINGPEN mark.

According to the Whois records, the disputed domain name was registered on November 7, 2023. The Respondent has used the disputed domain name to set up a website purporting to sell cannabis products. The website imitates the Complainant's branding by prominently featuring the Complainant's stylized mark, imagery, and other branding elements.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent did not respond to the Complainant's contentions.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical 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, and (iii) the disputed domain name has been registered and is being used in bad faith. The Panel finds that all three of these elements have been met in this case

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. 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. This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#). The Complainant has demonstrated its rights in the KINGPEN mark by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the KINGPEN mark in its entirety with the additional term “officialstore,” which does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s KINGPEN mark. See [WIPO Overview 3.0](#), section 1.8. The KINGPEN mark remains recognizable for a showing of confusing similarity under the Policy.

It is standard practice when comparing a disputed domain name to a complainant’s trademarks, to not take the extension into account. See [WIPO Overview 3.0](#), section 1.11.1 (“The 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”).

The Panel finds that the Complainant has established this first element under the Policy

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a *prima facie* showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondent (with the burden of proof always remaining with the Complainant). See [WIPO Overview 3.0](#), section 2.1; *AXA SA v. Huade Wang*, WIPO Case No. [D2022-1289](#).

On this point, the Complainant asserts, among other things, that: (1) it has not granted any license, consent, or other right to the Respondent authorizing the Respondent to register the disputed domain name using the KINGPEN trademark, (2) the Respondent is not commonly known by the disputed domain name, (3) the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, (4) there is no indication that the Respondent has made use of, or made demonstrable preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services, and (5) the Respondent appears to be using the disputed domain name unlawfully because it is not licensed or authorized by the state of California or any other state to operate a commercial cannabis business.

The Panel finds that the Complainant has made the required *prima facie* showing. The Respondent has not presented evidence to overcome this *prima facie* showing. And nothing in the record otherwise tilts the balance in the Respondent’s favor. The use of a domain name for illegal activity such as impersonation or passing off, can never confer rights or legitimate interests on a respondent. *Société des Produits Nestlé S.A. v. Great Homes, jobs-nestle.com*, WIPO Case No. [D2024-2911](#); [WIPO Overview 3.0](#), section 2.13.1.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

The record shows that the Respondent has used the disputed domain name to set up a website purporting to sell cannabis products, while prominently displaying the Complainant’s stylized KINGPEN mark and branding. This strongly suggests that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the website or of a product or service on the website. Such conduct supports a finding of bad faith registration and use under paragraph 4(b)(iv) of the Policy. The

Panel further finds that the Respondent has targeted the Complainant and its mark through deliberate impersonation. This activity constitutes a classic example of bad faith under the Policy.

The Panel finds that the Complainant has established this third element under 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 <kingpenofficialstore.net> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: January 27, 2026