

## **ADMINISTRATIVE PANEL DECISION**

Alani Nutrition LLC v. Iar Frank

Case No. D2026-0709

### **1. The Parties**

The Complainant is Alani Nutrition LLC, United States of America (“United States”), represented by Edward Nathan Sonnenbergs Inc., South Africa.

The Respondent is Iar Frank, Philippines.

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

The disputed domain name <alaninushop.com> is registered with NameSilo, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 19, 2026. On February 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 19, 2026, 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 (Privacy User #c53af6a3) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 20, 2026, 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 February 23, 2026.

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 proceeding commenced on February 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 16, 2026.

The Center appointed Sebastian M.W. Hughes as the sole panelist in this matter on March 19, 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**

##### **A. Complainant**

The Complainant is a company headquartered in the United States, and providing a range of energy drinks, health and fitness snacks and supplements under the trade mark ALANI NU (the "Trade Mark") to customers in the United States, Canada, Europe and the Asia Pacific, including via its website at "www.alaninu.com".

The Complainant is the owner of several registrations for the Trade Mark, including International registration No. 1860496 for ALANI, with a registration date of April 22, 2025; United States registration No. 5726640 for ALANI NU, with a registration date of April 16, 2019.

##### **B. Respondent**

The Respondent is reportedly an individual located in the Philippines.

##### **C. The Disputed Domain Name**

The disputed domain name was registered on January 14, 2026.

##### **D. Use of the Disputed Domain Name**

The disputed domain name has been used in respect of an English language website, prominently featuring the Trade Mark and the Complainant's product imagery copied from the Complainant's Website, containing the copyright notice "Copyright 2026 © Alaninushop.Com", and purportedly offering the Complainant's ALANI NU products at discounted prices (the "Respondent's Website").

#### **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 Respondent has used the disputed domain name illegitimately in respect of the Respondent's Website, in order to impersonate the Complainant, and create the false impression of an affiliation with the Complainant. The Complainant has submitted evidence indicating that Internet users have been confused as to whether the Respondent's Website is operated by the Complainant.

##### **B. Respondent**

The Respondent did not reply to the 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 trade mark and the disputed domain name (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "shop") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 that 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the 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.

Panels have held that the use of a domain name for illegitimate activity (here, claimed as applicable to this case: passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

The Complainant has rights in the Trade Mark, established long before the registration of the disputed domain name. The Panel finds that the Respondent knew or should have known of the Complainant's Trade Mark when registering the disputed domain name. The Respondent's use of the disputed domain name constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegitimate activity (here, claimed as applicable to this case: passing off, or other types of fraud) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <alaninushop.com> be transferred to the Complainant.

*/Sebastian M.W. Hughes/*

**Sebastian M.W. Hughes**

Sole Panelist

Date: April 2, 2026