

ADMINISTRATIVE PANEL DECISION

Venus et Fleur LLC v. bi ke
Case No. D2026-1364

1. The Parties

The Complainant is Venus et Fleur LLC, United States of America (“United States”), represented by Borsen Law LLC, United States.

The Respondent is bi ke, United States.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 30, 2026. On March 31, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 1, 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 service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 13, 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 and an amendment to the Complaint on April 9 and 13, 2026, respectively.

The Center verified that the Complaint together with the amended Complaint and 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 the Respondent of the Complaint, and the proceedings commenced on April 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 6, 2026.

The Center appointed Nels T. Lippert as the sole panelist in this matter on May 8, 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 a New Jersey, United States, limited liability company engaged in the design, marketing and sale of preserved floral arrangements and related luxury goods. The Complainant has registered the domain name <venusetfleur.com> which resolves to a website that the Complainant uses to advertise and sell its floral arrangements.

The Complainant is the owner of United States trademark registrations for the VENUS ET FLEUR trademark in standard character form and with a design:

- United States Registration No. 5,122,248 registered on January 17, 2017; and
- United States Registration No. 5,280,594 registered on September 5, 2017.

According to the Complainant's abovementioned United States registrations, the VENUS ET FLEUR trademark has been used since 2015.

The disputed domain name was registered on March 17, 2026. At the time of filing of the Complaint, the disputed domain name resolved to a website that offered competing floral arrangements.

The Respondent appears to be an individual who resides in the United States.

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 Complainant's registered trademark because it differs only by the addition of the letter "f" before "fleur" which is a well-recognized form of typosquatting that does not prevent a finding of confusing similarity. The Complainant further alleges that the Respondent has no rights or legitimate interests in the disputed domain name because it is not commonly known by the disputed domain name and has not acquired any trademark rights in the name. The Complainant asserts that it has not authorized the Respondent to use its trademarks. Finally, the Complainant contends that the disputed domain name was registered and used in bad faith because it was registered long after the Complainant had established its trademark rights and was used to resolve to a website offering competing floral products as well as using the Complainant's branding and other registered trademarks.

B. Respondent

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

6. Discussion and Findings

As noted above, the Respondent did not respond to the Complainant's contentions. Under the Rules, paragraphs 5(f) and 14(a), the effect of a default by the Respondent is that, in the absence of exceptional circumstances, the Panel shall proceed to a decision on the basis of the Complaint. The Panel does not find any exceptional circumstance in this case.

Paragraph 4(a) of the Policy provides that in order to divest a respondent of a domain name, a complainant must demonstrate each of the following:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and

(ii) the respondent has no rights or legitimate interests in respect of the domain name; and

(iii) the domain name has been registered and is being used in bad faith.

Under paragraph 15(a) of the Rules, “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

In this case, the Panel finds that as a result of the Respondent's failure to submit a Response, the Respondent has failed to rebut any of the reasonable factual assertions that are made and supported by evidence submitted by the Complainant. By failing to respond, the Respondent has failed to offer the Panel any of the types of evidence set forth in paragraph 4(c) of the Policy or otherwise, from which the Panel might conclude that the Respondent has any rights or legitimate interests in the disputed domain name.

Moreover, the Respondent failed to provide any information or reasoning that might rebut the Complainant's arguments that the Respondent has acted in bad faith.

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 Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 3.1](#), section 1.7. A domain name which consists of a variation of a trademark such as the misspelling in the disputed domain name is considered to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.1](#), section 1.9.

Furthermore, it is well established that the applicable Top-Level Domain in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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.

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 notes that the Complainant has submitted un rebutted evidence that the Respondent registered and used the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark. The Panel finds that such evidence establishes bad faith under paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.1](#), section 3.1.

In addition, although not asserted by the Complainant, the Panel has noted that the Respondent has provided false contact information. The postal code provided by the Respondent does not correspond to the city and state address provided by the Respondent and, further, there is no city by the name provided by the Respondent in the state of Alabama as provided by the Respondent. This is further evidence of bad faith. [WIPO Overview 3.1](#), section 3.6.

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 <venusetffleur.com> be transferred to the Complainant.

/Nels T. Lippert/

Nels T. Lippert

Sole Panelist

Date: May 20, 2026