

ADMINISTRATIVE PANEL DECISION

Hairitage IP LLC v. kayleighs kayleighs
Case No. D2026-2001

1. The Parties

Complainant is Hairitage IP LLC, United States of America ("United States"), represented by Dorf Nelson & Zauderer LLP, United States.

Respondent is kayleighs kayleighs, United States.

2. The Domain Name and Registrar

The disputed domain name <thehairitagebymindy.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 May 8, 2026. On May 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 11, 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 Complainant on May 15, 2026, 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 the same day.

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 May 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 23, 2026.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on July 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

Complainant is a limited liability company (LLC) organized in the State of New York, United States. Complainant maintains an office in New York, New York, United States. Complainant supplies beauty products in the United States. It appears that Complainant's products are supplied by an exclusive licensee, Maesa LLC, a California limited liability company, with offices in New York. Complainant indicates that its beauty products were launched in December 2019, and that such products are available through retail outlets such as Walmart, CVS, Amazon and Kroger. Complainant has provided a third-party report from January 2025 stating that Complainant generated USD 23 million in sales in 2023. Complainant appears to rely on social media "influencing" to promote its beauty products, Complainant provides evidence that its brand has 5,250 followers on YouTube, 289,000 followers on Instagram 227,000, and 227,900 followers on Tik-Tok. Complainant provides information regarding its products at the domain name <hairitagebymindy.com>.

Complainant is the owner of registrations for the word trademark HAIRITAGE on the Principal Register of the United States Patent and Trademark Office (USPTO) including: registration number 7,135,393, registration dated August 15, 2023, in International Classes (ICs) 35 and 44, covering operating an online shopping site in the field of haircare, haircare tools and haircare accessories, and providing advice in the haircare field; registration number 6,035,620, registration dated April 14, 2020, in IC 3, covering haircare preparations as further specified, and;¹ registration number 6,434,898 July 27, 2021, in ICs 8,11 and 21, covering electric appliances used in haircare, and other products.² Complainant has provided evidence of an additional trademark registration for HAIRITAGE in Canada and registration as an International Trademark under the Madrid System.

According to the Registrar's verification, Respondent is registrant of the disputed domain name. According to the Whois report, the disputed domain name was registered on March 16, 2026.

Complainant has provided evidence that Respondent has used the disputed domain name to host a commercial website designed to appear as a virtual clone of Complainant's promotional website in terms of trademark, design and photographs of Complainant's products (and fakes). Respondent's "clone" includes a checkout page where apparent products of Complainant are sold (according to Complainant, images of "both real and fake HAIRITAGE products" appear on Respondent's website), with customary payment and delivery information requested from customers. Respondent's clone includes a copyright notice identifying "Hairitage by Mindy" as copyright owner. Complainant has not provided information regarding whether Internet users visiting Respondent's clone website have engaged in transactions, and/or whether any products have actually been delivered by Respondent.

There is no evidence on the record of this proceeding of any affiliation or association, commercial or otherwise, between Complainant and Respondent.

¹ Complainant has provided evidence of the assignment of this registration from its now exclusive licensee, Maesa, LLC.

² Also by way of assignment from Complainant's exclusive licensee.

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 it owns rights in the trademark HAIRITAGE and that the disputed domain name is confusingly similar to that trademark. Complainant asserts that its trademark is famous.

Complainant argues that Respondent lacks rights or legitimate interests in the disputed domain name because: (1) Respondent was not known by the disputed domain name prior to registration of the disputed domain name; (2) Respondent is not making legitimate noncommercial fair use of the disputed domain name; (3) Respondent is not using the disputed domain name in connection with a bona fide offering of goods and services; (4) Complainant has not authorized Respondent in any manner to use its trademark, and particularly not in connection with a deceptive website; (5) Respondent has not taken any steps to disclose its relationship with Complainant, and; (6) Respondent is trying to impersonate Complainant, which is not a legitimate use.

Complainant alleges that Respondent registered and is using the disputed domain name in bad faith because: (1) Respondent registered the disputed domain name more than six years after Complainant introduced its products to the market; (2) Respondent has intentionally attempted to attract Internet users to its website by impersonating Complainant, including by using Complainant's trademark and logo, using photographs of Complainant's products without authorization, creating mockups of fake products that Complainant has never offered for sale, and intentionally misrepresenting that it created products identified by Complainant's trademark, and; (3) soliciting personal information from Internet users under false pretenses.

Complainant requests the Panel to direct the Registrar to transfer the disputed domain name to Complainant.

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 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.

Complainant has shown rights in respect of the HAIRITAGE trademark 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 “the”, “by” and “mindy”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 1.8.³

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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that 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 Respondent. As such, where, as here, Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent, as here, fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), 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.

Respondent has not been authorized by Complainant to use its trademark in the disputed domain name, and prior to registering the disputed domain name Respondent was not known by the disputed domain name or Complainant’s trademark. Respondent’s use of the disputed domain name to host a deceptive website does not constitute good faith preparations to use the disputed domain name in connection with a bona fide offering of goods or services. Respondent is not making legitimate noncommercial or fair use of Complainant’s trademark in the disputed domain name. Respondent’s registration and use of the disputed domain name does not otherwise manifest rights or legitimate interests, and Respondent has not provided any putative justification for its registration and use of the disputed domain name.

Panels have held that the use of a domain name for illegitimate or illegal activity, here claimed as passing off and soliciting personal information under false pretenses, can never confer rights or legitimate interests on 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.

In the present case, the Panel notes that Respondent was manifestly aware of Complainant and its trademark when it registered and used the disputed domain name given the distinctive characteristics of

³ Respondent’s registration in the “.shop” Top-Level Domain (TLD) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Complainant's trademark and the incorporation of the personal name of Complainant's founder in the disputed domain name.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether Respondent's registration and use of the disputed domain name is in bad faith.

[WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of a domain name for illegitimate or illegal activity, here claimed as passing off and soliciting personal information under false pretenses, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Respondent registered and used the disputed domain name incorporating Complainant's trademark and the name of Complainant's founder for commercial gain in order to create a likelihood of confusion among Internet users as to Complainant acting as source, sponsor, affiliate or endorser of Respondent's "clone" website. Respondent has offered no putative justification for its actions. This constitutes bad faith 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 <thehairitagebymindy.shop> be transferred to Complainant.

/Frederick M. Abbott/

Frederick M. Abbott

Sole Panelist

Date: July 27, 2026