ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
InjectorChris Aesthetics LLC d/b/a Lushful Aesthetics v. Domain Administrator, Frisky Dingo Media, LLC
Case No. D2026-2120

1. The Parties

The Complainant is InjectorChris Aesthetics LLC d/b/a Lushful Aesthetics, United States of America ("U.S."), represented by Lengea Law, U.S.

The Respondent is Domain Administrator, Frisky Dingo Media, LLC, U.S.

2. The Domain Name and Registrar

The disputed domain name <holetox.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 15, 2026. On May 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 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 (Domain Registrant, holetox.com c/o Namecheap, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 21, 2026, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed amendments to the Complaint on May 26 and 30, 2026.

The Center verified that the Complaint together with the amendments 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 June 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 24, 2026.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on July 2, 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 the exclusive owner of the U.S. federally registered trademark HOLETOX (U.S. Registration No. 7184817, registered on October 3, 2023 for "[m]edspa services for health and beauty of the body" with a claimed first use date on January 1, 2023. According to the Complainant, HoleTox is a cosmetic and therapeutic procedure that relaxes the anal muscles to reduce tension, enhance comfort during receptive anal sex.

The disputed domain name was registered on November 22, 2023. It does not resolve to any inactive 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 its HOLETOX mark has been in continuous use in commerce since at least January 1, 2023, in connection with aesthetic medical services and related goods and services. The Complainant has invested substantial resources in developing, marketing, and building goodwill in the HOLETOX brand. The HOLETOX Mark has become distinctively associated with the Complainant's high-quality aesthetic medical services.

The disputed domain name is identical to the Complainant's registered trademark HOLETOX. The disputed domain name consists of the entirety of the Mark, with the mere addition of the generic Top-Level Domain ("gTLD") ".com".

The Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not licensed, authorized, or otherwise permitted the Respondent to use the HOLETOX Mark or to register any domain name incorporating the HOLETOX Mark.

There is no evidence of any use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services prior to notice of this dispute. There is no evidence that the Respondent is or has been commonly known by the name "holetox" or "HoleTox." The Respondent has acquired no trademark or service mark rights in "holetox." There is no indication that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name. The Respondent is passively holding the disputed domain name, which is identical to the Complainant's registered trademark.

The HOLETOX trademark was federally registered in the U.S. on October 3, 2023. The disputed domain name was registered after the Complainant acquired trademark rights in the HOLETOX Mark, on November 22, 2023. Given the distinctive and arbitrary nature of the HOLETOX Mark, the Respondent could not plausibly have been unaware of the Mark at the time of registration.

Given the distinctiveness of the HOLETOX Mark and the identity between the disputed domain name and the Mark, it is not possible to conceive of any plausible legitimate use to which the Respondent could put the disputed domain name that would not infringe the Complainant's trademark rights.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has demonstrated it owns registered trademark rights in the HOLETOX mark. The disputed domain name reproduces the Complainant's mark in its entirely. The gTLD ".com" is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test.

Accordingly, the disputed domain name is identical to a mark in which the Complainant has rights.

See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), sections 1.7 and 1.11.1, and *F. Hoffmann-La Roche AG v. Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org / Conan Corrigan*, WIPO Case No. D2015-2316.

Accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

The Complainant has presented a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name and has not been commonly known by the disputed domain name. There is no evidence that the Respondent was ever authorized to sell the Complainant's products nor was it ever affiliated with the Complainant. Currently there is no active website at the disputed domain name.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the disputed domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.,* WIPO Case No. D2003-0455; and WIPO Overview 3.1, section 2.1.

Here, the Respondent has provided no evidence of any rights or legitimate interests in the disputed domain name. The Panel considers that the composition of the disputed domain name carries a high risk of implied affiliation with the Complainant. WIPO Overview 3.1, section 2.5.1.

In the absence of any evidence rebutting the Complainant's prima facie case indicating the Respondent's lack of rights or legitimate interests in respect of the disputed domain name, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The disputed domain name was registered a month after the Complainant first registered its fanciful HOLETOX mark. The evidence on the record provided by the Complainant is sufficient to satisfy the Panel that, at the time the disputed domain name was registered, the Respondent most likely knew of the Complainant's HOLETOX mark.

The Panel cannot contemplate any other reason as to why the Respondent would have registered the disputed domain name identical to the HOLETOX trademark, other than to target and unfairly benefit from the reputation and goodwill associated with the Complainant's mark.

The passive holding of the disputed domain name at the time of filing of the Complaint does not prevent a finding of bad faith in the circumstances of this case, for the reasons set out above. WIPO Overview 3.1, section 3.3.

In the absence of any evidence or explanation from the Respondent, the Panel finds that the registration and use of the disputed domain name has been for bad faith purposes.

Accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) 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 <holetox.com> be transferred to the Complainant.

/Colin T. O'Brien/
Colin T. O'Brien
Sole Panelist
Date: July 16, 2026