

ADMINISTRATIVE PANEL DECISION

Manic Panic N.Y.C., Inc. v. meyery meyery
Case No. D2026-2481

1. The Parties

Complainant is Manic Panic N.Y.C., Inc., United States of America (“United States”), represented by Tarter, Krinsky & Drogin LLP, United States.

Respondent is meyery meyery, United States.

2. The Domain Name and Registrar

The disputed domain name <manicpanichair.com> is registered with TuringSign Inc. d/b/a Cosmotown (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 8, 2026. On June 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 11, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on June 11, 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 June 11, 2026.

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 June 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 2, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on July 3, 2026.

The Center appointed Jeffrey D. Steinhardt as sole panelist in this matter on July 14, 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 distributes, markets, and sells hair dye, hair care, and cosmetic products. Complainant owns several registrations for its MANIC PANIC marks, including for example United States Trademark Registration No. 3771094, registered in class 44 on April 6, 2010, and United States Trademark Registration No. 1897249, registered in Class 3 on June 6, 1995.

The disputed domain name was registered April 23, 2026. At the time the Complaint was filed, the disputed domain name resolved to a website offering for sale numerous haircare and other products that appear to bear Complainant's MANIC PANIC registered marks and using as the website's favicon the same logo as used for the Complainant's official site.

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 Respondent uses the disputed domain name to resolve to a website which, without authorization, appears very similar in design and style to Complainant's authentic website, displays Complainant's trademarked products, and uses the MANIC PANIC marks and several other trademarks belonging to Complainant. Complainant also alleges that the products offered on the website may be counterfeit, without submitting evidence to support that allegation.

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 a trademark 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, the term "hair") may bear on assessment of the second and third elements, the Panel finds that the addition of that 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 that the first element of paragraph 4(a) 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 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.

In this case, Complainant has submitted unopposed evidence that Respondent is using the MANIC PANIC trademark in the disputed domain name and for its website. The website is quite similar in design to Complainant’s authentic website and offers what appear to be Complainant’s products without Complainant’s authorization.

Having reviewed the available record, the Panel finds that 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.

Panels have held that the use of a domain name for illegitimate activity (here, passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel finds that the second element of Policy paragraph 4(a) has also 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 uses the disputed domain name (which includes Complainant’s trademark) without authorization for a website that appears to be an official website offering Complainant’s products. Respondent’s addition of the word “hair” to the MANIC PANIC mark in the disputed domain name also makes obvious that Respondent is targeting Complainant’s marks and business.

The Panel finds that Respondent has “intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the complainant’s mark” in the sense of paragraph 4(b)(iv) of the Policy (listing exemplary instances of bad faith).

Panels have held that the use of a domain name for illegitimate activity (here, passing off) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds that Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the third element of paragraph 4(b) of the Policy has been established.

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 <manicpanichair.com> be transferred to Complainant.

/Jeffrey D. Steinhardt/

Jeffrey D. Steinhardt

Sole Panelist

Date: July 28, 2026