ADMINISTRATIVE PANEL DECISION

First Hawk Street LLC v. fs grge, bhv
Case No. D2026-2482

1. The Parties

Complainant is First Hawk Street LLC, United States of America ("United States" or "U.S."), represented by Sideman & Bancroft, LLP, United States.

Respondent is fs grge, bhv, United States.

2. The Domain Name and Registrar

The disputed domain name <cecreddsell.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 9, 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 10, 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 (Redacted for privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to Complainant on June 10, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on June 25, 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 Respondent of the Complaint, and the proceedings commenced on June 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 19, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on August 4, 2026.

The Center appointed Scott R. Austin as the sole panelist in this matter on August 6, 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 following facts appear from the Complaint (as amended) and its attached Annexes, which have not been contested by Respondent, and provide evidence sufficient to support:

Complainant is a Delaware limited liability company that since February 20, 2024, has marketed hair-care products under the trademark CÉCRED (the "CÉCRED Mark") through its exclusive licensee, Kirby Beauty LLC d/b/a Cecred. Complainant offers shampoos, conditioners, treatment masks, oils, styling products, and related hair-care products formulated for a range of hair types and textures. Complainant shows that its product lines use patent-pending Bioactive Keratin Ferment technology and that the brand holds 16 pending patents relating to tools, packages, and technology.

Following its direct-to-consumer launch, Complainant made its retail debut with Ulta Beauty in April 2025, when its Foundation Collection became available in more than 1,500 Ulta Beauty stores in the United States and online through its official website accessed through its official domain name <cecred.com> (the "Official CÉCRED Website), and uses "@cecred.com" email addresses in its business. Complainant shows that it ships its hair-care products under the CÉCRED Mark internationally to 55 countries across North America, Europe, the Caribbean, Africa, the Middle East, and Asia.

Complainant further documents substantial and accelerated publicity and industry recognition of the CÉCRED Mark, receiving more than 52 product-focused awards, including Cosmopolitan's 2024 Holy Grail Beauty Award for Best Hair Care Game Changer, the Women's Health Beauty Award for Best Hair Mask, and recognition as "Brand of the Year, Prestige" at the 2025 WWD Beauty Inc Awards.

Complainant has submitted evidence of registered trademark rights in the CÉCRED Mark in the United States and other jurisdictions, including:

United States Trademark Registration No. 7836661, CÉCRED, filed June 16, 2022, and registered on June 17, 2025, for a range of hair care preparations and shampoo, and a range of cosmetic carrying bags in International Classes 3 and 18, claiming a first use date at least as early as February 20, 2024.

United States Trademark Registration No. 8238590, CÉCRED, filed April 21, 2025, and registered on May 5, 2026, for "bottles sold empty" in International Class 21, claiming a first use date at least as early as February 20, 2024.

United States Trademark Registration No. 8393055, CÉCRED, filed June 16, 2022, and registered on August 11, 2026, for a range of hair care, hair styling and related products in in International Classes 4, 5, 21 and 25, and claiming a first use date at least as early as September 12, 2024; and

Mexico Trademark Registration No. 2613410, CÉCRED, filed October 26, 2022, and registered on October 17, 2023, for a range of hair care preparations in International Class 3.

Complainant has also submitted evidence of pending applications for U.S. Trademark Registration of its CÉCRED Mark (the "Pending Applications") as well as a number of U.S. state registrations (as opposed to U.S. federal registrations) for consideration by the Panel as evidence of its efforts to obtain statutory rights in the CÉCRED Mark.

Respondent registered the disputed domain name on April 22, 2026. Complainant shows that as of the filing of the Complaint, the disputed domain name resolved to what is generally referred to as a "copycat" website which displayed pages with content strikingly similar to the Official CÉCRED Website, including the CÉCRED

Mark and product imagery, offering CÉCRED Mark products at discount prices purportedly to further a phishing scheme where the website returned an error message after users entered personal and financial information to proceed through the purchase process, rather than completing the transaction. As of June 29, 2026, the disputed domain name resolved to an inactive website which returned a "502 Bad Gateway" / inaccessible-site message. The Panel's independent investigation of the disputed domain name found that as of the date visited, August 17, 2026, the website appeared to be no longer active. Numerous cases support a panel's power to undertake such limited factual research, and the Panel has, in its discretion, examined the disputed domain name as well as the United States Patent and Trademark Office ("USPTO") database for the current status of Complainant's U.S. trademark applications and registrations data.[1]

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: 1) that the disputed domain name is confusingly similar to Complainant's CÉCRED Mark because it incorporates the CÉCRED Mark in its entirety, adds an additional letter "d," and appends the term "sell", which does not prevent a finding of confusing similarity; 2) that Respondent has no rights or legitimate interests in the disputed domain name, nor has Respondent ever been commonly known by the disputed domain name; and 3) that the disputed domain name was registered and is used in bad faith because Respondent used the disputed domain name to impersonate Complainant to gather personal and financial information.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on Complainant to make out its case, and it is apparent from the terms of the Policy that Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer or cancel a domain name. As the proceedings are administrative, the standard of proof under the Policy is often expressed as the "balance of the probabilities" or "preponderance of the evidence" standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. WIPO Overview 3.1, section 4.2.

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[1] "Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention. This may include visiting the website linked to the disputed domain name in order to obtain more information about the respondent or its use of the domain name […] or accessing trademark registration databases." WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.8. See *e.g.*, *Humble Bundle, Inc. v. Domain Admin, Whois Privacy Corp.*, WIPO Case No. D2016-0914; and *Creative NetVentures, Inc. v. Webheads*, WIPO Case No. D2000-1655.

Thus, for Complainant to succeed it must prove within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
2. Respondent has no rights or legitimate interests in respect of the disputed domain name; and3. The disputed domain name has been registered and is being used in bad faith.

The Panel finds that Complainant has met its burden in all three elements of the Policy and will deal with each of these elements in more detail below.

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 3.1, section 1.7.

Complainant has shown rights in respect of the CÉCRED Mark for purposes of the Policy. A national or regional trademark registration is prima facie evidence of trademark rights. WIPO Overview 3.1, section 1.2.1. See also *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. D2014-0657; see also *Janus Int'l Holding Co. v. Rademacher*, WIPO Case No. D2002-0201. Given the Panel's ability to rely on the registrations supporting Complainant's statutory trademark rights, the Panel has given no weight or consideration to the Pending Applications or U.S. state registrations submitted, which is typically the case under the Policy. WIPO Overview 3.1, sections 1.1.4 and 1.2.2..

The Panel also notes that for purposes of the first element assessment, it is not necessary that a complainant's trademark rights predate the registration of the domain name concerned. All that is required is that such rights are in existence at the time the complaint is filed. WIPO Overview 3.1, section 1.1.3.

The Panel notes that of the four registrations listed in Section 4 above, three had been registered and were valid at the time of the filing of the Complaint.

With Complainant's rights in the CÉCRED Mark established, the remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to Complainant's CÉCRED Mark. Complainant contends that the disputed domain name is nearly identical and confusingly similar to Complainant's CÉCRED Mark.

Complainant's CÉCRED Mark is essentially incorporated in its entirety in the disputed domain name except for Respondent duplicating the letter "d" at the end, and appending the term "sell", followed only by the generic Top-Level Domain ("gTLD") ".com". Prior UDRP panels have held "in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing." See*, L'Oréal, Lancôme Parfums et Beauté & Cie v. Jack Yang,* WIPO Case No. D2011-1627; see also*, Wal-Mart Stores, Inc. v. Richard MacLeod d/b/a/ For Sale,* WIPO Case No. D2000-0662. Prior UDRP panels have also found the Top-Level Domain, being viewed as a standard registration requirement, may typically be disregarded under the paragraph 4(a)(i) analysis. See WIPO Overview 3.1, section 1.11.1; see also *L'Oréal v. Tina Smith,* WIPO Case No. D2013-0820.

The additional letter "d" is also consistent with decisions by prior UDRP panels who have found a minor variation involving a repeated final letter added to a complainant's mark does not prevent a finding the disputed domain name is confusingly similar to the CÉCRED Mark. See WIPO Overview 3.1, section 1.9.; and see also *Edmunds.com, Inc. v. Digi Real Estate Foundation,* WIPO Case No. D2006-1043 (<edmundss.com>, addition of a letter "s" to complainant's mark).

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, where a complainant makes out a prima facie case that a respondent lacks rights or legitimate interests, the burden of production shifts to respondent to come forward with relevant evidence demonstrating rights or legitimate interests, while the ultimate burden of proof remains on complainant. If respondent fails to come forward with such relevant evidence, complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

Complainant has established a prima facie case.

First, the record contains no evidence that Respondent has been commonly known by "Cécred," "cecreddsell," or any corresponding name or domain name; Complainant has not authorized Respondent to use the CÉCRED Mark; and Respondent has not come forward with evidence of any bona fide offering of goods or services or legitimate noncommercial or fair use. Respondent has not rebutted Complainant's prima facie showing.

Respondent's composition of the disputed domain name also weighs against a potential claim of fair use. A domain name consisting of a trademark plus an additional term cannot constitute fair use where, as the record shows, it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. The term "sell," combined with the CÉCRED Mark in a domain name resolving to a purported CÉCRED branded retail site, reinforces an implied affiliation. WIPO Overview 3.1, sections 2.5.1 and 2.5.2.

More significantly, the record supports Complainant's allegation that the disputed domain name was used for a copycat website displaying Complainant's branding and product imagery, offering purported products at substantially discounted prices, and soliciting personal and financial information during checkout. The website allegedly returned an error message after users provided such information rather than completing the purported transaction.

Prior UDRP panels have categorically held that use of a domain name for phishing, copycat sites, passing off, or other fraud can never confer rights or legitimate interests. WIPO Overview 3.1, section 2.13.1. See *Frankie Shop LLC v. Domain Protection Services Inc. / My Mo,* WIPO Case No. D2022-0825; see also *Publix Asset Management Company v. WhoisGuard, Inc. / Entrep, David Levey / Mr. Dunaway*, WIPO Case No. D2013-1349.

The record also contains the types of circumstantial evidence identified in WIPO Overview 3.1, section 2.13.2, including allegedly disproportionate pricing, misappropriated website imagery, and the use of privacy-shielded registration data before registrar disclosure.

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. Bad faith is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. WIPO Overview 3.1, section 3.1.

The Panel finds on the balance of probabilities that Respondent registered the disputed domain name with Complainant and its CÉCRED Mark in mind. The disputed domain name was registered well after Complainant's initial registration of the CÉCRED Mark, the launch and expansion of the CÉCRED brand through 1500 U.S. stores, global distribution in 55 countries and after Complainant's use of <cecred.com> to access its website and established its online presence through which Complainant received substantial and accelerated recognition as shown by its numerous 2025 awards in the hair care industry.

More importantly, the disputed domain name incorporates the CÉCRED Mark with only an added letter and the commercial term “sell,” and Respondent’s associated website reproduced Complainant’s branding and product imagery. These circumstances demonstrate targeting and knowledge of Complainant’s CÉCRED Mark at registration. WIPO Overview 3.1, sections 3.2.1 and 3.2.2.

Respondent’s use also establishes bad faith. The evidence shows an attempt to attract Internet users to a website presented as a CÉCRED retail outlet by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement. The website’s impersonation of Complainant and solicitation of users’ personal and financial information through a purported purchase process are inconsistent with any plausible good-faith use and support a finding under paragraph 4(b)(iv) of the Policy. WIPO Overview 3.1, section 3.1.4.

Prior UDRP panels have held that phishing, impersonation, and copycat-site schemes constitute bad-faith use. WIPO Overview 3.1, section 3.4. See e.g., *Accor v. SANGHO HEO / Contact Privacy Inc.*, WIPO Case No. D2014-1471; and *Phoenix Group Management Services Limited v. Name Redacted*, WIPO Case No. D2024-3829. See also *Publix Asset Management Company v. WhoisGuard, Inc. / Entrep, David Levey / Mr. Dunaway*, *supra*.

The fact that the disputed domain name later became inaccessible does not negate Respondent’s prior active use shown in the record, and the Panel therefore need not reach nor rely on the doctrine of passive holding under WIPO Overview 3.1, section 3.3.

Having reviewed the record, the Panel finds bad faith registration and use of the disputed domain name by Respondent under the Policy and finds, therefore, that the third element 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 <cecreddsell.com> be transferred to Complainant.

/Scott R. Austin/
Scott R. Austin
Sole Panelist
Date: August 20, 2026