ADMINISTRATIVE PANEL DECISION

First Hawk Street LLC v. mingquan sun
Case No. D2026-3120

1. The Parties

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

The Respondent is mingquan sun, China.

2. The Domain Name and Registrar

The disputed domain name <cecredhairdrops.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 July 16, 2026. On July 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 17, 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 (Registrant Unknown / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 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 on July 23, 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 the Respondent of the Complaint, and the proceedings commenced on July 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 21, 2026.

The Center appointed Masato Dogauchi as the sole panelist in this matter on August 25, 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 Delaware company with the main office in California, United States. It has been doing business in hair care products formulated for all hair types and textures. CÉCRED is one of the brands owned by the Complainant. CÉCRED products are shipped not only in the United States but also in 55 countries worldwide.

The Complainant has registered CÉCRED trademarks, such as:

- United States Trademark Registration No. 97978999 for CÉCRED, registered on June 17, 2025; and
- International Trademark Registration No. 1814364 for CÉCRED, registered on August 6, 2024.

The Complainant also owns and operates the domain name <cecred.com>.

The disputed domain name was registered on June 1, 2026. It resolves to a website displaying the Complainant's legitimate product imagery. The products displayed on the website are offered at prices disproportionately below market value. Some sections of the website contain placeholder text.

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.

B. Respondent

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

6. Discussion and Findings

In accordance with the Rules, paragraph 15(a), a panel shall decide a case on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Since the Respondent has not made any substantive arguments in this case, the following decision is rendered on the basis of the Complainant's contentions and other evidence submitted by the Complainant.

In accordance with the Policy, paragraph 4(a), in order to qualify for a remedy, the Complainant must prove each of the following:

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

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

(iii) the disputed domain name has been registered and is being used 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 for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name includes the entirety of the trademark CÉCRED owned by the Complainant and is clearly recognizable in it. The additional terms "hair", "drops" do not prevent a finding of confusing similarity and the generic Top-Level Domain ("gTLD"), ".shop" in the disputed domain name may be disregarded in determining the first element. WIPO Overview 3.1, sections 1.8 and 1.11.1.

Taken together, the disputed domain name is confusingly similar to the trademark in which the Complainant has rights. Accordingly, 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 with 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 disputed domain name resolves to a website purportedly selling the Complainant's products at discounted prices, displaying the Complainant's product imagery, all without an indication of its lack of relationship with the Complainant. Noting the lack of disclaimer on the website which the disputed domain name resolves to, the impersonating nature of the disputed domain name is reinforced and as such, the disputed domain name cannot qualify as fair use.

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 been doing business in hair care products formulated for all hair types and textures and CÉCRED is one of its brands.

The Panel finds it unlikely that the disputed domain name was registered on June 1, 2026 without knowledge of the Complainant and its trademark, given the reputation of both the Complainant and the trademark, and also considering the subsequent use of the disputed domain name. The Respondent's aim in registering and using the disputed domain name appears to be to attract Internet users to an online location for potential gain by taking unfair advantage of, and creating a likelihood of confusion with, the Complainant's well-known trademark.

With regard to the requirement that the disputed domain name is being used in bad faith, the Panel notes that, according to the evidence submitted by the Complainant, the disputed domain name resolves to the website selling products resembling the Complainant's CÉCRED branded products (and displays the Complainant's product images) at prices disproportionately below market value, without any indication of its lack of relationship with the Complainant. The Panel finds that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark. WIPO Overview 3.1, section 3.1.4.

Accordingly, the Panel finds 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 <cecredhairdrops.shop> be transferred to the Complainant.

/Masato Dogauchi/
Masato Dogauchi
Sole Panelist
Date: September 8, 2026