

## **ADMINISTRATIVE PANEL DECISION**

SUPERCUTS, Inc v. jaya mega  
Case No. D2026-3230

### **1. The Parties**

The Complainant is SUPERCUTS, Inc, United States of America, represented by FBT Gibbons LLP, United States of America ("United States" or "U.S.").

The Respondent is jaya mega, Indonesia.

### **2. The Domain Name and Registrar**

The disputed domain name <supercutsfranchise.com> is registered with Network Solutions, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 22, 2026. On July 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 23, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on August 3, 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 August 6, 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 August 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 31, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 4, 2026.

The Center appointed Federica Togo as the sole panelist in this matter on September 9, 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**

It results from the Complainant's undisputed allegations that it is a wholly owned subsidiary and one of the flagship franchises of Regis Corporation<sup>1</sup>, which offers franchising opportunities on the core salon brands - amongst others – on SUPERCUTS.

The Complainant - SUPERCUTS, Inc. - was founded in California in 1975 and is one of the established U.S. hair salon franchises with a legacy of over 50 years in the hair salon industry. To capitalize on its instant success, the Complainant began franchising its salons in 1978. The Complainant's successful franchise model allowed for it to greatly expand its consumer base, and by the mid 1980's, hundreds of Supercuts branded franchise locations had been opened throughout the United States. Today, the Complainant is one of the salon industry leaders in haircare services, with over 33 million customer visits per year for haircutting, styling, and related haircare service needs. The Complainant has over 1,800 no appointment salons across the United States, with additional locations in Puerto Rico and Canada. The Complainant and its predecessors-in-interest have used the SUPERCUTS mark continuously and exclusively for nearly 50 years in connection with the promotion and offering of haircare services.

The Complainant is the registered owner of trademarks for SUPERCUTS, e.g. United States trademark registration no. 1488847 SUPERCUTS, registered on May 17, 1988 for services in class 42; United States trademark registration no. 1509507 SUPERCUTS, registered on October 18, 1988 for services in class 35.

It operates the domain name <supercuts.com> for its official website, promoting and providing further information about its services, salon locations, and links to additional information regarding franchise opportunities.

The disputed domain name <supercutsfranchise.com> was registered on November 23, 2010. Furthermore, the undisputed evidence provided by the Complainant proves that the disputed domain name previously resolved to a website purported to provide information about salon franchise opportunities with the Complainant's parent company, Regis Corporation. In particular, it mimicked the appearance of the Complainant's parent organization's website located at <regiscorp.com/franchise-overview>, including but not limited to the same color scheme, type style, and images. At the time of filing the Complaint, the disputed domain name resolved to an 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 the disputed domain name <supercutsfranchise.com> is confusingly similar to the SUPERCUTS trademark as it incorporates the SUPERCUTS trademark in its entirety. The addition of the descriptive term "franchise" does nothing to obviate the impact of this confusion. The Complainant's trademark is still recognizable in the disputed domain name.

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<sup>1</sup> See "<https://www.regiscorp.com/the-regis-story>".

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent is neither a licensee nor franchisee of the Complainant, nor is the Respondent otherwise currently affiliated with the Complainant. The Respondent is under no contractual relationship with the Complainant to either provide information about the services provided at SUPERCUTS branded hair salons or any franchise opportunities that may be available with the Complainant to operate a SUPERCUTS branded hair salon, and is therefore not acting in a bona fide offering of services in connection with the disputed domain name. Further, the prior web content associated with the disputed domain name (when accessible) closely mimicked the appearance of the Complainant's parent organization's website located at <regiscorp.com/franchise-overview>, including but not limited to the same color scheme, type style, and images, which only furthers the likelihood that consumers will perceive a connection or association between the disputed domain name and the Complainant, of which there is none. Consequently, the disputed domain name is likely to confuse customers by suggesting that the website associated with the disputed domain name is owned, operated, or sponsored by the Complainant in the promotion of its network of franchised hair salons. Indeed, actual confusion has occurred given the demands the Complainant received with respect to an allegedly infringing font being used on the website associated with the disputed domain name without authorization from the purported rights holder.

In fact, the Complainant provided evidence that it recently became aware of the disputed domain name after receiving a series of correspondence from the Licensing Department of Font Radar (a web-crawling service that is used by font designers to track unlicensed font usage) regarding potentially unlicensed fonts appearing on the website to which the disputed domain name resolved. After these communications from Font Radar, the Complainant's counsel informed Font Radar that the Complainant was not the registrant of the disputed domain name.

Finally, the Respondent does not meet the Oki Data requirements<sup>2</sup>: the Respondent is not offering the services at issue at the Respondent's website (when accessible) and provided no information whatsoever as to the identity of the operator of the website.

Furthermore, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the conclusion is inescapable that the Respondent registered the disputed domain name without any legitimate right or interest in using that domain and is holding it in bad faith to confuse consumers who are seeking information regarding services offered by the Complainant.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that each disputed domain name be transferred or cancelled:

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

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<sup>2</sup> See *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

### **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 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 "franchise", may bear on assessment of the second and third elements, the Panel finds the addition of such 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 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 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.

According to the Complaint, which has remained unchallenged, the Complainant has no relationship in any way with the Respondent and, in particular, did not authorize the Respondent's use of its trademarks SUPERCUTS by registering the disputed domain name comprising the said trademark entirely, followed by the descriptive term "franchise", which by itself trigger an inference of affiliation with the Complainant. Furthermore, the Panel notes that there is no evidence showing that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

Finally, it results from the Complainant's non-contested evidence that the disputed domain name resolved to a website purported to provide information about salon franchise opportunities with the Complainant's parent company, Regis Corporation, and which did not accurately and prominently disclose the lack of the Respondent's relationship with the Complainant. In particular, it mimicked the appearance of the Complainant's parent organization's website <regis.com/franchise-overview>, including but not limited to the

same color scheme, type style, and images, which only furthers the likelihood that consumers will perceive a connection or association between the disputed domain name and the Complainant, of which there is none. Since this use is clearly commercial, it cannot be considered a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue pursuant to paragraph 4(c)(iii) of the Policy.

Furthermore, such use cannot be qualified a bona fide offering of goods or services in accordance with paragraph 4(c)(i) of the Policy and the Oki Data test (e.g. *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)) as it is misleading and diverting consumers, making them erroneously believe that the Respondent is an authorized dealer, and/or franchisee of the Complainant and/or the Complainant's parent company's services. This is reinforced by the following facts: (1) the Respondent did not add any note, information or disclaimer pointing out that it actually has no relationship with the Complainant nor with the Complainant's parent company, (2) the Respondent does not actually offer the Complainant's services and (3) the website is accessible under a disputed domain name that comprises the Complainant's trademarks SUPERCUTS entirely.

See also [WIPO Overview 3.1](#), section 2.8.1: "Panels have recognized that resellers, distributors, or service providers using a domain name containing the complainant's trademark to undertake sales or repairs related to the complainant's goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. Outlined in the 'Oki Data test', the following cumulative requirements will be applied in the specific conditions of a UDRP case: (i) the respondent must actually be offering the goods or services at issue; (ii) the respondent must use the site to sell only the trademarked goods or services; (iii) the site must accurately and prominently disclose the registrant's relationship with the trademark holder; and (iv) the respondent must not try to 'corner the market' in domain names that reflect the trademark. The Oki Data test does not apply where any prior agreement, express or otherwise, between the parties expressly prohibits (or allows) the registration or use of domain names incorporating the complainant's trademark".

In addition, the Complainant provided evidence that it recently became aware of the disputed domain name after receiving a series of correspondence from the Licensing Department of Font Radar (a web-crawling service that is used by font designers to track unlicensed font usage) regarding potentially unlicensed fonts appearing on the website to which the disputed domain name resolved. Indeed, the Complainant was not the registrant of the disputed domain name.

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 it results from the Complainant's documented allegations that the disputed domain name (entirely including the Complainant's trademark and company name) resolved to a website purported to provide information about salon franchise opportunities with the Complainant's parent company. In particular, it mimicked the appearance of the Complainant's parent organization's website, including but not limited to the same color scheme, type style, and images. For the Panel, it is therefore evident that the Respondent knew the Complainant's mark.

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 a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

In this regard, the further circumstances surrounding the disputed domain name's registration and use confirm the Panel's findings that the Respondent has registered and is using the disputed domain name in bad faith:

- (i) the nature of the disputed domain name (wholly incorporating the Complainant's mark (and company name) followed by a descriptive term in the Complainant's core business);
- (ii) the content of the website to which the disputed domain name resolves (i.e. mimicked the appearance of the Complainant's parent organization's website);
- (iii) a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name.

The Panel finds that the 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 <supercutsfranchise.com> be transferred to the Complainant.

*/Federica Togo/*

**Federica Togo**

Sole Panelist

Date: September 22, 2026