

ADMINISTRATIVE PANEL DECISION

AmpHP, Inc. v. Amy Wang
Case No. D2026-3243

1. The Parties

The Complainant is AmpHP, Inc., United States of America ("US"), represented by McGrath North Mullin & Kratz, PC LLO, US. The Respondent is Amy Wang, US.

2. The Domain Name and Registrar

The disputed domain name <getlivemomentous.online> is registered with NameSilo, LLC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 23, 2026. On July 23, 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 disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Withheld for Privacy ehf and/or the true underlying registrant of <getlivemomentous.online>) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 27, 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 amendment to the Complaint on July 30, 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 the Respondent of the Complaint, and the proceedings commenced on August 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 25, 2026.

The Center appointed Dennis A. Foster as the sole panelist in this matter on August 28, 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 State of Delaware, US company with a business address in the State of Utah, US. The Complainant is in the business of selling nutritional supplements over the Internet from its website at <livemomentous.com>.

The Complainant has exhibited a copy of the US registered trademark MOMENTOUS, Registration No. 5755404; Registration Date May 21, 2019; International Classes 5 for nutritional supplements, and 35 for providing nutritional supplements information on the Internet.

Although the trademark registration certificate submitted with the Complaint identifies Project One Nutrition, Inc. as the registered owner, the Panel notes that the United States Patent and Trademark Office ("USPTO") database reflects the Complainant as the current registered owner of the trademark. As noted by the Panel, publicly available information establishes that Project One Nutrition, Inc. and the Complainant AmpHP, Inc. merged on June 29, 2021, after which the MOMENTOUS business and branding continued under the Complainant's control.

The Respondent is purportedly an individual who registered the disputed domain name on July 10, 2026. According to the Complaint, the disputed domain name provides online retail store services that offer nutritional supplement products for sale but did not submit a screen capture of the disputed domain name. At the time of this Decision, the disputed domain name does not resolve to an active 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 as follows.

- The disputed domain name is identical or confusingly similar to the Complainant's MOMENTOUS trademark because the dominant word is the Complainant's trademark.
- The Respondent has no rights or legitimate interests in the disputed domain name.
- The Respondent is not commonly known by the disputed domain name, and is not authorized or licensed to use the Complainant's trademark for nutritional supplements or online retail store sales.
- The Respondent's use of the disputed domain name is the same as, and in competition with, the Complainant's use for its trademark, and therefore not a bona fide offering of goods or services.
- The Respondent's conduct indicates an intent to exploit the Complainant's trademark rights for commercial gain in bad faith.

B. Respondent

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

6. Discussion and Findings

Pursuant to Policy paragraphs 4(a)(i), (ii), and (iii), the Panel may render a decision for the Complainant and grant a transfer of the disputed domain name, if the Complainant shows that:

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

A. Identical or Confusingly Similar

The record shows a US trademark registration for MOMENTOUS. As noted above, the USPTO database confirms the Complainant is the current registered owner of the mark following a corporate merger with the original registrant, Project One Nutrition, Inc. .

The disputed domain name incorporates the MOMENTOUS mark in its entirety. The Respondent's addition of the terms "get" and "live" does not prevent the mark from being recognizable within the disputed domain name. Panels have consistently found that where the relevant trademark is recognizable in the disputed domain name, the addition of other terms, whether descriptive, geographical, pejorative, meaningless, or otherwise, does not avoid a finding of confusing similarity. See WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), sections 1.7 and 1.8. The generic Top-Level Domain ".online" is disregarded for purposes of the comparison under the first element, consistent with [WIPO Overview 3.1](#), section 1.11.1.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights per Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

The Complainant has asserted that it has not authorized the Respondent to use the MOMENTOUS mark, that the Respondent is not commonly known by the disputed domain name, and that there is no evidence of a bona fide offering of goods or services or of legitimate noncommercial or fair use. These assertions, together with the composition of the disputed domain name, are sufficient to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests. [WIPO Overview 3.1](#), section 2.1.

The Respondent has not filed a Response and has not provided any evidence per Policy paragraphs 4(c)(i), (ii) or (iii) that she has made demonstrable preparations to use the disputed domain name for a bona fide offering of goods or services, or that she is commonly known by the disputed domain name. Nor does the composition of the disputed domain name suggest a legitimate fair use. Rather, the combination of "get", "live", and the MOMENTOUS mark suggests an association with the Complainant and its existing online nutritional supplements business at the domain name <livemomentous.com>.

On the un rebutted record in this case, and in the absence of any circumstances falling within paragraph 4(c) of the Policy, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name per Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

Under Policy paragraph 4(a)(iii), the Complainant must establish that the disputed domain name was registered and being used in bad faith. Policy paragraph 4(b) lays out four non-exhaustive circumstances in which a Panel may find bad faith in registration and use of a disputed domain name.

In the present case, the disputed domain name wholly incorporates the Complainant's mark and is confusingly similar to the Complainant's established business domain name <livemomentous.com>. This configuration is unlikely to be coincidental, and instead suggests that the Respondent had the Complainant and its mark in mind when registering the disputed domain name.

[WIPO Overview 3.1](#), section 3.1, confirms that bad faith may be found where the circumstances indicate that a respondent registered a disputed domain name to target a complainant's mark. Here, the incorporation of the MOMENTOUS mark together with the words "get" and "live" points toward an intentional attempt by the Respondent to take advantage of the Complainant's branding and Internet business.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel therefore finds that the disputed domain name was registered and is being used in bad faith per Policy paragraph 4(a)(iii).

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 <getlivemomentous.online> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: September 11, 2026