ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

FIRN v. Wyatt Remington, Azariah Stokes, Raymond Gonzalez, Corvettia Mclaughlin, Jesse Reed, Aria Martin and John Johnson
Case No. D2026-3318

1. The Parties

The Complainant is FIRN, France, represented by Ooslo Avocats, France.

The Respondents are Wyatt Remington, Azariah Stokes, Raymond Gonzalez, Corvettia Mclaughlin, Jesse Reed, Aria Martin and John Johnson, all United States of America (the “United States”).

2. The Domain Names and Registrar

The disputed domain names <firnbeautyworld.shop>, <firncare.shop>, <firncosmetics.shop>, <purefirn.shop>, <shopfirn.shop>, <thefirnstyle.shop> and <tryfirn.shop> (the “Domain Names”) are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 27, 2026. On July 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On July 30, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint.

The Center sent an email communication to the Complainant on July 30, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to file separate complaints for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all Domain Names are under common control. The Complainant filed an amended Complaint on August 4, 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 Respondents of the Complaint, and the proceedings commenced on August 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 26, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on August 27, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on August 31, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant manufacturers and sells cosmetic products under its brand FIRN.

The Complainant owns French trademark registration no. 8. 5115495 (filed on January 24, 2025, registered on May 9, 2025) and International trademark registration no.1879014 (registered on July 21, 2025), designating, among others, the European Union, Switzerland, the United Kingdom and the United States. The Complainant also owns the domain names <firn.com> (registered on April 18, 1998), <firn-biotechnology.com> (registered on February 13, 2025) and <firnbiotechnology.com> (registered on February 13, 2025).

The Respondents' Domain Names have been registered between May 6 and July 23, 2026. The Complainant documents that the Domain Names have resolved to websites purportedly offering the same products as the Complainant's. The websites reproduced the Complainant's FIRN trademark and had a similar layout to the Complainant's website at "www.firn.com". At the time of this Decision, the Domain Names appear to resolve inconsistently, including to warning pages blocking access and/or to the pay-per-click websites.

5. Parties' Contentions

A. Complainant

The Complainant argues that that the Domain Names are under common control of the same person or entity and should be consolidated in the same procedure. All Domain Names reproduce the Complainant's trademark in its entirety, were registered with the same registrar within a short timeframe, resolved to websites displaying substantially identical content and purportedly offering of products bearing the Complainant's mark. All Domain Names were initially shielded behind the same privacy service. Each of the seven Domain Names is formed by combining the Complainant's FIRN trademark with a generic or descriptive term. There are also similarities in the disclosed registrant details, for example similar Outlook email address formats.

The Complainant asserts that there are striking similarities between its FIRN trademark and the Domain Names. Each of the Domain Names contains an exact reproduction of the Complainant's trademark, with the addition of the terms "style", "pure", "cosmetics", "shop", "beauty", "world", "care", "try" and "the". The additions only reinforce the impression of affiliation between the Domain Names and the Complainant. The Domain Names are confusingly similar to the Complainant's prior trademark rights.

The Complainant argues that the Respondents have no rights or legitimate interests in respect of the Domain Names. The Respondents use them for the purpose of deceiving and diverting the Complainant's customers. The Respondents have not made a legitimate, noncommercial or fair use of the Domain Names. The use of the Domain Names for websites offering products and services identical to those of the Complainant demonstrates that the Respondents sought to take advantage of the Complainant's and its prior trademarks.

The Complainant argues that the Respondents had the Complainant in mind at the time of registration of the Domain Names as the Complainant enjoys significant reputation and the registrations of the Complainant's trademarks predate the Respondents' registration of the Domain Names. The knowledge of the Complainant by the Respondents is further underlined by the Respondents' unauthorized use of the Complainant's trademark on the Respondents' websites. The Complainant argues that the Respondents' use of the Domain Names is also evidence of bad faith use. The Domain Names were registered and used in bad faith, to the detriment of the Complainant's prior rights, notwithstanding the temporary deactivation of the websites.

B. Respondents

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

6. Discussion and Findings

6.1. Consolidation

The Complaint was filed in relation to nominally different domain name registrants. The Complainant argues that the domain name registrants are the same entity or under common control. The Complainant requests consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules. Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1"), section 4.11.2.

As regards the common control, the Panel notes that the Domain Names were registered within a short time span with the same Registrar and the same privacy service. The Domain Names reproduce the Complainant's trademark in its entirety with an added generic or descriptive term. The Domain Names have resolved to websites purportedly offering products bearing the Complainant's trademark. There are also similarities in the disclosed registrant details, for example similar Outlook email address formats. The above points to the conclusion that the Domain Names are under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. The different domain name registrants have not objected to the Complainant's consolidation request.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to as "the Respondent") in a single proceeding.

6.2. Substantive Issues

A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. See WIPO Overview 3.1, section 1.7.

The Complainant has established registered trademark rights in the FIRN trademark. The Domain Names incorporate the Complainant's trademark with the added terms "style", "pure", "cosmetics", "shop", "beauty", "world", "care", "try" and "the". The additions do not prevent a finding of confusing similarity between the Domain Names and the trademark. WIPO Overview 3.1, section 1.8. For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may disregard the Top-Level Domains. See WIPO Overview 3.1, section 1.11.1.

Based on the available record, 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. While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See WIPO Overview 3.1, section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a case that the Respondent lacks rights or legitimate interests in the Domain Names. The Respondent has not rebutted the Complainant's showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names. The Respondent is not affiliated with or related to the Complainant. There is no evidence that the Respondent has registered the Domain Names as a trademark or acquired trademark rights. There is no evidence of the Respondent's use or preparations to use, the Domain Names or names corresponding to the Domain Names in connection with a bona fide offering of goods or services. On the contrary, the use of one of the Domain Names, as described above, is evidence of bad faith. Moreover, the composition of the Domain Names by themselves carries a risk of affiliation. See WIPO Overview 3.1, section 2.5.1.

Based on the available record, 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.

The composition and use of the Domain Names indicate that the Respondent was aware of the Complainant and its trademarks when the Respondent registered them. The use of the Domain Names for websites that impersonated the Complainant by purportedly offering the Complainant's products bearing the Complainant's trademark, and with a similar layout to the Complainant's website at "www.firn.com" is clear evidence of bad faith under the Policy.

For the reasons set out above, the Panel concludes that the Domain Names were registered and are being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy.

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 the Domain Names <firnbeautyworld.shop>, <firncare.shop>, <firncosmetics.shop>, <purefirn.shop>, <shopfirn.shop>, <thefirnstyle.shop> and <tryfirn.shop> transferred to the Complainant.

/Mathias Lilleengen/
Mathias Lilleengen
Sole Panelist
Date: September 4, 2026