

ADMINISTRATIVE PANEL DECISION

Brittany Shyne v. Eli Purwati, OKB
Case No. D2026-4166

1. The Parties

The Complainant is Brittany Shyne, United States of America (“United States”), represented by Conley Law, P.C., United States.

The Respondent is Eli Purwati, OKB, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <brittanyshyne.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 16, 2026. On September 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 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 (Name to be confirmed on Registrar verification (registrant identity currently masked by a privacy/proxy service)) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 17, 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 September 18, 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 September 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 14, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on October 19, 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 filmmaker, working particularly in documentary films.

The Complainant registered the disputed domain name on May 27, 2016, and used it in connection with a website promoting her work as a filmmaker and cinematographer. She failed to renew the registration of the disputed domain name on or around May 27, 2026.

The Respondent appears to have registered the disputed domain name on or around July 15, 2026.

As of September 14, 2026, the disputed domain name resolved to an Indonesian-language website headed "KARTUTOTO", offering lottery and gambling services.

5. Parties' Contentions

A. Complainant

The Complainant states that she is an award-winning documentary film director and cinematographer, and that she has worked professionally under her personal name, BRITTANY SHYNE, since 2016.

The Complainant relies on unregistered or common law rights in her personal name, BRITTANY SHYNE. She submits that a personal name used as an identifier in trade or commerce may support such rights, and that it is sufficient for secondary meaning to exist within a particular market niche. She submits that a short thesis film was credited to her by name in 2013, and that her feature documentary *Seeds* won the U.S. Documentary Grand Jury Prize at the 2025 Sundance Film Festival. She also provides evidence of commercial use of her name in the form of invoices and IRS Forms 1099 issued in her name between 2020 and 2026.

The Complainant submits that she operated a website at the disputed domain name for approximately ten years, under the heading "Brittany Shyne/Filmmaker", and that the website received 4,631 visits in 2025, an increase of 627% on the previous year.

The Complainant refers to recognition of her name by industry institutions and the media. Such recognition includes the Full Frame Grand Jury Award, awards from the International Documentary Association and Cinema Eye Honors, a Critics' Choice Documentary Award nomination, and an Academy Award shortlisting for *Seeds*, together with coverage in a number of national publications. The Complainant states that *Seeds* is scheduled for national broadcast on PBS's *Independent Lens* series from October 26, 2026. She also provides examples of third-party festival, press and industry pages (including IMDb) that identify the disputed domain name as her official website.

The Complainant contends that she has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant refers to prior decisions in which panels have recognized common law rights in the personal names of creative professionals, e.g. *Julia Fiona Roberts v. Russell Boyd*, WIPO Case No. [D2000-0210](#), and *Jay Leno v. Garrison Hintz*, WIPO Case No. [D2009-0569](#). She adds that her first use of the name in commerce, and its acquisition of secondary meaning, predate the Respondent's acquisition of the disputed domain name by nearly ten years.

The Complainant submits that the disputed domain name is identical to her BRITTANY SHYNE mark. She states that the disputed domain name reproduces the mark in its entirety, and that the Top-Level Domain (“TLD”) “.com” is to be disregarded for the purposes of comparison.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. She states that she has never authorized or licensed the Respondent to use her name or mark, that the Respondent has no relationship with her, and that the Respondent could not be commonly known by the name BRITTANY SHYNE. The Complainant asserts that the disputed domain name resolves to an Indonesian-language online gambling and lottery website operating under the name “KARTUTOTO”, and that using a domain name that reproduces another’s mark to divert Internet users to unrelated content cannot represent a bona fide offering of goods or services. She further submits that the operation of a commercial gambling website is not a legitimate noncommercial or fair use of the disputed domain name.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. She states that she registered the disputed domain name on May 27, 2016, and held it continuously for approximately a decade as the address of her official website, and that the registration expired on May 27, 2026, following an inadvertent renewal-payment failure. She contends that the Respondent acquired the disputed domain name after her rights had accrued, and after her Sundance prize and the Academy Award shortlisting of *Seeds*.

The Complainant submits that the acquisition of a recognized personal name domain name immediately upon its lapse is evidence of bad faith registration. She refers, e.g., to *June Bug Enterprises, Inc. v. Kyamko*, NAF Claim No. FA0409000337694, in which the panel found the respondent’s actions to be “predatory”. The Complainant submits that her case is stronger than in that case, since she has filed a Complaint within months of the lapse, and not after a delay of nearly four years. She adds that the distinctiveness of the mark, the Respondent’s likely awareness of it, and the absence of any credible good faith reason to register her exact personal name, support an inference that the Respondent had her trademark in mind at the date it acquired the disputed domain name.

The Complainant contends that the Respondent is using the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy. She submits that third-party sources identifying the disputed domain name as her official website now direct Internet users to the “KARTUTOTO” website, for the Respondent’s commercial benefit, and that the Respondent remains responsible for that content even if it is generated automatically. She asserts that the diversion of Internet users seeking a documentary filmmaker to an online gambling website clearly evidences bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (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 does not claim any registered trademark rights in this case, but asserts that she has obtained unregistered or common law trademark rights in her personal name, BRITTANY SHYNE, by virtue of her commercial activities under that name.

As observed in section 1.5.2 of [WIPO Overview 3.1](#):

"The UDRP does not explicitly provide standing for personal names that are not registered or otherwise protected as trademarks. Where a personal name is being used as a trademark (i.e., as a source-identifier in trade or commerce), the complainant may be able to establish unregistered or common law rights in the name for purposes of standing to file a UDRP case where the name is used in commerce as a distinctive identifier of the complainant's goods or services."

The Panel finds in this case that the Complainant has established unregistered or common law rights in the name BRITTANY SHYNE for the purposes of the Policy. She has used that name to promote her personal services as a filmmaker and cinematographer since at least 2016, and used the disputed domain name for the purposes of her own website from May 2016 until May 2026. Her feature documentary *Seeds* won a significant industry award in 2025 and has been shortlisted for an Academy Award. The Panel is satisfied in the circumstances that the name BRITTANY SHYNE has become a distinctive identifier of the Complainant's services within the filmmaking industry.

The disputed domain name is identical to the Complainant's trademark BRITTANY SHYNE, ignoring the TLD ".com", which may typically be disregarded for the purposes of comparison.

The first element under the Policy is therefore 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. The Panel infers, moreover, that the Respondent has used the disputed domain name, which reproduces the Complainant's trademark and previously hosted her official website, misleadingly to divert Internet users seeking the Complainant to an unrelated gambling website, which conduct cannot give rise to rights or legitimate interests on the Respondent's part.

The second element under the Policy is therefore established.

C. Registered and Used in Bad Faith

The Complainant's trademark BRITTANY SHYNE has acquired distinctiveness in relation to her filmmaking services, and the disputed domain name had been used by the Complainant for the purposes of her own website for a period of 10 years prior to the Respondent's acquisition of it. The Respondent has offered no explanation for its registration of the disputed domain name, and the Panel is unable to conceive of any reason for such registration other than to target the Complainant's trademark rights. The Panel infers, in particular, that by registering the disputed domain name, the Respondent hoped to acquire Internet traffic intended for the Complainant, as well as potential back-links, referral traffic and other assets associated with the Complainant's previous operation of the disputed domain name.

The Respondent has used the disputed domain name, which is identical to the Complainant's trademark, for the purposes of a lottery and gambling website which has no connection with the Complainant or otherwise with the name BRITTANY SHYNE. The Panel concludes in the circumstances that the Respondent has used the disputed domain name to lure Internet traffic intended for the Complainant to its gambling website by exploiting the disputed domain name's identity with the Complainant's trademark and its prior association with her official website. The Panel finds, in particular, 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 trademark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel finds, accordingly, that the disputed domain name was both registered and has been used in bad faith, and the third element under the Policy is therefore 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 <brittanyshyne.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: October 28, 2026