URS DEFAULT DETERMINATION

Flutter Habit, LLC v. Super Privacy Service LTD c/o Dynadot
Case Number: FA2610002252243

DISPUTED DOMAIN NAME(S)

<flutterhabitbeauty.shop>

PARTIES

Complainant Name: Flutter Habit, LLC
Domicile of Complainant: Olathe, KS, United States of America
Complainant Representative: Akerman LLP Annie Allison
Domicile of Complainant Representative: New York, NY, United States of America

Respondent Name: Samuel Johnston
Domicile of Respondent: New York, NY, US

REGISTRIES and REGISTRARS

Registries: GMO Registry, Inc.
Registrars: DYNADOT LLC

EXAMINER

The undersigned certifies that he or she has acted independently and impartially and to the best of his or her knowledge has no known conflict in serving as Examiner in this proceeding.
Honorable Charles Kuechenmeister (Ret.), as Examiner

PROCEDURAL HISTORY

Submission Date: 2026-10-23
Commencement: 2026-10-27
Default Date: 2026-11-11
Having reviewed the communications records, the Examiner finds that the FORUM has discharged its responsibility under URS Procedure Paragraphs 3 and 4 and Rule 4 of the Rules for the Uniform Rapid Suspension System (the "Rules").

RELIEF SOUGHT

Complainant requests that the domain name be suspended for the life of the registration.

STANDARD OF REVIEW

Clear and convincing evidence.

FINDINGS and DISCUSSION

Findings of Fact: Complainant has rights in the FLUTTERHABIT mark based upon its registration of that mark with the USPTO and it is currently using the mark in commerce. The domain name is confusingly similar to Complainant's mark. Registrant has no rights or legitimate interests in the domain name. It is using the domain name to impersonate complainant and offer products branded as complainant's. Registrant registered and is using the domain name in bad faith by attempting to attract for commercial gain internet users to its website by creating confusion with complainant's mark as to the source, sponsorship, affiliation or endorsement of its website and is disrupting complainant's business.

Even though the Respondent has defaulted, URS Procedure 1.2.6, requires Complainant to make a *prima facie* case, proven by clear and convincing evidence, for each of the following three elements to obtain an order that a domain name should be suspended.

[URS 1.2.6.1] The registered domain name(s) is/are identical or confusingly similar to a word mark:
(i) for which the Complainant holds a valid national or regional registration and that is in current use; or
(ii) that has been validated through court proceedings; or
(iii) that is specifically protected by a statute or treaty in effect at the time the URS complaint is filed.

Determined: Finding for Complainant

Complainant has rights in the FLUTTERHABIT mark based upon its registration of that mark with the USPTO, and it is currently using the mark in commerce (USPTO TSDR printout and screenshot of Complainant's website).

[URS 1.2.6.2] Registrant has no legitimate right or interest to the domain name.

Determined: Finding for Complainant

Complainant has made out a prima facie case of no rights or legitimate interests. The screenshot of registrant's website names complainant as the site sponsor and displays numerous images of false eyelashes that are branded as complainant's. Registrant's site clearly represents that it is complainant's and that the products offered are complainant's. This is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the domain name. The information provided by the registrar shows the registrant as having a name that does not correspond with the domain name; registrant has not been commonly known by the domain name. Registrant has no rights or legitimate interests in it.

[URS 1.2.6.3] The domain name(s) was/were registered and is being used in bad faith.
a. Registrant has registered or acquired the domain name primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of documented out-of pocket costs directly related to the domain name; or
b. Registrant has registered the domain name in order to prevent the trademark holder or service mark from reflecting the mark in a corresponding domain name, provided that Registrant has engaged in a pattern of such conduct; or
c. Registrant registered the domain name primarily for the purpose of disrupting the business of a competitor; or
d. By using the domain name Registrant has intentionally attempted to attract for commercial gain, Internet users to Registrant's web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of Registrant's web site or location or of a product or service on that web site or location.

Determined: Finding for Complainant

Registrant is passing off as complainant by displaying on its website images identical to images on complainant's website, and purports to offer complainant's products. This proves it had actual knowledge of complainant when it registered the domain name and that it has intentionally attempted to attract for commercial gain, Internet users to registrant's web site by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of registrant's web site. This qualifies as bad faith registration & use pursuant to URD 1.2.6.3 d.

FINDING OF ABUSE or MATERIAL FALSEHOOD

The Examiner may find that the Complaint was brought in an abuse of this proceeding or that it contained material falsehoods.

The Examiner finds as follows:

1. The Complaint was neither abusive nor contained material falsehoods.

Decision

After reviewing the parties' submissions, the Examiner determines that the Complainant has demonstrated all three elements of the URS by a standard of clear and convincing evidence; the Examiner hereby Orders the following domain name(s) be SUSPENDED for the duration of the registration:

1. flutterhabitbeauty.shop

Determination

Suspended

Honorable Charles Kuechenmeister (Ret.)
Examiner
Determination Date: 2026-11-11