



URS | DETERMINATION
(URS Procedure 9, URS Rules 13)

URS DISPUTE NO. 64A7D0CA

Determination DEFAULT

I. PARTIES

Complainant: FRANDI S.r.l. (Italy)

Respondent: Redacted for Privacy Purposes
Organisation: Privacy service provided by Withheld for Privacy ehf (Iceland)

II. THE DOMAIN NAME, REGISTRY OPERATOR AND REGISTRAR

Domain Name: frandi.casa
Registry Operator: GoDaddy Registry
Registrar: Spaceship, Inc.

III. PROCEDURAL HISTORY

Complaint submitted: 9 February 2026
Lock of the domain name: 9 February 2026
Notice of Complaint: 16 February 2026
Default Date: 2 March 2026
Notice of Default: 2 March 2026
Panel Appointed: 20 March 2026
Default Determination issued: 23 March 2026

IV. EXAMINER

Examiner's Name: Igor Motsnyi

The Examiner certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as the Examiner in this administrative proceeding.

V. RELIEF SOUGHT

The Complainant requests that the domain name be suspended for the balance of the registration period.

The Respondent has not submitted a Response.

VI. STANDARD OF REVIEW

Clear and convincing evidence.

VII. DISCUSSIONS AND FINDINGS

A. Complainant:

1. The Complainant states that it is the owner of the Italian trademark registration no. 302023000114954 for the combined mark “Frandi” that includes a word element, registered for some services in class 35. The Complainant alleges that its trademark is used in commerce in trade and online and states that samples of use are available “*upon request*”. The Complainant claims the disputed domain name is confusingly similar to its trademarks because it fully incorporates the “Frandi” element of the Complainant’s trademark.
2. The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant, has never been authorized to use the “Frandi” mark and is not commonly known by the disputed domain name.
3. The Complainant claims that the disputed domain name was registered and is being used in bad faith. The website at the disputed domain name hosts sexually explicit content causing a reputational harm to the Complainant and its trademark. This is a clear case of abuse.

B. Respondent:

The Respondent did not submit a Response.

C. Procedural findings:

Having reviewed the communications records, the Examiner finds that MFSD has discharged its responsibility under the URS Procedure paragraphs 3 and 4 and URS Rules paragraph 4.

In accordance with URS Rules Paragraph 9(d), in absence of a Response, the language of the Determination shall be English.

D. Findings of fact:

The date of creation of the disputed domain name is March 31, 2025.

The disputed domain name resolves to a web page with sexually explicit content.

The Complainant relies on a combined trademark with a figurative element and a word element “Frandi”:

- Italian trademark no. 302023000114954 “Frandi” (word + device), application date – July 26, 2023, registered on January 12, 2024.

The Complainant did not provide evidence that its trademark is in use and stated that such evidence can be provided “*upon request*”.

E. Reasoning:

1. The domain name is identical or confusingly similar to a word mark

The Complainant provided ownership of the Italian trademark registration referred to above. The trademark registration is a combined mark that contains both word and device elements. The term “word” mark in URS may also include a trademark with a word element that is dominant, not disclaimed and is distinct from a device element.



As noted by other Examiners "the use of the words "word mark" in URS 1.2.6.1 does not specifically exclude trademarks which are combined of a word element and a graphical element, provided the word element is clear, and sufficiently distinct and separate from the graphical element...As is also acceptable under the UDRP body of law, and without derogating from the URS goals, the word element in the trademark should not have been disclaimed leaving the design element the only element having the source of distinctiveness" (see URS appeal determination, [Forum case FA1604001672049](#) where this issue was analyzed in detail).

The Examiner accepts that the Complainant has rights in the registered word mark for the purpose of the URS since the word element in the Complainant's mark is a dominant one, it is clear and is sufficiently distinct from the device element.

However, the Complainant failed to provide any evidence that its trademark is in current use. For instance, the Complainant provided screenshots of the website at the disputed domain name. However, it failed to provide screenshots of its own website or any other evidence of use of its mark. The Complainant stated the following with regard to the evidence of use: "FRANDI Srl uses the FRANDI mark publicly in trade and online, including on its official website and business communications (examples available upon request)".

The requirements of par. 1.2.6.1. of the URS procedure are very clear: "the registered domain name is 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...**" and

"a. Use can be shown by demonstrating that evidence of use – which can be a declaration and one specimen of current use in commerce – was submitted to, and validated by, the Trademark Clearinghouse)

b. Proof of use may also be submitted directly with the URS Complaint".

The Complainant failed to provide any evidence of use of its trademark. Such evidence cannot be requested by the Examiner; it should be provided by the Complainant.

The Examiner cannot request any additional submissions/materials (including any evidence of use from the Complainant) and cannot conduct its own independent research.

Under par. 9.1 of the URS Procedure: "**There will be no discovery or hearing; the evidence will be the materials submitted with the Complaint and the Response**, and those materials will serve as the entire record used by the Examiner to make a Determination".

Therefore, the Examiner finds that the Complainant failed to meet the requirements of the URS par. 1.2.6.1.

2. Respondent has no rights or legitimate interests to the domain name

Given the findings under the first element of the URS, the Examiner does not need to address this element.

3. The domain name(s) was(were) registered and is(are) being used in bad faith

Given the findings under the first element of the URS, the Examiner does not need to address this element.

4. Abusive Complaint

The Examiner finds that the Complaint was neither abusive nor contained material falsehoods.

VIII. DETERMINATION

A. Demonstration of URS elements

Not demonstrated

B. Complaint and remedy

Complaint: Rejects.

Domain Name:

Unlocks and returns to the full control of the Registrant

C. Abuse of proceedings

Finding of abuse of proceedings: Not finds

D. Publication

Publication: Publish the Determination

SIGNATURE

Name: Igor

Surname: Motsnyi

Date: 2026-03-23