

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, ALEXANDRIA DIVISION

LIMEWR FYRE OU v. FYREFESTIVAL.COM

LimeWR Fyre OU · No. 1:25-cv-1629 (MSN/WEF) · Decided March 11, 2026

SUMMARY

This Report and Recommendation addresses Plaintiff LIMEWR FYRE OU’s motion for default judgment in an in rem action against the domain name fyrefestival.com. The court finds that the allegations sufficiently establish cybersquatting under the Anti-Cybersquatting Consumer Protection Act and trademark infringement under the Lanham Act, along with jurisdiction, venue, and service requirements. The magistrate judge recommends granting default judgment and ordering transfer of the domain name to Plaintiff.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Alexandria Division
JURISDICTION	United States District Court for the Eastern District of Virginia, Alexandria Division
DECIDED	March 11, 2026
DOCKET	1:25-cv-1629 (MSN/WEF)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for default judgment in an in rem action against the domain name fyrefestival.com under the Anti-Cybersquatting Consumer Protection Act and the Lanham Act. After service by publication and notice to the registrant, the registrant failed to respond, the Clerk entered default, and the magistrate judge issued this Report and Recommendation recommending that default judgment and transfer of the domain name be granted.
STANDARD OF REVIEW	On a motion for default judgment, the court accepts well-pleaded factual allegations as admitted, but must determine whether the complaint states a legally sufficient claim under the Rule 12(b)(6) standard before entering judgment.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

LIMEWR FYRE OU v. FYREFESTIVAL.COM, an Internet Domain Name

TOPICS

default judgment

trademark infringement

intellectual property

civil procedure

remedies

PRACTICE AREAS

trademark

internet domain names

civil procedure

default judgment

remedies

QUESTIONS PRESENTED

1. Whether the Court had subject-matter jurisdiction, in rem jurisdiction, and proper venue over the domain name.
2. Whether Plaintiff properly effected service of process in the in rem action.
3. Whether the well-pleaded allegations established a claim for cybersquatting under the Anti-Cybersquatting Consumer Protection Act.
4. Whether the allegations established trademark infringement under Section 32(1) of the Lanham Act.
5. Whether transfer of the domain name to Plaintiff was an authorized remedy.

HOLDINGS

1. The requirements for in rem jurisdiction under 15 U.S.C. § 1125(d)(2)(A) were satisfied because the domain name allegedly violated Plaintiff's registered mark and Plaintiff could not obtain in personam jurisdiction over the foreign registrant; the statutory notice and publication requirements were also satisfied.
2. Venue was proper in the Eastern District of Virginia, and service of process was effective because the ACPA authorizes service in an in rem action and Plaintiff complied with the applicable notice and publication requirements.
3. The complaint sufficiently pleaded cybersquatting under 15 U.S.C. § 1125(d) because Plaintiff alleged ownership of a valid and protectable distinctive mark, confusing similarity between the mark and domain name, and the registrant's bad-faith intent to profit.
4. The complaint sufficiently pleaded trademark infringement under 15 U.S.C. § 1114(1) by alleging a valid and protectable trademark and use of a colorable imitation likely to cause consumer confusion.
5. Transfer of fyrefestival.com to Plaintiff was an authorized remedy for the established ACPA and Lanham Act violations.

KEY QUOTATIONS

"The owner of a mark may file an in rem civil action against a domain name in the judicial district in which the domain name registrar, domain name registry, or other domain name authority that registered or assigned the domain name is located if –" (In Rem Jurisdiction)

“In any civil action involving the registration, trafficking, or use of a domain name under this paragraph, a court may order the forfeiture or cancellation of the domain name or the transfer of the domain name to the owner of the mark.” (Requested Relief)

FACTUAL BACKGROUND

LIMEWR FYRE OU acquired the common-law and registered trademark rights and goodwill associated with the Fyre Festival mark from Fyre Holdings, Inc. in July 2025. The domain name fyrefestival.com was re-registered around July 21, 2025, and was used to redirect consumers to a commercial travel-booking website through which the registrant allegedly received compensation from pay-per-click links. The domain name incorporated the Fyre Festival mark without authorization, and the registrant did not appear or defend the action after receiving notice.

PROCEDURAL HISTORY

Plaintiff filed the action on September 29, 2025. The Court authorized service by publication, Plaintiff published and served the required notice, and no interested party responded by the October 31, 2025 deadline or thereafter. The Clerk entered default on November 5, 2025. Following a December 12, 2025 hearing at which only Plaintiff appeared, the magistrate judge recommended granting default judgment and ordering transfer of the domain name to Plaintiff, subject to the parties' right to object under Rule 72(b).

DISPOSITION

other

CASES CITED

- JTH Tax, Inc. v. Grabert, 8 F. Supp. 3d 731, 736 (E.D. Va. 2014)
- Ryan v. Homecomings Financial Network, 253 F.3d 778, 780 (4th Cir. 2001)
- GlobalSantaFe Corp. v. Globalsantafe.com, 250 F. Supp. 2d 610, 612 n.3 (E.D. Va. 2003)
- Harrods Ltd. v. Sixty Internet Domain Names, 302 F.3d 214, 228, 232 (4th Cir. 2002)
- B & J Enterprises, Ltd. v. Giordano, 329 F. App'x 411, 416 (4th Cir. 2009)
- People for Ethical Treatment of Animals v. Doughney, 263 F.3d 359, 367 (4th Cir. 2001)
- Venetian Casino Resort v. Venetiangold.Com, 380 F. Supp. 2d 737, 742-43 (E.D. Va. 2005)
- Sara Lee Corp. v. Kayser-Roth Corp., 81 F.3d 455, 464 (4th Cir. 1996)
- Perini Corp. v. Perini Construction, Inc., 915 F.2d 121, 125 (4th Cir. 1990)
- American Online, Inc. v. AT&T Corp., 243 F.3d 812, 816 (4th Cir. 2001)
- Volvo Trademark Holding AB v. Volvospare.com, 703 F. Supp. 2d 563, 568 (E.D. Va. 2010)
- Agri-Supply Company, Inc. v. Agrisupply.Com, 457 F. Supp. 2d 660, 663 (E.D. Va. 2006)
- Lamparello v. Falwell, 420 F.3d 309, 319-20 (4th Cir. 2005)
- Virtual Works, Inc. v. Volkswagen of America, Inc., 238 F.3d 264, 268 (4th Cir. 2001)
- Sporty's Farm L.L.C. v. Sportsman's Market, Inc., 202 F.3d 489, 499 (2d Cir. 2000)

- International Bancorp, L.L.C. v. Societe Des Baines De Mer Et Du Cercle Des Etrangers A Monaco, 192 F. Supp. 2d 467, 490 (E.D. Va. 2002)

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