

## **ADMINISTRATIVE PANEL DECISION**

Byredo AB v. Deng Qingguo  
Case No. D2025-2031

### **1. The Parties**

The Complainant is Byredo AB, Sweden, represented by Zacco Sweden AB, Sweden.

The Respondent is Deng Qingguo, China.

### **2. The Domain Name and Registrar**

The disputed domain name <byredoo.shop> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 22, 2025. On May 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 23, 2025 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 (Deng Qingguo) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 26, 2025, 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 amendment to the Complaint on May 27, 2025.

The Center verified that the Complaint together with the amendment to the 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 May 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 20, 2025.

The Center appointed Indrek Eelmets as the sole panelist in this matter on June 25, 2025. 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 European luxury brand established in Stockholm in 2006 by Ben Gorham. The company specializes in the creation and sale of high-end consumer products including fragrances, makeup, home goods, leather goods, and accessories. The Complainant's products are marketed and sold in more than 40 countries worldwide.

The Complainant is the owner of the trademark BYREDO, which has been registered in numerous jurisdictions around the world, including the European Union, China and the United States of America. Relevant registrations include:

- BYREDO – European Union trademark registration No 006183776, registered on July 11, 2008, covering goods and services in classes 3, 4, 25, 42;
- BYREDO – International Trademark Registration No 966951, registered on February 8, 2008, covering goods and services in classes 3, 4, 25, 42;
- Byredo & Design - International Trademark Registration No 1276683, registered on June 8, 2015, covering goods and services in 3, 4, 9, 14, 18, 25, 35, 42.

The Complainant also owns several domain names that incorporate the trademark, such as <byredo.com>, registered on February 2, 2006.

The disputed domain name was registered on April 14, 2025. At the time this Complaint was submitted, the disputed domain name resolved to a website that prominently featured the Complainant's trademark, as well as its color scheme, logotype, and product images. However, at the time of this decision, the disputed domain name does not currently resolve to an active website.

The Complainant sent a cease-and-desist letter on April 24, 2025, to which the Respondent did not reply.

#### **5. Parties' Contentions**

##### **A. Complainant**

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

Firstly, the Complainant contends that the disputed domain name is confusingly similar to its BYREDO trademark. The disputed domain name consists of the term "BYREDOO", which fully incorporates the BYREDO mark, and the addition of a letter "O" does not prevent a finding of confusing similarity. The generic Top-Level Domain ("gTLD") ".shop" is irrelevant in this assessment. Therefore, the Complainant contends the disputed domain name meets the threshold for confusing similarity.

Regarding the second element, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not granted the Respondent any license or authorization to use the trademark. There is no information that the Respondent is trading under any company name corresponding to the disputed domain name or that it has any other legal rights to the name. The Respondent has not used the disputed domain name for any bona fide or fair purpose. Instead, the Respondent has used the disputed domain name to operate a website imitating the Complainant's commercial site, without authorization or affiliation. As such, the Complainant argues that the Respondent's actions are intended to mislead consumers and do not constitute a bona fide offering of goods or services.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain name in bad faith. The Respondent registered the disputed domain name long after the Complainant's BYREDO trademark had become well established. Given the timing and the use of the disputed domain name to host a website that imitated the Complainant's official site, including its trademark, imagery, and overall presentation, the Complainant asserts that the Respondent was clearly aware of the Complainant's rights and intentionally sought to exploit the reputation of the BYREDO mark. The Complainant further submits that the Respondent failed to respond to an infringement notice and argues that the disputed domain name was registered and used in bad faith to mislead consumers for commercial or potentially fraudulent purposes.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the BYREDO mark is reproduced within the disputed domain name. The addition of a letter "O" does not prevent a finding of confusing similarity between the disputed domain name and the mark. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

Although 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 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 3.0](#), 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.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that the Respondent must have been aware of the trademark when he registered the disputed domain name given the trademark was registered and widely used prior to registration of the disputed domain name, and the Respondent has misappropriated the Complainant's trademark and product images.

The Panel finds that by using the disputed domain name, the Respondent intentionally attempted to attract for commercial gain, Internet users to the Respondent's website or other on-line location, by creating a likelihood of confusion with the Complainant's mark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

## **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 <byredoo.shop> be transferred to the Complainant.

*/Indrek Eelmets/*

**Indrek Eelmets**

Sole Panelist

Date: July 9, 2025