

ADMINISTRATIVE PANEL DECISION

The Body Shop International Limited v. qwe, qwe qwe
Case No. D2025-2307

1. The Parties

The Complainant is The Body Shop International Limited, United Kingdom, represented by Studio Barbero S.p.A., Italy.

The Respondent is qwe, qwe qwe, United States of America.

2. The Domain Names and Registrar

The disputed domain names <thebodyshop.pics> and <thebodyshop.top> are registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 12, 2025. On June 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domain Administrator, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 23, 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 the same day.

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 June 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 17, 2025.

The Center appointed Enrique Bardales Mendoza as the sole panelist in this matter on July 22, 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 owns and operates the website at the domain name <thebodyshop.com>, registered on October 1, 1996, and has used it in connection with the manufacture and retail of beauty and cosmetic products under the name "THE BODY SHOP". Founded on March 26, 1976 in Brighton by Dame Anita Roddick, the Complainant has expanded internationally since 1978 and currently operates approximately 3,000 retail outlets in over 70 countries. Its product range includes cosmetics, skincare, toiletries, body and spa products, and related accessories, all sold under its registered trademark THE BODY SHOP. The Complainant retails its products through mono-branded physical stores, franchised locations, home sales, and online channels.

The Complainant is the owner of multiple registrations for THE BODY SHOP trademark including the following ones:

- International Trademark Registration No. 846117 for THE BODY SHOP and logomark (registered on August 24, 2004) and covering goods and services in classes 03, 21 and 35;
- International Trademark Registration No. 1648186 for THE BODY SHOP (registered on July 9, 2019) and covering goods and services in classes 03, 04, 05, 09, 16, 18, 21, 25, 35, 36, 41, 42 and 44;
- European Union Trademark No. 001436583 for THE BODY SHOP and logomark (registered on May 24, 2002) and covering goods and services in classes 3, 21 and 42; and
- European Union Trademark No. 001980416 for THE BODY SHOP (registered on April 16, 2003) and covering goods and services in classes 3, 21 and 42.

The disputed domain names <thebodyshop.pics> and <thebodyshop.top> were registered on March 6, 2025. According to the Annex 7 to the Complaint, the disputed domain names do not redirect to any active page.

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 names.

Notably, the Complainant contends that it is identical or confusingly similar to the THE BODY SHOP trademark, and the additional generic Top-Level Domains ("gTLD") ".pics" and ".top" is merely instrumental to the use of the Internet and as such can be disregarded under the first element confusing similarity test.

According to the Complainant, the Respondent lacks rights or legitimate interests in the disputed domain names because:

- (i) The domain names <thebodyshop.pics> and <thebodyshop.top> are identical or confusingly similar to THE BODY SHOP trademark.
- (ii) There is no relationship or authorization between the Complainant and the Respondent in respect of the use of THE BODY SHOP trademark.
- (iii) The disputed domain names do not seem to be actively used.
- (iv) The disputed domain names were obtained in bad faith, as their registration took place after the Complainant had already secured rights over the trademark, and the Respondent ought to have known about the notoriety of the mark THE BODY SHOP.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove that the following three elements are present in order to obtain the transfer or cancellation of the disputed domain names:

- a. It must be demonstrated that the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights.
- b. It must be demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain names.
- c. It is necessary to demonstrate that the disputed domain names have been registered and used in bad faith.

Since in the present case there was no response from the Respondent to the Complaint filed by the Complainant, the Panel can take as true those assertions of the Complainant that it considers reasonable (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#)).

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 BODY SHOP mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

In addition, it is well established that ".pics" and ".top", as gTLDs, can be disregarded in the assessment of the confusing similarity between the disputed domain names and the Complainant's trademark. [WIPO Overview 3.0](#), section 1.11.1.

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 names. 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 names such as those enumerated in the Policy or otherwise.

Additionally, the Panel notes that there is no relationship or authorization between the Complainant and the Respondent concerning the use of THE BODY SHOP trademark. Therefore, the Respondent has no rights or legitimate interests in the disputed domain names, as evidenced by the fact that, according to the Annex 7 to the Complaint, the disputed domain names do not resolve to any active page.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

In the present case, the following circumstances demonstrate bad faith registration and use of the disputed domain name:

- i) The disputed domain names were registered on March 6, 2025, long after the registration of Complainant's trademarks and official domain names (see point 4).
- ii) As admitted in previous cases, THE BODY SHOP trademark is well known worldwide, so Respondent could not have been unaware of its existence, and the exact coincidence of the Complainant's mark is proof of this.
- iii) The Respondent attempts to conceal all information related to his identity by using inconsistent and incomplete contact details.
- iv) The Respondent has not provided any evidence of good faith use of the disputed domain names.
- v) The Respondent's failure to respond to the Complaint.

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 names <thebodyshop.pics> and <thebodyshop.top> be transferred to the Complainant.

/Enrique Bardales Mendoza/

Enrique Bardales Mendoza

Sole Panelist

Date: August 5, 2025