

AESOPINISTRATIVE PANEL DECISION

Emeis Cosmetics Pty Ltd (trading as Aesop), L'Oréal v. 林志冰 (zhibing lin), T Barger Jeffrey, Jeffrey T Barger
Case No. D2025-5407

1. The Parties

Complainants are Emeis Cosmetics Pty Ltd (trading as Aesop), Australia, and L'Oréal, France, represented by Dreyfus & associés, France.

Respondents are 林志冰 (zhibing lin), China, and T Barger Jeffrey, Jeffrey T Barger, Germany.

2. The Domain Name and Registrar

The disputed domain names <aesop-australia.com>, <aesopsuk.com>, <aesop-canada.com>, and <aesop-online.shop> (collectively, "Domain Names 1"), <aesopaustralia.com>, and <aesop-uk.com> (collectively, "Domain Names 2") are registered with CNOBIN Information Technology Limited ("CNOBIN"), Chengdu West Dimension Digital Technology Co., Ltd., and Mat Bao Corporation (Mat Bao") (collectively, the "Registrars"). Domain Names 1 and 2 will be collectively referred to as the "Domain Names".

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on December 26, 2025 as regards the Domain Names 1. On December 26, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Domain Names 1. On December 29, 2025, and December 30, 2025, the Registrars transmitted by emails to the Center their verification responses disclosing registrant and contact information for the Domain Names 1 which differed from the named Respondent (Registration Private) and contact information in the Complaint.

The Center sent an email communication to Complainants on December 30, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting Complainants to either file separate complaint(s) for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainants filed amended Complaints in English on December 30, 2025 and January 5, 2026, in which the Complainants requested addition of the Domain Names 2 into the proceeding. On January 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names 2. On January 16, 2026, the Registrar transmitted by emails to the Center the verification response confirming that the Respondent is listed as the registrant and providing the contact details.

On December 30, 2025, the Center informed the Parties in Chinese and English, that the Language of the Registration Agreement for the Domain Name <aesop-online.shop> is Chinese. On December 30, 2025, Complainants confirmed its request that English be the language of the proceeding. Respondents did not submit any comment on the Complainants' submission.

The Center verified that the Complaint together with the amended Complaints 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 Respondents in Chinese and English of the Complaint, and the proceedings commenced on January 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 8, 2026. Respondents did not submit any response. Accordingly, the Center notified Respondents' default in Chinese and English on February 9, 2026.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on February 12, 2026. 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

Complainant, Emeis Cosmetics Pty Ltd (trading as Aesop), is an Australian industrial group specialized in the field of cosmetics and beauty. Since its founding in Melbourne, Australia in 1987, Aesop's goal has always been to create cosmetic products. The range now extends from skincare, haircare, and body-care to accessories and fragrances for the person and home. Complainant L'Oréal, for over 110 years, one of the world's leading beauty players with the broad portfolio of 36 international brands and 87,400 committed employees, has completed the acquisition of distinctive luxury beauty brand, Aesop, in accordance with the terms announced on April 3, 2023. Both Complainants are hereinafter collectively referred to as the "Complainant".

Complainant has an established presence in both Germany and China through its official online platforms. In Germany, the Complainant operates an official e-commerce website accessible at "www.shop.aesop.com/de/en", expressly configured for the German market, offering shipping to Germany, pricing in EUR, and services directed at German consumers. In China, Complainant maintains an official retail presence, as evidenced by its "Aesop Shanghai Grand Gateway" signature store in Shanghai, with a dedicated store page providing a local address, contact details, and opening hours.

Complainant owns and operates numerous registered trademarks for the AESOP mark, including:

- International registered trademark number 1033291 for the AESOP work and design mark, registered on March 12, 2010, designating inter alia the European Union, China, Switzerland, Japan, Republic of Korea, Singapore, and the Russian Federation;
- International registered trademark number 1315608 for the AESOP mark, registered on July 5, 2016, designating inter alia the European Union, China, India, Switzerland, Japan, Republic of Korea, Singapore, and the United States of America;
- International registered trademark number 1769295 for the AESOP mark, registered on August 19, 2023, designating inter alia Brazil, and the United States of America.
- Vietnamese registered trademark number 4-0185592-000 for the AESOP mark, registered on May 30, 2012.

Complainant also owns and operates the domain name <aesop.com>, registered on October 12, 1998.

The Domain Names were registered on the corresponding dates of registration, by the respective Respondents, as follows:

Domain Name	Domain Name reference	Date of Registration	Registrar	Respondent
<aesop-australia.com>	Domain Name 1	August 4, 2025	CNOBIN	T Barger Jeffrey, Jeffrey T Barger
<aesopsuk.com>	Domain Name 1	August 4, 2025	CNOBIN	T Barger Jeffrey, Jeffrey T Barger
<aesop-canada.com>	Domain Name 1	August 4, 2025	CNOBIN	T Barger Jeffrey, Jeffrey T Barger
<aesop-online.shop>	Domain Name 1	August 14, 2025	Chengdu west dimension digital technology Co., LTD	林志冰 (zhibing lin)
<aesopsaustralia.com >	Domain Name 2	December 23, 2025	Mat Bao	Jeffrey T Barger
<aesop-uk.com>	Domain Name 2	December 18, 2025	Mat Bao	Jeffrey T Barger

Each of Domain Names 1 previously resolved to websites that feature the AESOP trademark and the AESOP logo, and the overall layout and visual appearance of the Complainant's official website. The websites offer for sale a range of cosmetic products that purport to be AESOP products, including the trade dress such as product packaging, graphic design elements, and the tone and presentation of the product descriptions.

At the time of filing of the Complaint, Domain Names 1 were blocked.

Domain Names 2 do not resolve to any active website.

On August 8 and August 21, 2025, Complainant sent formal notifications to the relevant hosting providers, as well as cease-and-desist letter to the registrant requesting the transfer of the Domain Names <aesop-australia.com>, <aesop-canada.com>, and <aesopsuk.com>. Subsequently, Complainant became aware of the registration of <aesop-online.shop> and immediately submitted a request to the concerned registrar to block of the Domain Name. In response, following these actions, the websites associated with the Domain Names <aesop-australia.com>, <aesop-canada.com>, and <aesopsuk.com> were deactivated, and the Domain Name <aesop-online.shop> was blocked.

However, the initial three websites were subsequently reconfigured and reactivated. Thereupon, Complainant submitted a request for deactivation to the hosting provider on October 31, 2025. At the time of filing of the Complaint, the Domain Names <aesopsuk.com>, <aesop-australia.com>, <aesop-online.shop>, and <aesop-canada.com> were blocked.

Respondents did not replay to Complainant's cease-and-desist letters and reminders.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Notably, Complainant contends that (i) the Domain Names are confusingly similar to Complainant's trademarks; (ii) Respondents have no rights or legitimate interests in the Domain Names; and (iii) Respondents registered and are using the Domain Names in bad faith.

In particular, Complainant contends that it has trademark registrations for AESOP, and that Respondents registered and are using the Domain Names with the intention to confuse Internet users looking for bona fide and well-known AESOP products and services.

Further, Complainant contends that Respondents have acted in bad faith in acquiring and setting up the Domain Names, when Respondents clearly knew of Complainant's rights.

B. Respondents

Respondents did not reply to Complainant's contentions.

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceedings

The Rules, in paragraph 11(a), provide that unless otherwise agreed by the parties or specified otherwise in the registration agreement between the respondent and the registrar in relation to the disputed domain name, the language of the proceedings shall be the language of the registration agreement, subject to the authority of the panel to determine otherwise, having regard to the circumstances of the administrative proceedings.

Complainant submitted its original Complaint and amended Complaints in English. According to the information received from the Registrar, the language of the Registration Agreement for the Domain Name <aesop-online.shop> is Chinese. With respect to the Domain Names <aesop-canada.com>, <aesopsuk.com>, <aesop-australia.com>, <aesop-uk.com>, and <aesopsaustralia.com>, the language of the corresponding registration agreements is English. On December 30, 2025, Complainant confirmed its request that English be the language of the proceeding.

Complainant requested that the language of the proceedings be English for several reasons, including the fact that all the Domain Names are composed of Latin characters and incorporate English-language geographical references, strongly suggesting that the Respondent of the Domain Name <aesop-online.shop> is familiar with English; English is also the primary language of international business and one of the working languages of the Center; the language of the proceeding in comparable circumstances, notwithstanding that the registration agreement of the relevant Registrar Chengdu West Dimension Digital Technology Co., Ltd. was available in Chinese. Accordingly, Complainant submits that Respondent is able to communicate in English. Complainant also submits that the administrative proceeding should be in English to avoid incurring additional expenses and delay.

Respondents did not comment on Complainant's request for the language of the proceedings be English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

The Panel accepts Complainant's submissions regarding the language of the proceedings. The Panel notes that each of the Domain Names does not have any specific meaning in the Chinese language, and is formed using Latin characters, contains Complainant's AESOP trademark in its entirety and the website to which the Domain Name <aesop-online.shop> resolved to includes content published in English. The Panel further

notes that the Center notified the Parties in Chinese and English of the language of the proceedings as well as notified Respondent in Chinese and English of the Complaint. Respondents chose not to comment on the language of the proceedings, nor did Respondents choose to file a formal Response in Chinese or English.

Having considered all the circumstances of this case, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

6.2 Preliminary Issue: Consolidation of Respondents

Complainant requests consolidation of the nominally different domain name registrants for the Domain Names into a single proceeding because they are under common ownership and/or control for the following reasons:

- Domain Names 1 were registered on close dates, three were registered on August 4, 2025, through the same registrar, CNOBIN, and the remaining one on August 14, 2025, through Chengdu west dimension digital technology Co., LTD.. In addition, Domain Names 2 were registered only few days apart, on December 18, 2025 and on December 23, 2025 respectively, through the same registrar, Mat Bao.

- The composition of each of the Domain Names is very similar, with each reproducing Complainant's AESOP mark in its entirety, combined with a geographical term referring to a specific country, using a comparable structure involving a hyphen in certain cases and each is registered under the same generic Top-Level Domain ("gTLD"), ".com", or combined with the term "online" and the gTLD ".shop" indicating a deliberate strategy aimed at targeting Complainant's business.

- The websites hosted on the Domain Names 1 resolved to virtually identical websites that feature the AESOP trademark and the AESOP logo, and the overall layout and visual appearance of the Complainant's official website, offering for sale a range of cosmetic products that purport to be AESOP products, thereby creating a false impression of authenticity, legitimacy, and affiliation with Complainant.

Complainant also contends that the combination of the above factors justifies the filing of a single Complaint for the 6 Domain Names, and also it would cause Complainant to incur substantial additional time and costs, if Complainant is required to submit separate Complaints.

Respondents did not comment on Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing Complainant's request, the Panel will consider whether (i) the Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. Procedural efficiency would also underpin Panel consideration of such a consolidation scenario. [WIPO Overview 3.1](#), section 4.11.2.

Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of (i) the registrants' identity(ies) including pseudonyms, (ii) the registrants' contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites corresponding to the disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other arguments made by the complainant and/or disclosures by the respondent(s).

As regards the common control, the Panel notes the highly similar composition of the Domain Names, the use of Complainant's word and design mark on the active websites; the virtual similarity of the content in the active websites (before filing of the Complaint) that the Domain Names 1 resolved to; the close registration dates of the Domain Names 1 and that of Domain Names 2 within a short span.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different domain name registrants (referred to hereinafter as the "Respondent") in a single proceeding.

6.3 Substantive Issues

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names were registered and are being used in bad faith.

Section 4.3 of the [WIPO Overview 3.1](#) states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case, Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.1](#), section 1.2.1. Complainant has provided evidence of its rights in the AESOP trademarks, as noted above under Section 4. Complainant has therefore proven that it has the requisite rights in the AESOP trademarks.

With Complainant's rights in the AESOP trademarks established, the remaining question under the first element of the Policy is whether the Domain Names, typically disregarding the gTLD in which they are registered (in this case, ".com" and ".shop"), are identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Names are confusingly similar to Complainant's AESOP trademarks. The AESOP trademark is reproduced and recognizable in the Domain Names.

Domain Name	Additional term(s) added to Complainant's trademark
<aesop-australia.com>	"-australia"
<aesopsuk.com>	"s" and "uk"
<aesop-canada.com>	"-canada"
<aesop-online.shop>	"-online"
<aesopsaustralia.com>	"s" and "australia"
<aesop-uk.com>	"-uk"

In particular, the Domain Names' inclusion of Complainant' AESOP trademark in its entirety, with the addition of the respective term(s) noted above, following to the AESOP mark, does not prevent a finding of confusing similarity between the Domain Names and the AESOP trademarks. See section 1.8 of the [WIPO Overview 3.1](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its AESOP trademarks, and does not have any rights or legitimate interests in the Domain Names. In addition, Complainant asserts that Respondent is not authorized to promote Complainant's goods or services and is not related to Complainant. Respondent is also not known to be associated with the AESOP trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Names.

In addition, Respondent has not used the Domain Names in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, before filing of the Complaint, the Domain Names 1 each resolved to nearly identical websites that duplicated Complainant's AESOP trademark and logo, offering products allegedly from Complainant for sale, providing options to purchase via a shopping cart and prompting Internet users to register through entering of personal email information and to subscribe to Respondent's websites, which potentially mislead Internet users into thinking that the associated websites had been authorized or operated by or affiliated with Complainant.

Thus, such use by Respondent does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use and cannot under the circumstances confer on Respondent any rights or legitimate interests in the Domain Names.

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Names. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Names.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Names, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Names in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

“(i) circumstances indicating that you have registered or you have 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 your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the AESOP trademarks long predate the registration of the Domain Names. Complainant is also well known and established. Indeed, the record shows that Complainant's AESOP trademarks and related products and services are widely known and recognized. Therefore, the Panel is of the view that Respondent was aware of the AESOP trademarks when they registered the Domain Names. See [WIPO Overview 3.1](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Further, the registration of the Domain Names, each of which includes Complainant's AESOP trademarks and geographical terms as noted above, suggests Respondent's actual knowledge of Complainant's rights in the AESOP trademarks at the time of registration of the Domain Names and their effort to opportunistically capitalize on the registration and use of the Domain Names.

Moreover, Respondent registered and is using the Domain Names to confuse and mislead Internet users looking for bona fide and well-known AESOP products and services of Complainant. In particular, before filing of the Complaint, Domain Names 1 each resolved to nearly identical websites that duplicated Complainant's AESOP trademark and logo, offering products allegedly from Complainant for sale, options to purchase via a shopping cart and prompting Internet users to register through entering of personal email information and to subscribe to Respondent's websites, which potentially mislead Internet users into thinking that the associated websites had been authorized or operated by or affiliated with Complainant. Respondent has intentionally attempted to attract, for its own benefit, Internet users to Respondent's websites by creating a likelihood of confusion with Complainant's AESOP marks as to the source, sponsorship, affiliation, or endorsement of Respondent's websites. UDRP panels have consistently held that Respondent's use of Domain Names to trade off goodwill in Complainant's well-known trademark constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#).

Considering the reputation of Complainant's AESOP marks, the composition of the Domain Names, and the lack of the Response from Respondent, the fact that the Domain Names 2 are inactive does not prevent a finding of bad faith under the doctrine of passive holding in this case. See [WIPO Overview 3.1](#), section 3.3.

Accordingly, the Panel finds that Respondent registered and is using the Domain Names in bad faith and Complainant has succeeded under the third element of paragraph 4(a) 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 Domain Names <aesop-australia.com>, <aesop-canada.com>, <aesop-online.shop>, <aesopsaustralia.com>, <aesopsuk.com> and <aesop-uk.com> be transferred to the Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: February 20, 2026