

## ADMINISTRATIVE PANEL DECISION

Fashion Nova, LLC v. zou li li  
Case No. D2025-5426

### 1. The Parties

The Complainant is Fashion Nova, LLC, United States of America (“United States” or “U.S.”), represented by Meister Seelig & Fein PLLC, United States.

The Respondent is zou li li, China.

### 2. The Domain Name and Registrar

The disputed domain name <fashionnovaus.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

### 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on December 29, 2025. On December 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 31, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 2, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed the amended Complaints in English on January 2, 2026 and January 12, 2026 respectively.

On January 2, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On January 12, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s 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 the Respondent in Chinese and English of the Complaint, and the proceedings commenced on January 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 4, 2026.

The Center appointed Francine Tan as the sole panelist in this matter on February 9, 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**

The Complainant is a limited liability company incorporated in California, U.S. It is an apparel company which was established in 2006, and is known for its young, sexy, and body-conscious clothing which it sells under the trade mark FASHION NOVA.

The Complainant displays the FASHION NOVA mark extensively on social media sites, including Instagram and Facebook, on promotional and point of sale materials, on billboards, in magazines, industry publications, and at trade shows and live events. It operates the "www.fashionnova.com" website and promotes its products under the FASHION NOVA mark through collaborations with prominent social media influencers, recording artists, and celebrities. The Complainant has a strong social media following with over 22 million followers on Instagram, 4.5 million followers on TikTok, and nearly 3.6 million followers on Facebook.

The Complainant's domain name <fashionnova.com> was registered on March 9, 2006.

The Complainant is the registered owner of the FASHION NOVA trade marks. Its trade mark registrations include the following:

- (i) U.S. registration No. 4,785,854, FASHION NOVA, registered on August 4, 2015;
- (ii) U.S. registration No. 5,276,244, FASHION NOVA, registered on August 29, 2017; and
- (iii) U.S. registration No. 5,892,024, FASHIONNOVA.COM, registered on October 22, 2019.

The Complainant's FASHION NOVA trade mark has been used in connection with goods and services in Classes 25 and 35 since as early as January 22, 2006.

The disputed domain name was registered on October 13, 2023, and at the time of filing of the Complaint, resolved to an inactive 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 name.

Notably, the Complainant contends that:

- (1) The disputed domain name is confusingly similar to the Complainant's FASHION NOVA marks in which it has rights. The disputed domain name incorporates the entirety of the FASHION NOVA mark with the addition of the letters "us", which signify the United States.

(2) The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not commonly known by a name that includes “Fashion Nova”. The disputed domain name was registered many years after the Complainant’s first use in commerce of the FASHION NOVA mark. The Respondent is not licensed or authorized by the Complainant to use the Complainant’s FASHION NOVA trade mark.

(3) The disputed domain name was registered and is being used in bad faith. Although the disputed domain name resolves to an inactive page, the identical nature of the disputed domain name to the FASHION NOVA mark shows that the Respondent likely registered the disputed 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 [the respondent’s] documented out-of-pocket costs directly related to the domain name. The Respondent’s registration of the disputed domain name also hinders the Complainant, the rightful owner, from exploiting its rights in the FASHION NOVA mark through operation of the disputed domain name. Furthermore, the Complainant’s FASHION NOVA marks have achieved a level of widespread recognition such that the Respondent has no colorable argument that it was unaware of the Complainant and its FASHION NOVA marks.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1 Preliminary Issue: Language of the Proceeding**

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the Parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons including:

- (a) The Complainant is located in the U.S. where English is the primary language and does not understand Chinese.
- (b) If Chinese is used as the language of the proceeding, the Complainant will have to bear high translation costs, which will also cause delays in the procedure.
- (c) The Respondent is likely able to understand English because the disputed domain name comprises only Latin script and contains the English terms “fashion” and “us”, plus the generic Top-Level Domain “.com”. “US” is the common abbreviation for the United States.

The Respondent did not make any submissions with respect to the language of the proceeding.

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, Third Edition ([“WIPO Overview 3.0”](#)), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

## **6.2 Substantive Issues**

### **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 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 mark is reproduced and recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "us" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

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.

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.

The disputed domain name incorporates the entirety of the Complainant's distinctive FASHION NOVA trade mark with the addition of the suffix "us". The Complainant's FASHION NOVA marks have been used and registered for many years before the date of registration of the disputed domain name. Given the length of time of registration, the distinctiveness and reputation of the Complainant's FASHION NOVA marks, the similarity between the disputed domain name and the Complainant's own <fashionnova.com> domain name, it is more plausible than not that the Respondent knew of the Complainant and its FASHION NOVA trade marks at the time it registered the disputed domain name, and specifically targeted the Complainant.

While the disputed domain name does not resolve to an active website, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the well-established reputation of the Complainant's FASHION NOVA trade mark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel therefore 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 <fashionnovaus.com> be transferred to the Complainant.

*/Francine Tan/*

**Francine Tan**

Sole Panelist

Date: February 12, 2026