

ADMINISTRATIVE PANEL DECISION

Naterra International, Inc. v. 李晓飞 李晓飞 (XiaoFei Li)
Case No. D2026-0223

1. The Parties

The Complainant is Naterra International, Inc., United States of America, represented by Carstens, Allen & Gourley, LLP, United States of America.

The Respondent is 李晓飞 李晓飞 (XiaoFei Li), China.

2. The Domain Name and Registrar

The disputed domain name <treehutsheausa.com> is registered with Chengdu West Dimension Digital Technology Co., Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on January 20, 2026. On January 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 22, 2026, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 22, 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 an amended Complaint in English on January 28, 2026.

On January 22, 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 28, 2026, the Complainant confirmed its request that English 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 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 in Chinese and English of the Complaint, and the proceedings commenced on January 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 19, 2026.

The Center appointed Rachel Tan as the sole panelist in this matter on February 23, 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, formed in 1994 in Texas, United States of America, is a producer of skin care products, one of which is sold under the brand TREE HUT. TREE HUT branded products are known for being formulated with plant-based ingredients and without parabens and sulphates. TREE HUT branded products have been featured in many leading American publications including Cosmopolitan, Style, Allure, People, and Glamour. The Complainant has been using the TREE HUT trademark since 2002.

The Complainant owns numerous trademark registrations for TREE HUT, including:

- United States of America Trademark TREE HUT Registration No. 2667257, registered on December 24, 2002, in class 3;
- European Union Trademark TREE HUT Registration No. 003883618, registered on September 22, 2005, in class 3; and
- Chinese Trademark TREE HUT Registration No. 16902582, registered on December 28, 2016, in class 3.

The Complainant owns a domain name incorporating its TREE HUT trademark, <treehutshea.com>, and has been using the domain name as its official website for its TREE HUT branded products.

The Respondent is based in China. The disputed domain name <treehutsheausa.com> was registered on November 18, 2023. Presently, the disputed domain name <treehutsheausa.com> resolves to an inactive website. According to the Complainant's evidence, the disputed domain name previously resolved to a website displaying the Complainant's TREE HUT trademark and allegedly selling and offering the Complainant's TREE HUT products.

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 the disputed domain name <treehutsheausa.com> incorporates the entirety of the Complainant's TREE HUT trademark in combination with generic terms "shea" and "usa". The mere addition of generic terms to a domain name which incorporates the entirety of a registered mark is not enough to obviate a likelihood of confusion. Thus, the Complainant satisfies the first UDRP element.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the three disputed domain name. The website hosted at the disputed domain name was found selling counterfeit and/or unauthorized TREE HUT products and was an almost identical copy of the Complainant's own website. There were consumers who had reported the website hosted at the disputed domain name as

being a scam to the Better Business Bureau of the United States of America. The Complainant has no relationship with the Respondent and has not authorized the Respondent to use the disputed domain name. Therefore, the Respondent's use of the disputed domain name cannot be deemed as using the disputed domain name in connection with a bona fide offering of goods or services, or a legitimate noncommercial or fair use.

The Complainant finally contends that the Respondent registered the disputed domain name in bad faith to sell counterfeit and/or unauthorized TREE HUT products since the website associated with the disputed domain name blatantly copied the content, trademarks, logos and copyrights on the Complainant's own website. The Respondent obtained the disputed domain name for the sole purpose of trading off the Complainant's fame and goodwill for commercial gain, which is a clear indicative of bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issues – 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 the fact that: 1) using Chinese as language of the proceeding would unfairly disadvantage and burden the Complainant and delay the proceeding and adjudication of this matter; 2) the website associated with disputed domain name contains English content and is targeted to English-speaking consumers, which indicates that the Respondent is able to understand English.

The Respondent did not make any specific 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), 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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the TREE HUT trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The generic Top-Level Domain (“gTLD”) “.com” as a standard registration requirement should be disregarded in the assessment of confusing similarity under the Policy.

The entirety of the TREE HUT trademark is reproduced within the disputed domain name. While the terms “shea” and “usa” are included, the TREE HUT trademark remains clearly recognizable in the disputed domain name. The Panel finds that the extra terms do not prevent the finding of confusing similarity between the disputed domain name and the TREE HUT trademark. Accordingly, the disputed domain name is confusingly similar to the Complainant’s TREE HUT trademark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 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 that 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 3.1](#), section 2.1.

The information in the case file shows that:

- The Respondent is not affiliated with the Complainant in any way, and the Complainant has not authorized the Respondent to use its TREE HUT trademark for any reason or in any manner;
- The disputed domain name currently resolves to an inactive website but previously resolved to a website displaying the Complainant’s TREE HUT trademark and allegedly selling and offering the Complainant’s TREE HUT products without any prominent and accurate explanation of the relationship (or lack thereof) between the Parties. Such use of the disputed domain name indicates the Respondent’s intention to divert Internet traffic to the website associated with the disputed domain name by confusing the relationship between the website associated with the disputed domain name and the Complainant, which cannot be deemed as a bona fide offering of goods or services or a legitimate noncommercial or fair use;
- A consumer has reported the suspicious scam on the previous website associated with the disputed domain name to the Better Business Bureau of the United States of America, which indicates that the previous website associated with the disputed domain name has caused actual confusion to consumers;
- There is no evidence proving that the Respondent has been commonly known by the disputed domain name;
- The nature of the disputed domain name, incorporating the Complainant’s TREE HUT trademark, together with the terms “shea” and “usa” which may respectively refer to an ingredient used in the Complainant’s TREE HUT products and the abbreviation for the United States of America - the Complainant’s place of incorporation, carries a risk of implied affiliation with the Complainant; and
- No other factors demonstrate any rights or legitimate interests of the Respondent in the disputed domain name.

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.

In the present case, the Panel notes that the disputed domain name was registered long after the registration of the Complainant's TREE HUT trademark. According to the Complainant's evidence, the Panel accepts that the Complainant's TREE HUT trademark has gained a certain degree of reputation and recognition in numerous jurisdictions through its extensive use and advertising. The Respondent registered the disputed domain name that fully incorporates the Complainant's TREE HUT trademark and resolved the disputed domain name to a website displaying the Complainant's TREE HUT trademark and allegedly selling and offering the Complainant's TREE HUT products. The Panel determines that the Respondent had actual knowledge of the Complainant and the TREE HUT trademark at the time of registering the disputed domain name, and bad faith is found.

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 3.1](#), section 3.2.1.

The disputed domain name resolves to an inactive website at the time of Decision but was once used to host a website displaying the Complainant's TREE HUT trademark and allegedly selling and offering the Complainant's TREE HUT products. In addition, the previous website associated with the disputed domain name has caused consumer confusion and was reported as a suspected scam. The Panel holds that by selecting a domain name confusingly similar to the Complainant's TREE HUT trademark, and using it in the manner as described, the Respondent obviously intended to attract, for commercial gain, Internet users to the disputed domain name and the associated website by creating a likelihood of confusion with the Complainant's TREE HUT trademark as to the source, sponsorship, affiliation, or endorsement of the website associated with the disputed domain name, which constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Given the Respondent's previous use of the disputed domain name, the current non-use of the disputed domain name does not prevent the Panel's finding of the Respondent's bad faith.

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 <treehutsheausa.com> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: March 9, 2026