

ADMINISTRATIVE PANEL DECISION

ACRO, INC. v. okta388 okta388

Case No. D2026-1166

1. The Parties

The Complainant is ACRO, INC., Japan, represented by IP Twins, France.

The Respondent is okta388 okta388, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <itrimbeauty.com> is registered with TurnCommerce, Inc. DBA NameBright.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 18, 2026. On March 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 19, 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 (Redacted for Privacy, NameBrightPrivacy.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 20, 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 on March 23, 2026.

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 of the Complaint, and the proceedings commenced on March 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2026. The Response was filed with the Center on March 25, 2026.

The Center appointed Moonchul Chang as the sole panelist in this matter on April 2, 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 high-end cosmetics company in Japan, which is producing and marketing skincare, makeup and fragrances. Currently, the Complainant's flagship brand is THREE. On the other hand, the ITRIM product line and branding was discontinued by the Complainant in 2023. Upon discontinuation, the ITRIM trademarks in Japan were assigned to Kew's Labo Co., Ltd., which has not yet begun commercial operations using this brand.

The Complainant retains and owns a large portfolio of the trademarks ITRIM which were registered in numerous jurisdictions, including as follows:

- Singapore trademark ITRIM with registration No. 40201718730P, registered April 23, 2018;
- United Kingdom trademark ITRIM with registration No. 3277609, registered on March 30, 2018; and
- France trademark ITRIM with registration No. 4409028 registered March 30, 2018.

The disputed domain name was registered on February 5, 2025. The disputed domain name has resolved to the identical copy of the Complainant's previous website, which is still active and was accessible at the same URL from 2017-2023.

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.

The Complainant contends that:

- (a) the disputed domain name is confusingly similar to the trademark ITRIM in which the Complainant has rights, because the disputed domain name reproduces the ITRIM trademark in its entirety with the addition to the term "beauty", which is closely connected to the Complainant's business.
- (b) the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not authorized the Respondent to use its ITRIM trademark in the disputed domain name. The disputed domain name currently resolves to an identical copy of the Complainant's previous website, which was accessible at the same URL from 2017-2023. Such reproduction of the Complainant's prior website does not constitute a bona fide offering of goods or services. In addition, the Respondent has not been commonly known by the disputed domain name.
- (c) the disputed domain name was registered and has been used in bad faith. Considering that the disputed domain name was re-registered on the first possible day, it is highly likely that the disputed domain name was acquired by placing an advance order through a drop catching service. Therefore, it is evident that the Respondent registered the disputed domain name with full awareness of the Complainant and its rights. In addition, since the domain name has resolved to a copy of the Complainant's previous website, it is obvious that the Respondent intentionally attempts to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

B. Respondent

The Respondent contends that the Complaint has not satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Respondent contends that:

- (a) The term “itrimbeauty” is common word and the word “trim” is widely used in connected with fitness, lifestyle, or general appearance. At the time of registering the disputed domain name, the Respondent was not aware of the Complainant and its trademark.
- (b) the disputed domain name was registered and used legitimately, without any intention to take advantage of the Complainant’s trademark. The Respondent chose the disputed domain name because it was an expired domain name, without any intention to target the specific brand or trademark.
- (c) The Respondent’s website under the disputed domain name has operated for a gaming and entertainment website, which is unrelated to the Complainant’s business. The Respondent’s website does not include the Complainant’s brand and logo with any intention to impersonate the Complainant. In addition, the Respondent has not attempted to sell the disputed domain name to the Complainant or any others.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must demonstrate that the three elements enumerated in paragraph 4(a) of the Policy have been satisfied. These elements are that: (i) the disputed domain name is identical or confusingly similar to the Complainant’s trademark or service mark; (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the disputed domain name has been registered and is being used in bad faith.

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 names. WIPO Overview of WIPO Panel Views on Select UDRP Questions, (“[WIPO Overview 3.1](#)”), section 1.7. The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. The disputed domain name incorporates the Complainant’s trademark ITRIM in the entirety with the addition of the term “beauty”. The Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. In addition, the generic Top-Level Domain (“gTLD”) “.com” is disregarded under the first element test. [WIPO Overview 3.1](#), section 1.11.1. Therefore, 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. Under paragraph 4(a)(ii) of the Policy, the overall burden of proof is on the Complainant. However, once the Complainant presents a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, the burden of production of evidence 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.

Firstly, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not given the Respondent authorization to use its ITRIM mark, and the Respondent does not own any trademark for "ITRIM".

Secondly, the Respondent's website under the disputed domain name resolves to the identical copy of the Complainant's previous website, which was accessible at the same URL as the Complainant used. Such reproduction of the Complainant's prior website does not constitute a bona fide offering of goods or services. It is considered that the Respondent attempted to misleadingly divert consumers to the website and to obtain the commercial gain by impersonating the Complainant. Panels have held that the use of a domain name for illegal activity such as claimed passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Thirdly, there is no evidence to suggest that the Respondent has been commonly known by 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.

Therefore, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(a)(iii) of the Policy requires that the disputed domain name has "been registered and is being used in bad faith". Thus, for the Complainant to succeed, a UDRP panel must be satisfied that a domain name has been registered and is being used in bad faith. These requirements are conjunctive; each must be proven, otherwise the Complaint fails. In addition, 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.

Firstly, the disputed domain name reproduces the Complainant's trademark ITRIM in its entirety with the addition of the term "beauty". The Complainant's trademark registration predates the registration date of the disputed domain name. In addition, considering that the Respondent registered the disputed domain name on the first possible day upon the disputed domain name's prior expiry, it is highly likely that he acquired the disputed domain name by placing an advance order through a drop catching service. Here, the Respondent's website under the disputed domain name resolves to the identical copy of the Complainant's previous website. Under this circumstance, it is evident that the Respondent was fully aware of the Complainant and its rights at the time of registering the disputed domain name. The Panel considers that it is bad faith registration that the Respondent deliberately chose the disputed domain name to create a likelihood of confusion with the Complainant's ITRIM trademark.

Secondly, the disputed domain name resolves to a copy of the Complainant's previous website, in which the "Sign In" page is still active on the disputed domain name, and that each product page gives the option to "Add to Cart", and thus collect personally identifiable information of potential customers. Further, the Respondent's website reproduces the ITRIM mark in connection with the offering of links to unrelated gambling service providers while impersonating the Complainant to misleadingly divert consumers to the website. The Panel finds that the Respondent is using the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the ITRIM mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. The Panel finds that such use of the disputed domain name constitutes bad faith use under paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.1](#), section 3.1.

Having reviewed the available record, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith use under the Policy.

Therefore, the Panel concludes that third element of the Policy has been established.

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 <itrimbeauty.com> be transferred to the Complainant.

/Moonchul Chang /

Moonchul Chang

Sole Panelist

Date: April 13, 2026