

ADMINISTRATIVE PANEL DECISION

Byoma Limited v. 王明 (wang ming)
Case No. D2026-2272

1. The Parties

The Complainant is Byoma Limited, United Kingdom, represented by SafeNames Ltd., United Kingdom.

The Respondent is 王明 (wang ming), China.

2. The Domain Names and Registrar

The disputed domain names <byomamilkytoner.com>, <byomamoisturizer.com>, <byomaserum.com>, <byomaskincareshop.com>, <byomasunscreens.com> (the “Domain Names”) are registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 27, 2026. On May 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On May 28, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 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 an amended Complaint on June 3, 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 June 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 29, 2026.

The Center appointed Gregor Vos as the sole panelist in this matter on July 6, 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 skincare brand founded in 2020. The Complainant offers its products internationally through its official website “www.byoma.com”, as well as online and in physical stores of renowned beauty retailers such as Sephora, Boots, Space NK, Ulta and Target. The Complainant has a strong social media presence, with over 1.4 million followers on TikTok.

The Complainant is the owner of, inter alia, the following trademark registrations (hereinafter referred to as the “Trademarks”):

- United Kingdom trademark registration BYOMA (word) No. UK00003610176, registered on August 6, 2021;
- United States of America trademark registration BYOMA (word) No. 6690108, registered on April 5, 2022;
- European Union trademark registration **BYOMA** (figurative) No. 018722696, registered on October 21, 2022.

The Domain Names were registered on April 16, 2026. At the time of the filing of the Complaint, the Domain Names resolved to an online shop offering the Complainant’s products for sale. The websites prominently displayed the Complainant’s Trademarks and product images and requested visitors to submit personal information in connection with the purported purchases. The Domain Names <byomaskincareshop.com>, <byomamoisturizer.com>, <byomamilkytoner.com>, and <byomasunscreen.com> continue to resolve to websites offering the Complainant’s purported products for sale, prominently displaying the Complainant’s Trademarks, product images and other website content. The Domain Name <byomaserum.com> does not resolve to an active webpage.

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 Domain Names.

Notably, the Complainant contends that the Domain Names are confusingly similar to the Trademarks of the Complainant, the Respondent has no rights or legitimate interests in the Domain Names, and the Domain Names were registered and are being used in bad faith.

Firstly, the Complainant contends that the Domain Names are confusingly similar to the Trademarks. The Domain Names incorporate the Trademarks in their entirety, with the mere additions of the descriptive and/or non-distinctive product or industry specific terms “milky toner”, “moisturizer”, “serum”, “sunscreen”, “skincare” and “shop”. According to the Complainant, this does not preclude a finding of confusing similarity. On the contrary, it reinforces the connection to the Complainant, as these additional terms refer to the products the Complainant offers. Furthermore, the addition of the generic Top-Level Domain (“gTLD”) “.com” should be considered standard registration requirements and must be disregarded.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Domain Names. The Respondent has no trademark rights to the term BYOMA and there is no evidence of any other unregistered rights of the Respondent to this term. The Complainant has not granted any authorization or

license to use the Trademarks in the Domain Names. Moreover, the Respondent has not demonstrated any bona fide use of the Domain Names. The Domain Names instead resolved to a website displaying the Complainant's products, Trademarks and (copyright protected) content, without accurately disclosing the lack of any relationship with the Complainant. This creates the false impression that the website is operated by or affiliated with the Complainant. The Respondent also requested sensitive information from Internet users when purchasing the products. The Complainant contends that such impersonation and phishing activities are motivated by commercial gain and can never confer rights or legitimate interests on a respondent.

Finally, according to the Complainant, the Respondent has registered and is using the Domain Names in bad faith. The Complainant contends that the Respondent was aware of the Complainant and its Trademarks when registering the Domain Names, inter alia because the term "byoma" has gained substantial recognition in the skincare and beauty industry since its establishment and does not have a generic dictionary meaning. Furthermore, given the content of the websites to which the Domain Names resolved, it is implausible that the Respondent was unaware of the Complainant and its business at the time of registration.

The Complainant further argues that, considering the composition of the Domain Names and the Respondent's use of the Domain Names, namely hosting an online store offering the Complainant's products, without a clear disclaimer to disassociate from the Complainant, the Respondent has intentionally attempted to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's Trademarks. The Complainant notes that the suspension of the Domain Name <byomaserum.com> following a request of the Complainant confirms that the Domain Name was likely being used in contravention of the Registrar's or Internet Service Provider's Registration Agreement or Acceptable Use Policy. The subsequent deliberate change of providers and alterations of the websites to which the other Domain Names resolve, is further evidence of the Respondent's bad faith activity. The Complainant also refers to the Respondent's involvement in other UDRP proceedings, which is additional evidence of bad faith conduct.

B. Respondent

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

6. Discussion and Findings

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

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

Only if all three elements have been fulfilled, the Panel is able to grant the remedies requested by the Complainant. The Panel will deal with each of the requirements in turn.

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 Trademarks and the 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.

All of the Domain Names incorporate the Trademarks in their entirety with the mere addition of terms, together with the generic Top-Level Domain (“gTLD”) “.com”.

Specifically, the Domain Name <byomamilkytoner.com> incorporates the Trademarks with the addition of the words “milky” and “toner” (a specific skincare product) and the gTLD “.com”. The Domain Name <byomamoisturizer.com> incorporates the Trademarks with the addition of the term “moisturizer” (a specific skincare product) and the gTLD “.com”. The Domain Name <byomaserum.com> incorporates the Trademarks with the addition of the term “serum” (a specific skincare product) and the gTLD “.com”. The Domain Name <byomaskincareshop.com> incorporates the Trademarks with the addition of the terms “skincare” and “shop” (referring to the Complainant’s activities) and the gTLD “.com”. Lastly, the Domain Name <byomasunscreen.com> incorporates the Trademarks with the addition of the term “sunscreen” (another skincare product) and the gTLD “.com”.

Considering the foregoing, the entirety of the Trademarks is reproduced within the Domain Names. Accordingly, the Domain Names are confusingly similar to the Trademarks for the purposes of the Policy.. Although the addition of other terms (“milky”, “toner”, “moisturizer”, “serum”, “skincare” “shop” and “sunscreen”) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the Domain Names and the Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Furthermore, it is well established that the gTLD “.com” in the Domain Names is viewed as a standard registration requirement and as such is disregarded under the first element of confusing similarity [WIPO Overview 3.1](#), section 1.11.

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.

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 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 Domain Names such as those enumerated in the Policy or otherwise.

The Panel notes that rights or legitimate interests are generally assessed at the time of the filing of the Complaint. However, panels may also consider evidence of past use, including its veracity and surrounding context. [WIPO Overview 3.1](#), section 2.11. Accordingly, although the Domain Name <byomaserum.com> currently resolves to an inactive website, the Panel considers its prior use (similar to the use of the other Domain Names) to be relevant in assessing whether the Respondent has rights or legitimate interests.

In this case, the composition and use of the Domain Names create a risk of implied affiliation. The Domain Names incorporate the Trademarks in their entirety, together with terms descriptive of the Complainant's products and business ("skincare", "shop", "moisturizer", "serum", "milky toner" and "sunscreen"). In addition, the websites to which the Domain Names resolve offer(ed) the Complainant's products for sale, prominently display(ed) the Complainant's Trademarks and reproduce(ed) the Complainant's website content, including product images, without disclosing their lack of relationship with the Complainant. This creates the false impression that the Respondent is affiliated with, endorsed by, or authorized by the Complainant. The Panel finds that such use does not confer rights or legitimate interests under the Policy.

For completeness, the Panel notes that based on the record before it and in the absence of any such defense raised by the Respondent, the Respondent has not satisfied the *Oki Data* test (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)), in any case because the Respondent does not accurately disclose its relationship with the Complainant ([WIPO Overview 3.1](#), Section 2.8).

Moreover, panels have consistently held that the use of a domain name for illegal or illegitimate activity, in this case passing off the Complainant through the unauthorized use of its Trademarks and website content, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 3.1](#), section 3.2.1.

In the present case, the Panel notes that the Trademarks predate the registration of the Domain Names. Considering the distinctive nature of the Trademarks and the fact that based on the case file it appears that the Trademarks have at least some degree of recognition among the public, the composition of the Domain Names and the Respondent's use of the Domain Names to impersonate the Complainant by reproducing its Trademarks, product images and website content, the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the Domain Names without knowledge of the Complainant, its activities, and the Trademarks under which the Complainant is doing business.

Furthermore, the Panel has found that the Respondent lacks any rights to or legitimate interests in the Domain Names, and in the absence of any conceivable good faith use of the Domain Names, the Panel finds from the present circumstances that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its websites on which commercial content was displayed, by creating a likelihood of confusion as to the source, sponsorship, affiliation or endorsement of the websites within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel further attaches weight to the fact that the Respondent was previously involved in UDRP proceedings in which panels found that the Respondent used the disputed domain names intentionally to attract, for commercial gain, Internet users to its site(s) by creating a likelihood of confusion with the complainant's marks as to the source, sponsorship, affiliation or endorsement of the Respondent's website (*Kyndryl, Inc. v. 王明 (wang ming)*, WIPO Case No. [D2025-1304](#) and *Facebook Inc. v. Wang Ming*, WIPO Case No. [DLC2019-0001](#)). This points to a pattern of abusive registration of domain names for commercial gain.

Lastly, with regard to the Domain Name <byomaserum.com>, panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. In looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's Trademarks, and the composition of the Domain Name, the Respondent's prior use of the Domain Name for the same passing off scheme as the other Domain Names, the absence of any Response, and the lack of any conceivable good-faith use, the Panel finds that the passive holding of the Domain Name does not prevent a finding of bad faith.

Furthermore, Panels have held that the use of a domain name for illegal or illegitimate activity, such as passing off the Complainant by copying its Trademarks and website content in the present case, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

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 Domain Names <byomamilkytoner.com>, <byomamoisturizer.com>, <byomaserum.com>, <byomaskincareshop.com>, and <byomasunscreen.com> be transferred to the Complainant.

/Gregor Vos/

Gregor Vos

Sole Panelist

Date: July 20, 2026