

## **ADMINISTRATIVE PANEL DECISION**

LG H&H Co., Ltd. v. Bai Deng  
Case No. D2025-0051

### **1. The Parties**

The Complainant is LG H&H Co., Ltd., Republic of Korea, represented by You Me Patent & Law Firm, Republic of Korea.

The Respondent is Bai Deng, China.

### **2. The Domain Name and Registrar**

The disputed domain name <thebelief.com> is registered with Name.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 8, 2025. On January 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 9, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 January 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 6, 2025.

The Center appointed Alistair Payne as the sole panelist in this matter on February 12, 2025. 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 major Korean consumer goods company that manufactures and sells a wide range of consumer products, including cosmetics, household goods, personal care items and beverages. The Complainant was established in 1947 as a subsidiary of the LG Group, one of the Republic of Korea's largest and most influential conglomerates. Since 2005, the Complainant has expanded its cosmetics and personal care businesses through the launch of high-end brands, including since 2010 the BELIF mark, which is a herbal cosmetic brand. The Complainant distributes products under this brand in numerous countries but, in particular, in the United States of America ("United States"), Republic of Korea, Canada, and China. Its BELIF products have been widely advertised and promoted not only on the Complainant's website, but also on various social media platforms, and on relevant online shopping platforms.

The Complainant owns various trade mark registrations for or including BELIF and in particular United States word mark registration 4086075 registered on January 17, 2012, Chinese word mark registration number 26985900 registered on October 7, 2018, and also Chinese trade mark registration 14222368 for BELIF BELIEVE IN TRUTH registered on September 14, 2016. The Complainant owns the domain name <belifcosmetic.com> from which it operates its official website for its BELIF products. The Complainant also owns and uses other domain names including <belifcosmetic.com>, <belifindia.in>, <belifmall.com>, <belif.jp>, and <belifhongkong.com>.

The disputed domain name was registered on May 28, 2024, and resolves to a promotional website which features the BELIF and BELIF BELIEVE IN TRUTH trade marks together with representations of the Complainant's products and of products which are not sold by the Complainant.

#### **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 it owns registered trade mark rights for its BELIF mark as noted above and that BELIF is wholly incorporated into the disputed domain name which is therefore confusingly similar to its registered trade mark. It submits that the inclusion of the additional word "the" before "belif" in the disputed domain name does not prevent a finding of confusing similarity.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name. It says that it has no relationship with the Respondent and has not authorised the Respondent to use the BELIF mark or to seek the registration of any domain name incorporating the Complainant's mark. Furthermore, says the Complainant, it has never granted a licence or permission to the Registrant to use the Complainant's mark.

It says that the Respondent's website masquerades as if it is owned by or authorised by the Complainant. It notes that on the top left corner of the Respondent's website at the disputed domain name, the Complainant's mark BELIF BELIEVE IN TRUTH is displayed exactly as registered by the Complainant along with a brief explanation from the Respondent stating that "belif" is a Korean skincare brand that brings the power of plants and natural ingredients to a beauty routine. The Complainant says that the use of the mark and the explanation displayed on the website, indicating that it is a Korean skincare brand, leads website users to associate this website with the Complainant and that this is reinforced by the use of the registered trade mark symbol, ®.

It says that as is evident from the website at the disputed domain name, the Respondent must have known or had knowledge of the Complainant and of the renown attaching to its BELIF name and mark prior to the registration of the disputed domain name. It says further that such use of the Complainant's registered trade marks and of the ® registration symbol, along with the claim that the trade marks, logos, service marks, trade names, and all other intellectual property displayed on the website are the property of Belif® Cosmetics demonstrates the Respondent's blatant intention to represent misleadingly that it is the Complainant, or is associated with the Complainant. The Complainant contends that the Respondent refers to itself as "Belif Cosmetic" and has posted product images that are not the Complainant's genuine product images. It also says that the Respondent has falsely stated that it sells products on its website, when in fact it does not do so. In addition, says the Complainant, the Respondent's website fails to accurately disclose its relationship with the Complainant. Instead, says the Complainant, the Respondent is actively impersonating it by falsely representing itself as a trade mark owner or copyright holder and using the Complainant's copyrighted materials as described above.

The Complainant also contends that the website at the disputed domain name displays not only images of the Complainant's genuine cosmetic products but also product images that have been fabricated by the Respondent of various products that are not the Complainant's. According to the Complainant, they appear to be photographs of counterfeit goods manufactured by the Respondent or manipulated photographs. It says that the posting of these photographs creates an inference that the Respondent is preparing to sell these counterfeit products on the website at the disputed domain name, however the Respondent does not even sell the Complainant's genuine products on its website. Furthermore, there is no evidence that the Respondent has used or made demonstrable preparations to use the disputed domain name in connection with a legitimate noncommercial or fair use.

The Complainant also notes that the registrant of the disputed domain name is "bai deng", having its address in China, whereas the Respondent's website at the disputed domain name lists its company as being located in the United States. Furthermore, says the Respondent, clicking on the social media icons displayed at the bottom of the Respondent's website does not redirect Internet users to the intended pages.

The Complainant says that the Respondent states on the website at the disputed domain name that "Belif Cosmetics" is a Korean brand, but no such Korean company exists, nor is it confirmed that the address of this company is the United States address listed above. This leads the Complainant to suggest that the registrant of the disputed domain name has falsely provided a random United States address and that the absence of social media links further suggests that the website at the disputed domain name is fake.

As far as bad faith is concerned the Complainant says that the disputed domain name was registered long after its first use of the BELIF mark and registration of its trade marks. Based on the considerable use and renown attaching to the BELIF mark as a consequence of use and promotion online and in social media, the use of the BELIF marks on the website at the disputed domain name and the fact that the Respondent's website copies the Complainant's product descriptions verbatim, the Complainant submits that the Respondent must have been aware of the Complainant's mark and business when it registered the disputed domain name.

The Complainant submits that the purpose of operating the Respondent's website at the disputed domain name is unclear. The website pretends to sell products, but it in fact does not. It rather displays fake or fabricated product images alongside images of the Complainant's product images in order to confuse and deceive consumers. Ultimately, says the Complainant, the Respondent presumably created this fraudulent website at the disputed domain name to sell fake products or to mislead website users with false information in bad faith, with the intent of either selling or transferring the domain name to the original trade mark holder at an inflated price, or in terms of paragraph 4(b)(iv) of the Policy, of seeking to create a likelihood of confusion with the Complainant's trade marks regarding the source, sponsorship, affiliation, or endorsement of the website, thereby attracting Internet users and deriving commercial benefit from the sale of counterfeit goods. The Complainant says that even if the Respondent does not sell counterfeit goods, it has created a website at the disputed domain name that falsely impersonates the Complainant, contains false and misleading statements, and infringes the Complainant's copyright and that this amounts to use of the disputed domain name in bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced 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, the definite article "the", 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.

The Complainant has submitted that the Respondent has no rights or legitimate interests in the disputed domain name and that it has no relationship with the Respondent and has not authorised the Respondent to use the BELIF mark or to seek the registration of any domain name incorporating the Complainant's mark. In addition, it has said that it has never granted a licence or permission to the Respondent to use the Complainant's mark.

The Respondent's website at the disputed domain name masquerades as if it is owned by or authorised by the Complainant. As noted by the Complainant the website uses the Complainant's trade marks and various of its product images in the terms set out above and states that "Belif" is a Korean skincare brand that brings the power of plants and natural ingredients to a beauty routine and uses the registered trade mark symbol, ®, in connection with the Complainant's marks on the website and includes notices about its ownership of intellectual property rights in these marks and images even though the marks and images reproduced include infringing ones. The Panel finds that this amounts to the Respondent seeking to masquerade as if it

is the Complainant or has some association with the Complainant and its brand, when this is not the case. This is entirely inconsistent with the Respondent making a bona fide use of the disputed domain name or having legitimate rights or interests in it.

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.

In the present case, the disputed domain name was registered long after the Complainant's first use of the BELIF mark and registration of its trade marks. Considering the considerable use and renown attaching to the BELIF mark as a consequence of use and promotion online and in social media, the use of the BELIF marks on the website at the disputed domain name, and the fact that the Respondent's website reproduces the Complainant's registered trade marks and copies the Complainant's product descriptions verbatim, the Panel finds that the Respondent was almost certainly aware of the Complainant's mark and business when it registered the disputed domain name.

Although it is not clear whether the products on the Respondent's website are for sale, the website is clearly promoting BELIF products identical to the Complainant's as well as a range of fake products under that mark that are not offered by the Complainant and it appears that it is using the disputed domain name to divert Internet users to this website. The website falsely impersonates the Complainant, contains false and misleading statements, and appears to copy the Complainant's images without authority. It appears to the Panel more likely than not that the Respondent created the website at the disputed domain name with a view to promoting or selling unauthorised BELIF or fake products to Internet users for its own commercial gain. This amounts to conduct in terms of paragraph 4(b)(iv) of the Policy, namely creating a likelihood of confusion with the Complainant's trade marks regarding the source, sponsorship, affiliation, or endorsement of the website and thereby attracting Internet users and deriving commercial benefit from the sale of unauthorised or counterfeit or fake goods which amounts to evidence of registration and use in bad faith under the Policy.

The submissions by the Complainant to support its contention that the registrant of the disputed domain name has falsely provided a random United States address and that the malfunctioning of purported social media links further suggests that the website at the disputed domain name is fake, only reinforces the Panel's view 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 <thebelief.com> be transferred to the Complainant.

*/Alistair Payne/*

**Alistair Payne**

Sole Panelist

Date: February 25, 2025