

ADMINISTRATIVE PANEL DECISION

L'Oréal v. no, lar frank
Case No. D2025-0476

1. The Parties

The Complainant is L'Oréal, France, represented by Dreyfus & Associés, France.

The Respondent is no, lar frank, Philippines.

2. The Domain Names and Registrar

The disputed domain names <lancome-id.cc>, <lancome-id.co>, <lancome-id.com>, <lancome-id.net>, <lancome-id.top>, and <lancome-id.xyz> are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 6, 2025. On February 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 7, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 10, 2025, 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 February 12, 2025.

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 February 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 14, 2025.

The Center appointed Anne-Virginie La Spada as the sole panelist in this matter on March 19, 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 an industrial group based in France, specialized in the field of cosmetics and beauty, and is a leading cosmetics group worldwide.

Among other registrations, the Complainant owns the following trademark registrations for LANCÔME:

- United States of America trademark registration No. 425129, registered on November 5, 1946, in class 3; and
- Philippines trademark No. 19328, registered on July 2, 1973, in class 3.

The Complainant owns and operates the website under the domain name <lancome.com>.

All the disputed domain names were registered on June 18, 2024.

The disputed domain names <lancome-id.cc>, and according to the Complainant <lancome-id.net>, and <lancome-id.co>, resolved to a login page reproducing the Complainant's trademark and logo. The other disputed domain names did not appear to resolve to active websites.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to its well-known LANCÔME trademark as they identically reproduce the denomination "lancome" with the addition of term "id" (short form for "identity" or "identification"), which does nothing to avoid a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain names for the following reasons: (i) the Respondent is neither affiliated with the Complainant in any way nor has he been authorized by the Complainant to use and register its trademark, or to seek registration of any domain name incorporating said mark; ii) the Respondent is not commonly known by the disputed domain names or the name "lancome"; iii) the Respondent did not demonstrate use of, or demonstrable preparations to use, the disputed domain names or name corresponding to the disputed domain names in connection with a bona fide offering of goods and services. Indeed, some of the disputed domain names resolved to a website reproducing the Complainant's trademark and creating a false affiliation with the Complainant.

Finally, the Complainant contends that the Respondent has used and registered the disputed domain names in bad faith. Given the widespread commercial recognition of the Complainant's LANCÔME mark, it is highly likely, according to the Complainant, that the Respondent was aware of the Complainant's trademark rights at the time of registration of the disputed domain names. The composition of the disputed domain names, which identically reproduce the Complainant's trademark associated with the term "id", further confirms that the Respondent was aware of the Complainant and its trademarks. Furthermore, a quick trademark search would have revealed to the Respondent the existence of the Complainant and its trademarks. The Complainant submits that given its goodwill and renown, and the nature of the disputed domain names, the Respondent could simply not have chosen the disputed domain names for any reason other than to deliberately cause confusion amongst Internet users in order to take unfair advantage of the Complainant's

goodwill and reputation, which clearly constitutes bad faith. Additionally, the disputed domain names that resolved to a website reproducing the Complainant's trademark and logo, created a false affiliation with the Complainant. The Complainant also states that it has received information from customers of a fraudulent financial phishing scheme involving the disputed domain name <lancome-id.cc>. All of which demonstrates the Respondent's intention to abusively benefit from the Complainant's reputation and particularly from the latter's trademarks to obtain commercial gains.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, a complainant must assert and prove each of the following:

- (i) the domain names registered by the respondent are identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the domain names; and
- (iii) the domain names registered by the respondent have been registered and are 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 Selected UDRP Questions, Third Edition ("[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 mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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, "-id") 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 names 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 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 disputed domain names such as those enumerated in the Policy or otherwise.

In the present case, the Panel observes that the disputed domain names carry a risk of implied affiliation with the Complainant, as they combine the Complainant's well-known trademark with the term "id", which is likely to suggest sponsorship, affiliation, or endorsement by the trademark owner and/or that the disputed domain names in question correspond to an official website. See [WIPO Overview 3.0](#), section 2.5.1.

Furthermore, the Respondent does not appear to have operated any bona fide or legitimate business under the disputed domain names and is not making a noncommercial or fair use of the disputed domain names. Instead, the disputed domain names <lancome-id.cc>, and according to the Complainant <lancome-id.net>, and <lancome-id.co>, resolved to a login website prominently displaying the Complainant's trademark and impersonating the Complainant, which in the Panel's view demonstrates an obvious attempt on the part of the Respondent to mislead Internet users seeking the Complainant's services and website.

The other disputed domain names do not resolve to active websites.

Accordingly, the Respondent's use of the disputed domain names does not constitute bona fide offering of goods and services.

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 Respondent used the Complainant's logo and trademark on some of its websites and that the trademark LANCÔME, which is distinctive, has been widely used before the registration of the disputed domain names. The Panel finds it unlikely that the disputed domain names were chosen independently without reference to the Complainant's trademark. The Panel therefore accepts that the Respondent was aware of the existence of the Complainant and of its LANCÔME trademarks at the time of the registration of the disputed domain names.

Some of the disputed domain names were used in connection with active websites purporting to be websites of the Complainant and displaying the logo of the Complainant. By using the disputed domain names in such manner, the Respondent tried to pass off as the Complainant. The Panel finds that in acting so, the Respondent intentionally attempted to attract, for the purposes of commercial gain, Internet users looking for the Complainant's official websites to the Respondent's websites, by creating a likelihood of confusion with the Complainant's mark as to the source and affiliation of these websites. Such behaviour constitutes use in bad faith under paragraph 4(b)(iv) of the Policy.

The other disputed domain names do not seem to have been used in connection to active websites. However, given that these disputed domain names were registered at the same time as the above-mentioned disputed domain names by the Respondent (which were used in connection with active websites reproducing the LANCÔME trademark, and creating a likelihood of confusion with the Complainant's services), it is likely that these disputed domain names were registered for the same bad faith purpose. Therefore, the passive holding of these disputed domain names does not prevent a finding of bad faith under the circumstances of this case. [WIPO Overview 3.0](#), section 3.3.

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 names <lancome-id.cc>, <lancome-id.co>, <lancome-id.com>, <lancome-id.net>, <lancome-id.top>, and <lancome-id.xyz> be transferred to the Complainant.

/Anne-Virginie La Spada/

Anne-Virginie La Spada

Sole Panelist

Date: April 4, 2025