

ADMINISTRATIVE PANEL DECISION

The Procter & Gamble Company, Braun GmbH v. liang yang zhu,
yang zhu da dui qqqqqqq
Case No. D2025-0816

1. The Parties

The Complainants are The Procter & Gamble Company, United States of America ("First Complainant"), and Braun GmbH, Germany ("Second Complainant"), both represented by Studio Barbero S.p.A., Italy.

The Respondent is liang yang zhu, yang zhu da dui qqqqqqq, China.

2. The Domain Name and Registrar

The disputed domain name <braunonline.shop> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on February 27, 2025. On February 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 28, 2025, 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) and contact information in the Complaint. The Center sent an email communication in Chinese and English to the Complainant on March 7, 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 amendment to the Complaint in English on March 7, 2025.

On March 7, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On March 7, 2025, 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 amendment to 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 in Chinese and English of the Complaint, and the proceedings commenced on March 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 7, 2025.

The Center appointed Douglas Clark as the sole panelist in this matter on April 14, 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 Second Complainant was founded in 1921 by a mechanical engineer named Max Braun and operated as a small engineering shop in Germany. The business had expanded over the decades and by the 1960s it had become an internationally renowned brand for small electrical appliances. Its main business focus today is on shaving, grooming, beauty, hair removal and hair care. In addition, BRAUN appliances are available in market within a licensing model in the following categories: Health & Wellness, Clocks & Watches and Home Small Appliances. To date, the Second Complainant has received over 100 internationally recognized design prizes for its products and holds more than 8,000 active patents.

The First Complainant is the parent company of the Second Complainant and is one of the world's largest consumer goods companies. It is present in around 80 countries and operates in the field of cleaning agents, personal care and hygienic products with over 60 brands, including well-established ones such as BRAUN, CREST, GILLETTE, HEAD & SHOULDERS, OLAY, ORAL-B, etc.

The First Complainant in 2005 acquired the Gillette Company, which had been the owner of the BRAUN brand since 1984. After the acquisition, the Second Complainant became a subsidiary of the First Complainant.

The Complainants are the owners of numerous trademark registrations worldwide, including but not limited to the following:

Trademark	Jurisdiction	Registration No.	Registration Date	Nice classification
	International	400415	May 23, 1973	Classes 7, 8, 9, 10, 11, 14, 15, 21, 34
BRAUN	European Union	000394122	August 17, 1999	Classes 1, 3, 7, 8, 9, 10, 11, 14, 16, 21, 26, 35, 37
BRAUN	China	37903302A	March 28, 2020	Class 9

The Respondent under the name "liang yang zhu, yang zhu da dui qqqqqq" is based in China. The Respondent registered the disputed domain name <braunonline.shop> on December 9, 2024, without any authorization from the Complainants.

At the time the Complainants became aware of the disputed domain name, it resolved to a website featuring the Complainants' trademarks and offering purported BRAUN products for sale at greatly discounted prices. Shortly after, the use of the disputed domain name had been suspended and the Respondent's website became inaccessible. Such was the case at the time of the filing of the Complaint and at the date of this Decision.

Upon the discovery of the use of the disputed domain name, the Complainants' representative sent a Cease-and-Desist letter via the Registrar to the Respondent by email on December 24, 2024. In the absence of a prompt reply, reminders were sent on January 13, 2025, and January 23, 2025. The Respondent did not provide a response to such communications.

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that:

- a) The disputed domain name is confusing similar to the Complainants' trademarks in which the Complainants have rights.
- b) The Respondent has no rights or legitimate interests in respect of the disputed domain name.
- c) The disputed domain name was registered and is being used in bad faith.

The Complainants request that if the Panel finds in their favour the disputed domain name be transferred to the Second Complainant.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

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 the Complainants would be prejudiced should they be required to translate the Complaint and participate in the proceedings in Chinese, and that the translation would cause delay in contravention to paragraph 10(c) of the Rules. The Complainant also drew references to (i) the language of the disputed domain name being registered in Latin characters and including the English terms "online" and "shop" and (ii) the language of the website it originally redirected to being in English, to demonstrate that the Respondent understands 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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, noting in particular the lack of reaction from the Respondent after having been given a fair chance to comment, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 3.0](#), section 1.7.

The Complainants have 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 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 "online" and ".shop" 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 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.

Having reviewed the available record, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants' 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.

First, the Complainants' registrations for the BRAUN mark internationally and across multiple jurisdictions including China constitute prima facie evidence of their rights to the trademark. Whereas the Respondent is not a licensee, authorized agent of the Complainants, or in any way affiliated with the Complainants.

Second, there is no evidence that suggests that the Respondent is commonly known by the name "Braun" which suggests a lack of rights and legitimate interests in the disputed domain name.

Third, the Respondent's registration of the disputed domain name on December 9, 2024, came significantly after the Complainants' registration of its BRAUN mark internationally and particularly in China, on March 28, 2020. Prior to the Respondent's registration of the disputed domain name, the Complainants' trademarks have enjoyed a high degree of fame and reputation which the Respondent was not authorized to use.

Panels have held that the use of a domain name for impersonation can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), 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 3.0](#), section 3.2.1.

As stated above, the Panel notes that the disputed domain name was registered long after the Complainants' international and Chinese registrations of the trademark BRAUN, which is well known worldwide and has been used for decades. The fact that the BRAUN trademark was displayed on the Respondent's commercial website where purported BRAUN products were offered for sale indicates that the Respondent was aware of the existence of the Complainants' trademark, the BRAUN brand and its distinct reputation when it registered the disputed domain name. As such, the Respondent's use of these trademark in the disputed domain name cannot be a coincidence.

The lack of clear and prominent disclaimers of non-affiliation with the Complainants on the Respondent's website whilst offering for sale purported BRAUN products clearly demonstrates that the Respondent's purpose in registering and using the disputed domain name was to create a likelihood of confusion with the Complainants' trademark for commercial gain.

Panels have held that the use of a domain name for impersonation constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <braunonline.shop> be transferred to the Second Complainant.

/Douglas Clark/

Douglas Clark

Sole Panelist

Date: April 30, 2025