

ADMINISTRATIVE PANEL DECISION

Aubelia v. Michael Hart

Case No. D2025-1346

1. The Parties

The Complainant is AUBELIA, France, represented by Philippe Boos, France.

The Respondent is Michael Hart, United States of America ("US").

2. The Domain Name and Registrar

The disputed domain name <uriiage.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 3, 2025. On April 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 3, 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, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 4, 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 April 10, 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 April 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 2, 2025.

The Center appointed Shwetasree Majumder as the sole panellist in this matter on May 9, 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 French holding company. Through its wholly owned subsidiary, Laboratories Dermatologiques d'Uriage, the Complainant has been using the mark URIAGE to offer skincare products since 1992. In June 2021, the Complainant was absorbed by the company FINANCIERE PB, and in August 2021, the company changed its name to AUBELIA. The relevant documents have been annexed by the Complainant as Annex 5 to the Complaint. In 2023, the URIAGE group's revenue was USD 178 million. The Complainant has a substantial presence all over social media under the mark URIAGE, making it a widely recognized trademark. It has used and continues to use the URIAGE trademark (and its variations) prominently in connection with its goods and services in France and in other countries, namely:

- URIAGE – International Registration No. 603480, registered on May 19, 1993, in classes 3, 5, 18, 21, 24, 25, 26, 32, 39, 41 and 42.
- URIAGE – US Registration No. 5462061, registered on May 8, 2018, in class 3.
- URIAGE – French Registration No. 1732473, registered on March 12, 1993, in classes 3, 5, 18, 21, 24, 25, 26, 32, 39, 41 and 44.
- URIAGE – French Registration No. 4309072, registered on April 21, 2017, in classes 9, 14 and 18.

The details pertaining to these trademarks are annexed as Annex 7 and Annex 7b to the Complaint.

Additionally, the Complainant also owns several domain names featuring its URIAGE mark such as <uriage.com> and <uriage.fr>. The Complainant has submitted the Whois records as well as the website extracts pertaining to these domain names as Annex 8 to the Complaint.

The Complainant submits that in January and February 2025, the Complainant tried to contact the owner of the disputed domain name directly and through the Registrar but never received any response. The communication exchange has been annexed as Annex 13 to the Complaint.

The disputed domain name was registered on January 10, 2025. Previously, the disputed domain name resolved to a Registrar parking page displaying pay-per-click ("PPC") links. Presently, the disputed domain name does not resolve to an active website.

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 the disputed domain name is confusingly similar to its URIAGE trademark. The Complainant contends that the disputed name includes the Complainant's trademark in whole, but with an extra "i" added (turning "uriage" into "uriiage"). The Complainant further contends that this is a clear case of typosquatting, where the mere addition of the letter "i" is deliberately used to mimic a common typing mistake that users might make online. In this regard the Complainant has relied on *AUBELIA v. Fatima Fradj, urriage* (WIPO Case No. [D2022-0042](#)), *Brink's Network, Inc. v. Peter Nuts* (WIPO Case No. [D2016-1429](#)) and *Linklaters LLP v. Stan Chris* (WIPO Case No. [D2019-0147](#)).

The Complainant asserts that the Respondent lacks any rights or legitimate interests in the disputed domain name. The Complainant contends that “uriage” is not a generic term, and a simple Google search shows that the Respondent is not recognized by this name. Additionally, the Complainant asserts that it has not permitted the Respondent to use the URIAGE trademark in any capacity. Moreover, the Complainant also contends that the Respondent uses other suspicious domain names impersonating other entities for its illegitimate activities as annexed by the Complainant in Annex 15 to the Complaint. In this regard the Complainant has relied on *AUBELIA v. Fatima Fradj, urriage* (supra) and *AUBELIA v. yijiao wu* (WIPO Case No. [D2023-4607](#)).

The Complaint contends that the Respondent has registered the disputed domain name in bad faith as it was well aware of the URIAGE trademarks while registering the disputed domain name. The record reveals that the Respondent’s sole motivation in relation to the registration and use of the disputed domain name was to capitalize and take advantage of the Complainant’s trademark rights. The Complainant asserts that the Respondent is making a non-legitimate use of the disputed domain name which initially resolved to a Registrar parking page containing PPC ads related to third party goods and services, thereby generating “click through” traffic and revenue for the Respondent. Such behavior cannot be regarded as a legitimate or fair use of the disputed domain name. In this regard, the Complainant has put their reliance on *SAP SE v. Domains by Proxy, LLC / Kamal Karmakar* (WIPO Case No. [D2016-2497](#)).

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 trademark 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 satisfactorily demonstrated its rights in respect of a trademark 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. The addition of the letter “i” is demonstrative of typosquatting and does not alter this fact. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds that 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 with 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 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 that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel finds that "uriage" is not a generic term, and a simple Google search shows that the Respondent is not recognized by this name but rather the top search results are for the Complainant's products and/or official websites. The Panel also notes the illegitimate conduct of the Respondent to use the disputed domain name to host a Registrar parked page comprising PPC links to generate revenue. The Panel emphasizes that such use of the disputed domain name does not represent a bona fide offering, particularly where such links capitalize on the reputation and goodwill of the Complainant's mark or otherwise mislead Internet users. [WIPO Overview 3.0](#), section 2.9.

Accordingly, 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 disputed domain name was registered on January 10, 2025, long after the Complainant established rights in its URIAGE trademark and domain names. Given the distinctiveness of the URIAGE mark and its international recognition in over 70 countries, it is unlikely that the Respondent was unaware of the Complainant's rights when registering the disputed domain name. The Panel finds in this case that the use of the disputed domain name to host a Registrar parking page with PPC ads for third party goods and services, generating "click through" traffic and revenue constitutes bad faith on the part of the Respondent.

The fact that the disputed domain name no longer resolves to an active website does not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's mark, the composition of the disputed domain name, and the failure of the Respondent to submit a response, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 <uriage.com> be transferred to the Complainant.

/Shwetasree Majumder/

Shwetasree Majumder

Sole Panelist

Date: May 23, 2025