ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
HC International S.A. v. Wall Street Forex LLC
Case No. D2025-2050

1. The Parties

The Complainant is HC International S.A., Switzerland, represented by Office Freylinger S.A., Luxembourg.

The Respondent is Wall Street Forex LLC, United States of America ("United States"), internally represented.

2. The Domain Name and Registrar

The disputed domain name <chenetcare.com> is registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 23, 2025. On May 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 23, 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, Clair voyance llc) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 26, 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 May 28, 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 May 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 19, 2025. The Response was filed with the Center on June 1, 2025. In addition, the Respondent sent email communications to the Center on May 23, May 28, June 1 and June 18, 2025. The Center informed the Parties that it would proceed with Panel Appointment on June 20, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on June 27, 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 the owner of the Chenot group, established in 1970 and internationally active in the health and well-being industry under the brand CHENOT. The Chenot group has developed the "Chenot Method" - a form of detoxification designed to enable people to live healthier for longer. The Chenot group also offers cosmetic products under the brand CHENOT.

The Complainant is the owner of the following trademark registrations for CHENOT (the "CHENOT trademark"):

− the International trademark CHENOT with registration No. 914932, registered on August 21, 2006, for goods and services in International Classes 3, 5, 29, 30, 31, 32, 35, 42, and 44;

− the United States trademark CHENOT with registration No. 3732958, registered on December 29, 2009, for goods and services in International Classes 3, 5, and 30; and

− the European Union trademark CHENOT with registration No. 018573469, registered on February 9, 2022, for goods in International Class 10.

On January 22, 2024, Mr. N. B. filed the French trademark application No. 5023229 for "cosmétiques; masques de beauté" (in English: "cosmetics; beauty masks") in International Class 3. This trademark application was filed for the following sign:



On March 4, 2024, the Complainant sent a cease-and-desist letter to Mr. B. informing him of the Complainant's business operations under the CHENOT trademark, including in respect of cosmetic products, explaining the confusing similarity between Mr. B.'s trademark application the Complainant's trademark and the identity of the products they covered, and inviting Mr. B. to withdraw his trademark application and to refrain from using it in any way, including in domain names. On April 10, 2024, the Complainant filed an opposition against Mr. B.'s trademark application at the INPI (the French Intellectual Property Office).

On April 25, 2024, the entity Clair Voyance LLC registered the disputed domain name. According to the Registrar, the current registrant of the disputed domain name is Wall Street Forex LLC. At the time of filing of the Complaint, the disputed domain name was inactive. It currently resolves to a website that features photos and descriptions of different cosmetic products containing CBD (cannabidiol). All of these products and the website itself display the following logo that is identical to Mr. B.'s French trademark application:



The Respondent's website has English and French language versions and displays the text: *"Explore a new dimension of wellness by nurturing your well-being with our exceptional CBD creams."* It does not indicate the origin and the manufacturer of the cosmetic products featured on it, only mentioning "*Founded in Miami, Chenet emerges as a pioneer in the field of luxury CBD skincare products"*. It also has no webshop functionalities and does not indicate prices, delivery terms or contact details for ordering these products. According to the records available in the Wayback Machine, on May 17 and September 29, 2024, the

Respondent's website had only a French language version.

Also on April 25, 2024, the same entity Clair Voyance LLC registered the domain name <chenetcare.fr>, which was cancelled on April 24, 2025. The Wayback Machine records of this domain name of July 14 and September 29, 2024, show that at these points in time it redirected visitors to the website at the disputed domain name. The domain name <chenetcare.fr> is currently registered by the Complainant.

On January 22, 2025, INPI issued a total refusal for the registration of Mr. B.'s trademark application. According to the Complainant, Mr. B. did not appeal the opposition decision of INPI. Mr. B.i does not dispute this.

According to the evidence submitted with the Complaint, Mr. B. is the Authorized Member of the entities Wall Street Forex LLC and Clair Voyance LLC, both of which were registered in Florida, the United States, in 2021 and 2023, respectively. Mr. B. does not dispute this information.

The Complainant also submits evidence that on October 19, 2023, the Tribunal de Commerce de Toulon in France issued a judgment, by which it issued a prohibition under Article L563-8 of the French Commercial Code against Mr. B. for a period of 15 years.[1]

The Panel understands the fact that Mr. B.i is the Authorized Member of Wall Street Forex LLC and Clair Voyance LLC to mean that Mr. B. is the legal representative of these two companies and that they are under his control. Therefore, the Panel finds it is justified and appropriate to consider the conduct of Mr. B., Wall Street Forex LLC and Clair Voyance LLC jointly for reaching his conclusions on this dispute. For clarity and ease of reference, the Panel will hereafter refer to Mr. B., Wall Street Forex LLC, and Clair Voyance LLC jointly as "the Respondent", unless the context requires otherwise.

5. Parties' Contentions

A. Complainant

The Complainant submits that the disputed domain name is confusingly similar to its CHENOT trademark, because it reproduces the trademark with the only difference that the letter "o" in the trademark is substituted by the letter "e", which is not sufficient to distinguish them. The Complainant notes that the additional element "care" in the disputed domain name is a dictionary word that is frequently used in healthcare, personal care, or support services and is not distinctive. The Complainant explains that in the opposition proceeding against Mr. B.'s trademark application, INPI found the existence of a likelihood of confusion between the CHENOT trademark and the opposed trademark application, because the dominant elements "chenot" and "chenet" are visually and aurally highly similar, and because the goods of the opposed trademark application are identical to the goods covered by the Complainant's trademark.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not affiliated with the Complainant and has not been authorized by the same to use the CHENOT trademark or any domain name incorporating this trademark. The Complainant submits that the Respondent has no prior trademark or other rights and cannot pretend to have intended to develop a legitimate activity through the disputed domain name. The Complainant adds that the Respondent had previously registered the domain name <chenetcare.fr> but is no longer its registrant.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It maintains that the name "CHENOT" is distinctive because it is not descriptive in respect of the goods and

[1] Article L653-8 of the French Commercial Code provides that, instead of personal bankruptcy, the court may prohibit a person to direct, manage, administer or control, directly or indirectly, any commercial, artisanal or agricultural enterprise and any legal person. Under Article L653-11 of the same Code, the duration of this measure may not exceed fifteen years.

services designated in the Complainant's trademark, and there is no other trademark registration containing this term, even in relation to unrelated services. The Complainant notes that its CHENOT business has a history of more than 50 years, has accumulated extensive experience and reputation in the wellness industry, and is globally known for its Chenot Method. According to the Complainant, it is therefore implausible that the Respondent was unaware of the Complainant's trademark when registering the disputed domain name and cannot have registered it by chance.

The Complainant maintains that the Respondent is using the disputed domain name for phishing purposes and refers to online reviews about Mr. B. which describe the same as a scammer.

B. Respondent

In its Response, the Respondent states that the disputed domain name is not identical or confusingly similar to the Complainant's CHENOT trademark, because it has a different spelling and the addition of the dictionary word "care" further distinguishes the disputed domain name.

The Respondent states that it has legitimate rights and interests in the disputed domain name and uses the disputed domain name as a multilingual showcase for cosmetic products, targeting the United States market. It points out that the website at the disputed domain name contains no e-commerce functionalities, no pricing, and is not directed at French or European consumers, and that all sales are conducted via United States-based social platforms such as TikTok and Instagram. The Respondent also states that it has never used the disputed domain name to refer to the Complainant's brand or services.

The Respondent submits that the disputed domain name was registered in good faith in April 2024 for a legitimate business purpose. It notes that it never attempted to sell, transfer, or profit off of any confusion with the Complainant's brand and that there has been no outreach or exploitation of the Complainant's trademark or customer base. The Respondent states that the Complainant has no business operations in the United States, further eliminating any possible conflict.

In his informal communications to the Center, Mr. B. further states that he no longer resides in France and that his Chenet Care business is operated through his American company, Wall Street Forex LLC, and is used for commercial activities in the United States, with no intent to harm or create confusion with the services offered by the Complainant. He maintains that the disputed domain name was lawfully registered in accordance with the principle of "first come, first served."

Mr. B. also disputes the online reports about him submitted by the Complainant, and claims that the platform where they were published does not verify such reports and was ordered to pay him USD 250,000 for false reports. Mr. B. makes no comments on the judgment of October 19, 2023, of the Toulon Tribunal de Commerce and its effects on him and does not claim to have appealed the judgment or the duration of the prohibition ordered with it.

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 shown rights in respect of the CHENOT trademark for the purposes of the Policy. WIPO Overview 3.0, section 1.2.1.

The Panel finds that the CHENOT trademark and the dominant "chenet" element of the disputed domain

name differ only in one letter, which makes them confusingly similar for the purposes of the Policy. WIPO Overview 3.0, section 1.7 and section 1.9.

Although the addition of other terms (here, "care") 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 CHENOT trademark 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 and Registered and Used in Bad Faith

The Panel considers that the facts and circumstances of this case would benefit from a joint discussion of the second and third UDRP elements. See section 2.15 of the WIPO Overview 3.0.

The disputed domain name is confusingly similar to the Complainant's CHENOT trademark. A confusing similarity with the Complainant's trademark was also found by the French INPI in respect of Mr. B.'s trademark application, which is the same as the CHENET logo displayed on the Respondent's website and used on the cosmetic products featured there, and cosmetic products are included in the scope of protection of the Complainant's trademark.

The disputed domain name was registered on April 25, 2024, after the Complainant sent its cease-and-desist letter on March 4, 2024, and after it filed its opposition against Mr. B.'s trademark application on April 10, 2024. At latest with the receipt of these two documents, Mr. B. became informed of the Complainant's business operations under the CHENOT trademark, including in respect of cosmetic products, became aware of the confusing similarity between his trademark application and the Complainant's registered trademark and of the identity of the products they covered, and was informed of the Complainant's demand to him to refrain from registering and using domain names identical or confusingly similar to the Complainant's trademark. The disputed domain name was registered about one year after the Toulon Tribunal de Commerce issued the prohibition against Mr. B. to manage, administer or control any legal entity for a period of 15 years.

Nevertheless, Mr. B. registered the disputed domain name through the entity Clair Voyance LLC, controlled by him, and activated it. This website has a clear commercial nature and purpose and has an English and French version. It prominently displays a logo that is identical to Mr. B.'s trademark application, and the same logo is displayed on all cosmetic products advertised there. The Respondent's website has no webshop functionalities, does not actually offer the displayed items for sale and does not indicate prices, delivery terms and territories or contact details for ordering these products, and does not include any disclaimer for the absence of relationship with the Complainant. There is no such information on the Respondent's "Chenet.care" profile on the TikTok platform either, and the Respondent has not provided any evidence that any of the cosmetic products featured on its website actually exist and are being offered for sale through any distribution channel, although he claims to be distributing them through his TikTok and Instagram accounts. This raises the question of whether the Respondent is actually carrying out any genuine business with cosmetic products or only pretends to be doing so. In any case, the website's design and content create an impression that the products featured on it actually exist and can be purchased. Since it also has a French language version (and this was its only version in 2024), and since the Respondent also registered the domain name <chenetcare.fr> on the same date and pointed it to the same website, the Respondent must be targeting the French market among others. Mr. B., however, does not explain how he could be legally carrying out commercial activities in France as long as the prohibition against him issued by the Toulon Tribunal de Commerce remains in force. Mr. B. also does not explain his plans to market its Chenet cosmetic products in the European Union and in the United States, considering the existence of a likelihood of confusion between the Complainant's CHENOT trademark, registered in these territories, and the Chenet brand of the Respondent's cosmetic products, taking also into account that such products are included in the scope of protection of the Complainant's trademark.

Having considered the above circumstances, the Panel finds that the Respondent registered the disputed domain name and activated the associated website being well aware of the existence of the Complainant's CHENOT trademark and of the likelihood of confusion in Internet users arising from the confusing similarity between the Complainant's trademark and the Chenet brand chosen by the Respondent for its cosmetic products, which products are included in the scope of protection of the Complainant's trademark. Since the Respondent was well aware of this likelihood of confusion, he must have registered the disputed domain name and activated the associated website either in an attempt to exploit the confusion for commercial gain or accepting the risk of such confusion in the pursuit of its own commercial gain. Neither of these scenarios supports a finding of rights or legitimate interests of the Respondent in the disputed domain name. Each of these alternative scenarios also supports a finding that the Respondent had acted in bad faith when registering and using the disputed domain name.

On this basis, the Panel finds that the Complainant has established the second and third elements 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 <chenetcare.com> be transferred to the Complainant.

/Assen Alexiev/
Assen Alexiev
Sole Panelist
Date: July 11, 2025