

ADMINISTRATIVE PANEL DECISION

Jemella Group Limited v. Roch Michel, Geoffrey Lamothe, Philippe Joly,
Tristan Dionne, Sylvie Parrot, Ulrike Ziegler
Case No. D2025-2055

1. The Parties

The Complainant is Jemella Group Limited, United Kingdom ("UK"), represented by Studio Barbero S.p.A., Italy.

The Respondents are Roch Michel, Geoffrey Lamothe, Philippe Joly, Tristan Dionne, Sylvie Parrot, France; and Ulrike Ziegler, Germany.

2. The Domain Names and Registrar

The disputed domain names <ghdbulgaria.com>, <ghdchile.net>, <ghdhrvatska.com>, <ghdisrael.com>, <ghdjapan.com> and <ghdlietuva.com> are registered with Paknic (Private) Limited (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 names. On May 24, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondents are listed as the registrants 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 Respondents of the Complaint, and the proceedings commenced on May 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 16, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on June 17, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on June 20, 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 GHD brand (that is the acronym of “Good Hair Day”) was created in 2001 by three British hairstylists who brought a new and innovative straightening iron to UK from the Republic of Korea. In 2010, the Complainant opened in Cambridge, UK the first research and development lab dedicated to the research on the thermal manipulation of hair in the world. Due to the continuous research, the Complainant currently holds 117 patents, 37 of which granted.

In 2016, Coty Inc. acquired the Complainant and its trademark GHD for 511 million USD, and, on December 1, 2020, Coty Inc. announced the sale of the majority stake in its Professional and Retail Hair business to the American global investment company Kohlberg Kravis Roberts & Co. L.P. The brand turnover in 2020 was around 170 million USD and increased up to over 200 million USD in 2021. The trademark GHD was and presently is strongly supported by global advertising campaigns through television and the most popular social media platforms.

The Complainant owns trademark registrations for GHD such as the following:

- the European Union trademark registration number 002860518 for GHD (word), filed on September 25, 2002 and registered on April 21, 2004, covering goods in International classes 3, 8, 9, 11, 21 and 25; and
- the European Union trademark registration number 05795232 for GHD (figurative), filed on March 29, 2007 and registered on May 14, 2009, covering goods and services in International classes 3, 8, 9, 11, 16, 21, 25, 26, 38, 41, 42 and 44.

The Complainant holds domain names incorporating the GHD mark, including <ghdhair.com>, its primary web portal for global promotion, registered on July 10, 2002.

The disputed domain names <ghdbulgaria.com>, <ghdhrvatska.com>, <ghdisrael.com>, <ghdjapan.com> and <ghdlietuva.com> were registered on July 13, 2023, and the disputed domain name <ghdchile.net> was registered on July 10, 2023.

At the time of filing of the Complaint, all the disputed domain names were used in relation to commercial websites, featuring the Complainant’s GHD trademarks, product visuals and official advertising images and offering purported GHD products for sale at discounted prices, without displaying any disclaimer and non-affiliation with the Complainant. Also, on the websites under the disputed domain names, the Respondent claimed copyright protection, and did not provide accurate contact information on the disputed domain name holder.

The Complainant sent Cease-and-Desist letters to the Respondents and to the Registrar on June 7, 2024 and reminders, in relation to the disputed domain names. The Respondents did not respond. The Registrar refused to take any action and advised the Complainant to file an UDRP or other legal action. On February 13, 2025 the Complainant sent a letter to the hosting providers of the websites under the disputed domain names but no response was received.

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 its GHD is undisputedly a well-known trademark in the haircare industry; the well-known character of GHD trademark has been recognized in previous UDRP decisions; the disputed domain names are confusingly similar to its trademark as they incorporate the trademark GHD with additional non-distinctive elements referring to countries, namely "bulgaria", "hrvatska", "israel", "japan", "lietuva" and "chile" – in fact such addition may, to the contrary, be apt to increase confusion since Internet users could believe that the disputed domain names are used by the Complainant or, at least, by a Complainant's affiliated entity, in connection with official GHD web portals in the respective countries; that the Respondents have no rights or legitimate interests in the disputed domain names, the Respondents are not authorized resellers of the Complainant and have not been authorized to register and use the disputed domain names; that the Respondents registered and are using the disputed domain names in bad faith to redirect Internet users to commercial websites, displaying the Complainant's trademarks, products visuals and official advertising images, where purported GHD products are advertised and offered for sale at discounted prices and no disclaimer is provided as to the lack of affiliation between Respondents' websites and Complainant, thus indicates that Respondents were fully aware of the Complainant and its trademarks at the time of registering the disputed domain names, and, such use clearly demonstrates that Respondents' purpose in registering and using the disputed domain names is to intentionally attempt to attract Internet users seeking Complainant's branded products to their own websites for commercial gain, by creating a likelihood of confusion with Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of their websites and the goods offered on said websites; the Respondents registered six disputed domain names, all containing the Complainant's trademark, therefore the Respondents registered the disputed domain names in order to prevent the Complainant from reflecting its trademark in corresponding domain names and has engaged in a pattern of bad faith conduct; the Respondents failed to respond to the Complainant's Cease-and-Desist letters.

B. Respondents

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

6. Discussion and Findings

6.1. Preliminary Procedural Issue: Consolidation of Multiple Respondents

The Complaint was filed in relation to nominally different disputed domain name registrants. The Complainant alleges that the disputed domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names: (i) were created in a similar manner, incorporating the Complainant's trademark GHD together with additional geographical terms referring to countries; (ii) are registered within a span of days from each other, five of them in the same day; (iii) are registered with the same Registrar and share the same shield company; (iv) share multiple commonalities concerning their Whols information, hosting provider, or generic Top Level Domain; (v) are all used in the same manner, being redirected to websites with very similar content and all listing the same email address in the internal section dedicated to the contact information; and (vi) the Respondents have not objected to the consolidation claims made by the Complainant despite the communications sent by the Center to them.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2. Substantive Issue: Three Elements

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the disputed domain names 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 the disputed domain names; and
- (iii) the disputed domain names 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 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 Panel finds the mark GHD is recognizable within each of the disputed domain names. Accordingly, each of the disputed domain names is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms - here geographical terms related to countries, namely "bulgaria", "chile", "hrvatska" ("Croatia" in Croatian), "israel", "japan" and "lietuva" ("Lithuania" in Lithuanian) 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 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.

According to the evidence, the Respondent has used the disputed domain names in connection with websites purportedly promoting and offering for sale goods of the Complainant, displaying the Complainant's trademark, and official product description and images, without providing any accurate and prominent disclaimer regarding the relationship between the Respondent and the Complainant. The Panels have held that the use of a domain name for illegal activity (such as claimed impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. Even if the goods were not counterfeit, given the overall impersonating nature of the disputed domain names (both in their composition and website content that lacks any disclaimer), such use cannot confer rights or legitimate interests upon the Respondent. [WIPO Overview 3.0](#), section 2.8.1.

The Panel also notes that the composition of the disputed domain names itself carries a risk of implied affiliation given that the Complainant's distinctive trademark has been combined with geographical terms, thus suggesting an affiliation with the trademark owner. UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1.

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.

In the present case, the Panel notes that the disputed domain names were registered in bad faith, with knowledge of the Complainant and its trademark particularly because the Complainant's trademark predates the registration of the disputed domain names by almost 20 years, has acquired international reputation in its industry and the composition of the disputed domain names itself, comprising the GHD trademark, followed by geographical terms. Further, the use of the disputed domain names reinforces such finding.

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.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Given that the disputed domain names incorporate the Complainant's well-known trademark with additional geographical terms, and the websites operated under the disputed domain names display the Complainant's trademarks, official advertising images, claim copyright protection, and fail to provide accurate information

about the entity operating the websites under the disputed domain names, indeed in this Panel's view, the Respondent has intended to attract Internet users accessing the websites corresponding to the disputed domain names who may be confused and believe that such websites are held, controlled by, or somehow affiliated with or related to the Complainant, for the Respondent's commercial gain. This activity may also disrupt the Complainant's business and tarnish its trademarks.

Paragraph 4(b)(ii) of the Policy provides another circumstance of bad faith registration and use when the respondent registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct. The Panel finds that registering for six disputed domain names incorporating the Complainant's trademark, constitutes a pattern of abusive conduct and registration of the disputed domain names in 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 names <ghdbulgaria.com>, <ghdchile.net>, <ghdhrvatska.com>, <ghdisrael.com>, <ghdjapan.com> and <ghdlietuva.com> be transferred to the Complainant.

/Marilena Comanescu /

Marilena Comanescu

Sole Panelist

Date: June 30, 2025