

ADMINISTRATIVE PANEL DECISION

AS Beauty Group LLC v. Nadison Cherish
Case No. D2025-2246

1. The Parties

The Complainant is AS Beauty Group LLC, United States of America (“United States” or “U.S.”), represented by Dorsey & Whitney, LLP, United States.

The Respondent is Nadison Cherish, United States.

2. The Domain Name and Registrar

The disputed domain name <laurageller-us.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 10, 2025. On June 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 11, 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 to the Complainant on June 12, 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 June 13, 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 June 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 17, 2025.

The Center appointed Kathryn Lee as the sole panelist in this matter on July 25, 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 LAURA GELLER brand which was founded by professional makeup artist Laura Geller in 1997 and sells makeup, cosmetics, and beauty care products. The Complainant acquired the LAURA GELLER marks in 2019 which includes the following trademark registrations in the United States:

- LAURA GELLER: Trademark Registration Number 3527188 registered on November 4, 2008;
- LAURA GELLER and Device: Trademark Registration Number 4787513 registered on August 4, 2015; and
- LAURA GELLER MAKEUP and Device: Trademark Registration Number 3527188 registered on November 4, 2008.

Annual sales revenues for the Laura Geller brand in 2023 were more than USD 100 million.

The Respondent appears to be an individual with an address in the United States.

The disputed domain name was registered on May 27, 2025, and as of the date of the filing of the Complaint, resolved to a website displaying the Complainant's marks and selling LAURA GELLER branded goods.

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.

Notably, the Complainant contends that the disputed domain name is identical or confusingly similar to the mark in which it has registrations and that the addition of the geographic term "us" is irrelevant to the determination of similarity.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent's use of, or demonstrable preparations to use the disputed domain name in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain name, or a legitimate noncommercial or fair use of the disputed domain name by the Respondent. In addition, the Complainant contends that the Respondent has used the disputed domain name to display a website copying the overall look and feel of the Complainant's own official website and selling goods bearing the Complainant's marks which the Complainant contends represents either the sale of counterfeits (given the heavily discounted prices) or collecting payments without actually delivering the goods, neither of which constitutes bona fide offering of goods or services. The Complainant contends that by doing this, the Respondent passed off the disputed domain name as being affiliated with the Complainant, which does not afford rights or legitimate interests in the disputed domain name to the Respondent.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. With respect to registration, the Complainant contends that it is clear that the Respondent had knowledge of the Complainant and its marks given the manner in which the disputed domain name was used. And further, the Complainant contends that the Respondent's use falsely impersonates the Complainant and/or suggests that the Respondent is an affiliated company of the Complainant in order to deceive the public.

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 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 – here, “us” – 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 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 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.

Moreover, “UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term (at the second- or top-level), 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. Here, the geographical term “us” is added after the LAURA GELLER mark which may mislead Internet users into believing that the website at the disputed domain name is related to and/or operated by the Complainant's office in the U.S., contrary to the fact.

In addition, the Respondent's website displayed the Complainant's logo, design, color scheme, and pictures from the Complainant's website, and therefore, had the overall look and feel of the Complainant's own official website at "www.laurageller.com". Panels have held that the use of a domain name for illegitimate activity – here, claimed impersonation/passing off – 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.

First, the disputed domain name consists of the Complainant's distinctive LAURA GELLER mark, plus the geographical term "us". Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar – including those incorporating the mark plus a descriptive term, as in the disputed domain name – to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Further, the Respondent at one point linked the disputed domain name to a website displaying a copy-cat website with similar look and feel of the Complainant's official Laura Geller website with the Complainant's mark and offering the Complainant's products for sale. The authenticity of the goods offered for sale cannot be confirmed, but at the very least, the Respondent impersonated the Complainant in the manner in which the disputed domain name was used. Panels have held that the use of a domain name for illegitimate activity – here, claimed impersonation/passing off – 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 <laurageller-us.com> be transferred to the Complainant.

/Kathryn Lee/

Kathryn Lee

Sole Panelist

Date: August 7, 2025