

ADMINISTRATIVE PANEL DECISION

Byoma Limited v. Cary Nedd, CaryNedd, 张青 (Qing Zhang), Wu Han Huang
Hang Wang Luo Ke Ji You Xian Gong Si, 林剑贤 (jianxianlin)
Case No. D2025-2260

1. The Parties

Complainant is Byoma Limited, United Kingdom (“UK”), represented by SafeNames Ltd, UK.

Respondents are Cary Nedd, CaryNedd, United States of America (“US”); 张青 (Qing Zhang), China; Wu Han Huang Hang Wang Luo Ke Ji You Xian Gong Si, China; and 林剑贤 (jianxianlin), China.

2. The Domain Names and Registrars

The disputed domain names <byomaa.shop>, <byoma.one>, <byoma.online>, <byomas.shop>, <byomass.org>, <byomo.sale> are registered with NameCheap, Inc.; the disputed domain name <byoma.top> is registered with Jiangsu Bangning Science & technology Co. Ltd.; the disputed domain name <byomaus.cc> is registered with Chengdu West Dimension Digital Technology Co., Ltd.; and the disputed domain name <byomsa.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (jointly referred to as the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on June 10, 2025. On June 12 and July 3, 2025, 2025, the Center transmitted by emails to the Registrar requests for registrar verification in connection with the disputed domain names. On June 12, July 3, 4, and 6, 2025, the Registrar transmitted by emails to the Center its verification responses disclosing registrant and contact information for the disputed domain names 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 Complainant on July 6, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint in English on July 8, 2025 and further filed an amendment to the Complaint in English on July 11, 2025. Complainant requested to add eight additional disputed domain names on June 27, 2025.

On July 6, 2025, the Center informed the Parties in Chinese and English, that the language of the registration agreement for the disputed domain names <byoma.top>, <byomaus.cc>, and <byomsa.com> is Chinese. On July 8, 2025, Complainant confirmed its request that English be the language of the proceeding. Respondent did not submit any comment on Complainant's submission.

The Center verified that the Complaint together with the amended Complaint and 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 Respondent in Chinese and English of the Complaint, and the proceedings commenced on July 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 31, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on August 9, 2025.

The Center appointed Yijun Tian as the sole panelist in this matter on August 15, 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

A. Complainant

Complainant, Byoma Limited, is a skincare company incorporated in Scotland, UK. Founded in 2020, Byoma, part of Future Beauty Labs, has established itself as a science-based skincare brand focused on face and body products designed to cleanse, treat, moisturise, and protect the skin. Its products are sold worldwide through major retailers such as Sephora, Space NK, Ulta, and Target. In 2023, sales were reported between USD 30–50 million. The brand has been recognised with multiple awards, including Best Breakthrough Skincare Brand by Glamour Beauty (2022) and Best Independent Beauty Brand at the 2024 CEW Beauty Awards.

Complainant has rights in the BYOMA-related marks. Complainant is the owner of numerous BYOMA trademarks worldwide, including the Australian trademark registration for BYOMA, registered on March 29, 2021 (registration number: 2167020); the UK trademark registration for BYOMA, registered on August 6, 2021 (registration number: UK00003610176); the US trademark registration for BYOMA, registered on April 5, 2022 (registration number: 6690108); the European Union ("EU") trademark registrations for BYOMA, registered on October 14, 2021 (registration number: 018443892) and October 21, 2022 (registration number: 018722696); and the International trademark registration for BYOMA, registered on November 2, 2021 (registration number: 1633315) (Annex 8 to the Complaint).

B. Respondent

Respondents are Cary Nedd, CaryNedd, US; 张青 (Qing Zhang), China; Wu Han Huang Hang Wang Luo Ke Ji You Xian Gong Si, China; 林剑贤 (jianxianlin), China.

The disputed domain names <byomaa.shop>, registered on November 18, 2024; <byoma.one>, registered on September 26, 2024; <byoma.online>, registered on September 19, 2024; <byomas.shop>, registered on November 25, 2024; <byomass.org>, registered on October 17, 2024; and <byomo.sale>, registered on June 5, 2025, are registered Cary Nedd, CaryNedd, US, with NameCheap, Inc.

The disputed domain name <byoma.top>, registered by Wu Han Huang Hang Wang Luo Ke Ji You Xian Gong Si, China, on August 21, 2024, is registered with Jiangsu Bangning Science & Technology Co. Ltd.

The disputed domain name <byomaus.cc>, registered on July 24, 2024, is registered by 张青 (Qing Zhang), China, with Chengdu West Dimension Digital Technology Co., Ltd.

The disputed domain name <byomsa.com>, registered by 林剑贤 (jianxianlin), China, on July 20, 2024, is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (together, the “Registrar”).

According to the Complaint and relevant evidence, the disputed domain names <byoma.top> and <byomo.sale> previously resolved to a BYOMA-branded fake shop and now resolve to inactive websites (Annex 10 and Annex 11 to the Complaint). The remaining disputed domain names redirect to a Louis Vuitton-branded fake shop, with the exception of <byomsa.com>, which redirects to a PPC advertising page, and previously resolved to a website of BYOMA-branded fake shop (Annexes 10 and 11 to the Complaint).

5. Parties’ Contentions

A. Complainant

Complainant contends that the disputed domain names reproduce its BYOMA trademark in full, either identically or with minor alterations, and that generic Top-Level Domains should be disregarded under the first element as standard registration requirements.

Complainant contends that Respondents have no rights or legitimate interests in the disputed domain names.

Complainant contends that the disputed domain names were registered and are being used in bad faith.

Complainant requests that the disputed domain names be transferred to it.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

6.1. Language of the Proceeding

The language of the Registration Agreement for the disputed domain names <byoma.top>, <byomaus.cc>, and <byomsa.com> is Chinese. The language of the Registration Agreement for the other disputed domain names is English. 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.

From the evidence presented on the record, no agreement appears to have been entered into between Complainant and Respondents to the effect that the language of the proceeding should be English. Complainant initially filed its Complaint in English, and has requested that English be the language of the proceeding for the following reasons:

- (a) Complainant is not familiar with the Chinese language and cannot reasonably conduct these proceedings in Chinese without incurring significant expenses and delays due to the need for translation;
- (b) Respondents are capable of understanding and participating in proceedings conducted in English, which is supported by the fact that several of the disputed domain names have resolved to websites displayed in English (see Annex 11 to the Complaint);

(c) the use of English would avoid unnecessary translation costs, promote procedural efficiency, and enable the proceeding to take place with due expedition, consistent with paragraph 10(c) of the Rules and WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1.

Respondents did not make any 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 3.0](#), section 4.5.1).

On the record, Respondents, 张青 (Qing Zhang); Wu Han Huang Hang Wang Luo Ke Ji You Xian Gong Si; 林剑贤 (jianxianlin), appear to be located in China and is thus presumably not a native English speaker but a native Chinese speaker; but considering the following aspects, the Panel has decided that the language of the proceeding shall be English: (a) all the disputed domain names are registered in Latin characters, and include English terms or variations, rather than Chinese script; (b) the disputed domain names use generic Top-Level Domains such as ".com," ".shop," ".org," and ".online," indicating preparation for use targeting international, particularly English-speaking, users; (c) the websites to which the disputed domain names resolved were presented in the English language; (d) the Center notified Respondents of the Complaint and language of the proceeding in both Chinese and English, and Respondents raised no objection to Complainant's request; and (e) the Center informed Respondents that it would accept a response in either English or Chinese, but no Response was filed.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. Complainant alleged that the actual owner of the disputed domain names is the same entity and should be treated as a single Respondent.

The disputed domain name registrants did not comment on 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 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 3.0](#), section 4.11.2.

As regards common control, the Panel finds that Complainant has provided sufficient evidence to establish that the disputed domain names or corresponding websites are subject to common control, for the following reasons:

(a) The disputed domain names use the same Internet Service Provider, Beijing Ruihao Kai Yuan Technology Co;

(b) All disputed domain names incorporate the BYOMA mark, either identically or in close typosquatting variations (for example, <byoma.top>, <byomsa.com>), and eight domain names across four Respondents were registered within a short period in late 2024;

(c) With limited exceptions, the disputed domain names are used in the same manner, namely by redirecting to a fake Louis Vuitton-branded online store (the exceptions are: <byomsa.com>, which redirects

to a PPC advertising page; and <byoma.top> and <byomo.sale> (currently inactive), which previously resolved to a BYOMA-branded fake shop) (Annex 10 to the Complaint);

(d) Evidence shows that one of Respondents' email addresses has been used under multiple registrant aliases (Annex 17 to the Complaint).

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 "Respondent") in a single proceeding.

6.3 Substantive Issues: Three Elements

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 Complainant's trademark and the disputed domain names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds 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 disputed domain names all incorporate Complainant's BYOMA mark, either identically or with only minor modifications. These modifications include the addition of single letters ("a," "s," "ss," "us"), the substitution of "a" with "o," or the insertion of "s" as the penultimate character, combined with various generic Top-Level Domains (".shop," ".online," ".org," etc.).

The Panel finds that such minor alterations do not prevent a finding of confusing similarity. See [WIPO Overview 3.0](#), section 1.8. Section 1.9 of the [WIPO Overview 3.0](#) states: "A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element."

Based on the available record, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognised that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. 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 record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

More specifically:

(i) there has been no evidence adduced to show that Respondent used the disputed domain name in connection with a bona fide offering of goods or services. Respondent has not provided evidence of reasons to justify the choice of the term “byoma”, the distinctive part of Complainant’s BYOMA trademark, in the disputed domain name. There has been no evidence to show that Complainant has licensed or otherwise permitted Respondent to use the BYOMA trademark or to apply for or use any domain name incorporating the BYOMA marks;

(ii) there has been no evidence adduced to show that Respondent has been commonly known by the disputed domain name. There has been no evidence adduced to show that Respondent has any registered trademark rights with respect to the disputed domain name. Respondent registered the disputed domain names since 2024, after the BYOMA mark was registered internationally (since 2021). The disputed domain names are identical or confusingly similar to Complainant’s BYOMA marks; and

(iii) there has been no evidence adduced to show that Respondent was making a legitimate noncommercial or fair use of the disputed domain name. By contrast, the disputed domain names currently or previously resolved to active websites impersonating Complainant or redirecting to third-party content, including online shops and PPC advertising pages, evidently for commercial gain. It seems likely that Respondent was making profits through the Internet traffic attracted to the website under the disputed domain names. (See *BKS Bank AG v. Jianwei Guo*, WIPO Case No. [D2017-1041](#); and *Pet Plan Ltd. v. 权中俊 and 李金梁 (Li Jin Liang)*, WIPO Case No. [D2020-3358](#)).

Panels have held that the use of a domain name for illegal activity (i.e., impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Based on the available record, 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 Respondent has registered and used the disputed 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.

Based on the information provided by Complainant, the Panel finds that Complainant has a reputation in the BYOMA marks with regard to its products and services. It is not conceivable that Respondent would not have had Complainant’s trademark in mind at the time of the registration of the disputed domain name (since 2024). This has been reinforced by the fact that the disputed domain names incorporate the distinctive part of Complainant’s BYOMA trademark (or misspelled “byoma”) entirely, and the use of Complainant’s trademark on the websites of the disputed domain names.

Respondent has used the websites resolved by the disputed domain names for offering purported BYOMA-branded or purported Louis Vuitton-branded products for sale (Annexes 10 and 11 to the Complaint).

Thus, the Panel concludes that Respondent is using confusingly similar disputed domain names with the intention to attract, for commercial gain, Internet users to Respondent’s website by creating a likelihood of confusion with Complainant. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

UDRP panels have held that the use of a domain name for illegal activity (i.e., impersonation/passing off) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Based on the available record, the Panel finds the third element of the Policy has been established.

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 <byomaa.shop>, <byoma.one>, <byoma.online>, <byomas.shop>, <byomass.org>, <byomo.sale>, <byoma.top>, <byomaus.cc>, and <byomsa.com> be transferred to Complainant.

/Yijun Tian/

Yijun Tian

Sole Panelist

Date: September 5, 2025