

## ADMINISTRATIVE PANEL DECISION

Original Additions (Beauty Products) Ltd. v. Jiao Mi  
Case No. D2025-2545

### 1. The Parties

The Complainant is Original Additions (Beauty Products) Ltd., United Kingdom, represented by Greenberg Traurig, LLP, United States of America (“U.S.”).

The Respondent is Jiao Mi, China.

### 2. The Domain Name and Registrar

The disputed domain name <theeylure.com> is registered with Name.com, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 27, 2025. On July 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 2, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing additional 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 Respondent of the Complaint, and the proceedings commenced on July 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 25, 2025.

The Center appointed Shwetasree Majumder as the sole panelist in this matter on July 29, 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 in the business of making false eyelashes under its mark EYLURE. The Complainant's mark EYLURE is registered in several countries. Details of some of such registrations are as below:

- EYLURE – U.S. Registration No. 4342974, registered on May 28, 2013, in class 3.
- EYLURE – Canadian Registration No. TMA884490, registered on August 21, 2014, in class 3.
- EYLURE stylized design mark – U.S. Registration No. 5554512, registered on September 04, 2018, in class 3 (Depicted as below)



The Complainant's main business website is "www.eylure.com", which has been registered since the year 1999. The Complainant also owns and operates country or region-focused websites like "www.eylure.au" and "www.eylure.co.uk".

The disputed domain name <theeylure.com> was registered on March 5, 2025. Pursuant to a takedown request filed by the Complainant in July 2025 with the Registrar and Internet service provider, the content hosted on the disputed domain name was taken down. Presently, the disputed domain name does not resolve into any active website. However, it is worth noting that in the past, the Respondent's website copied the general information about the mark EYLURE from the Complainant's website and also adopted the same look and feel along with the EYLURE marks and logo.

#### 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 confusingly similar to the trademark EYLURE of the Complainant. The Complainant argues that it has used the mark EYLURE in connection with the business of making fake eyelashes since at least as early as 1947, and the priority for first trademark registration goes back to 2011. The Complainant contends that the Respondent is not commonly known by the disputed domain name and has never used or prepared to use it in connection with any bona fide offering of goods or services. The Complainant argues that the disputed domain name was registered specifically to impersonate the Complainant and commit fraud on the public. The Complainant further argues that the Respondent is using the disputed domain name to divert Internet traffic to "an imposter website" that mimics the Complainant's official website. The Complainant has stressed that the Respondent's website adopts the same overall appearance as the authentic Eylure websites and falsely presents itself as a source of general information about Eylure. The Complainant contends that the Respondent encourages visitors to submit their email addresses under the pretext of subscribing for updates and lists the contact email "[...]@theeylure.com". The Complainant argues that this email address is likely being used to conduct phishing attempts. The Complainant argues that the Respondent has not used the disputed domain name for any bona fide offering of goods/services.

The Complainant argues that the disputed domain name also uses the EYLURE logo mark, which is a clear attempt to mislead people who are searching for the Complainant's products. The Complainant further argues the Respondent's website could be used to scam people and steal their personal details and even in the best case, it still confuses the Complainant's customers. In both situations, the Respondent's use of the disputed domain name is not fair or genuine. According to the Complainant, the Respondent's bad faith is evident from its website content. The Respondent's website gives a clear impression of being associated

with the Complainant, including by using the Complainant's EYLURE marks and offering identical information.

## **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 the term "the" may bear on the 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 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.

Panels have held that the use of a domain name for illegitimate activity, such as impersonation of the Complainant, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel is aware that presently the disputed domain name does not have any hosted content. However, the Panel finds that the Respondent's website in the past was aimed to impersonate the Complainant's authentic website by mimicking its look and feel, along with using the Complainant's mark EYLURE, as well as the EYLURE logo mark and providing similar content related to the business of fake eyelashes.

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 Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the complainant's mark. The Respondent's conduct of using the Complainant's EYLURE Marks and EYLURE logo mark on its website for impersonating the Complainant with an attempt to defraud Internet users amounts to registration and use of the disputed domain name in bad faith. Particularly, the Complainant has provided evidence showing that the Respondent's website had adopted the same look and feel of the Complainant's website. The Complainant also provided evidence showing that the Respondent's website encouraged visitors to provide their email addresses, which may be used for fraudulent transactions and for stealing personal data.

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.

Panels have held that the use of a domain name for illegitimate activity such as impersonation of the complainant 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 <theeylure.com> be transferred to the Complainant.

*/Shwetasree Majumder/*

**Shwetasree Majumder**

Sole Panelist

Date: August 12, 2025