

ADMINISTRATIVE PANEL DECISION

Inmode Ltd v. Eva Juhasz, Chelsea Clinic Ltd
Case No. D2025-3208

1. The Parties

The Complainant is Inmode Ltd, Israel, represented by Boulton Wade Tennant, United Kingdom.

The Respondent is Eva Juhasz, Chelsea Clinic Ltd, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <morpheus8.clinic> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 11, 2025. On August 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 12, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 13, 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 August 15, 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 August 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 8, 2025.

The Center appointed Evan D. Brown as the sole panelist in this matter on September 16, 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 developing, manufacturing, and marketing aesthetic medical technologies, including minimally invasive skin rejuvenation treatments using radiofrequency-based devices.

It owns the trademarks MORPHEUS8 and MORPHEUS, for which it enjoys the benefits of registration (United Kingdom Reg. No. UK00004072201, registered on November 1, 2024, and United Kingdom Reg. No. UK00918008516, registered on May 29, 2019, respectively).

The Complainant asserts that it has acquired common law rights in the MORPHEUS8 mark through extensive and continuous use since 2017. It claims to have launched the “Morpheus8 Skincare Machine” that year and, by the date of the registration of the disputed domain name, had sold over 8,850 units globally, generating more than USD 578 million in revenue. The Complainant contends that its products have been marketed and sold in approximately 40 countries and have been supported by significant investment in publicity, including coverage in major media outlets such as Cosmopolitan and Elle, endorsements by celebrities such as Kim Kardashian and Eva Longoria, and numerous industry awards. It further states that consumer recognition of the mark is reflected in substantial online search volume, with approximately 90,500 monthly Google searches for the term “Morpheus8” as of June 2022. On this basis, the Complainant argues that the MORPHEUS8 mark had developed substantial goodwill and distinctiveness in the marketplace prior to the registration of the disputed domain name.

According to the Whois information, the disputed domain name was registered on June 30, 2022. The Complainant asserts that the Respondent has used the disputed domain name to operate a website offering aesthetic treatments using the Complainant’s Morpheus8 device, while falsely implying an official relationship with the Complainant. According to the Complainant, the website prominently features the MORPHEUS8 mark in the disputed domain name and includes misleading claims such as being an “exclusive” and “official” provider, and “global ambassador”, all of which the Complainant states are untrue. The Complainant further asserts that the Respondent uses the Complainant’s logo and one of the Complainant’s videos on the website without authorization, and that these elements collectively serve to create a false impression of endorsement or affiliation. The Complainant contends that this use of the disputed domain name is intended to mislead consumers and divert them for the Respondent’s commercial gain.

5. Parties’ Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant’s trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

B. Respondent

The Respondent did not respond to the Complainant’s contentions.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is 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 respect of the disputed domain name, and (iii) the disputed domain name has been registered and is being used in bad faith. The Panel finds that all three of these elements have been met in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. 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. *Id.* This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#). The Complainant has demonstrated its rights in the MORPHEUS8 and MORPHEUS marks by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the MORPHEUS8 mark in its entirety. The inclusion of the Top-Level Domain ".clinic" does not prevent a finding of confusing similarity. See [WIPO Overview 3.0](#), section 1.11.1. The MORPHEUS8 mark remains clearly recognizable within the disputed domain name and is not altered or obscured in any way.

In addition to its registered rights, the Complainant also asserts common law rights in the MORPHEUS8 mark through long-standing use, substantial sales, widespread media coverage, celebrity endorsements, and extensive online visibility. The Panel credits the Complainant's assertions that it has developed common law rights in the MORPHEUS8 mark.

The Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name. According to the Complainant, it has not authorized the Respondent to register or use the disputed domain name or to make any use of its trademarks, logo, or proprietary promotional materials. Although the Respondent purchased a Morpheus8 device in June 2022, the Complainant contends that this commercial transaction was conducted at arm's length and did not confer any trademark or branding rights. The Complainant emphasizes that the terms and conditions governing the sale did not include any license or permission to register a domain name incorporating the Complainant's trademarks.

The Complainant further argues that the Respondent has deliberately used the disputed domain name in a manner designed to confuse consumers and create the false impression of an official relationship, endorsement, or affiliation with the Complainant. The Respondent's website includes numerous statements which the Complainant asserts are false and misleading, such as "Official Provider", "Global Ambassador", "Morpheus8 Specialists", and "World Exclusive Only at Morpheus8 Clinic". According to the Complainant, these claims are entirely untrue, as it does not designate clinics with such titles, nor does it grant exclusive rights to any provider. The Complainant also objects to the Respondent's use of the term "M8® Experience", arguing that "M8" is a commonly used abbreviation for Morpheus8 and that the use of the ® symbol falsely implies a registered trademark, which the Respondent does not own. The Complainant notes that this may even constitute a criminal offense under UK law.

The Complainant contends that these representations are further compounded by the unauthorized use of the Complainant's logo and a promotional video on the Respondent's website. In the Complainant's view, these materials are being used to lend credibility to the Respondent's misrepresentations and to reinforce the illusion of a formal association between the parties. The Complainant asserts that this use of the disputed domain name is designed to divert Internet users for commercial gain and is not indicative of any legitimate interest.

The Complainant also argues that the Respondent's use of the disputed domain name fails to meet the criteria established under the *Ok! Data* test (set forth in *Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) and discussed in [WIPO Overview 3.0](#), section 2.8.1), which outlines the conditions under which a reseller or distributor may claim a legitimate interest in using a domain name incorporating a complainant's trademark. Under *Ok! Data*, four cumulative conditions must be met: (1) the respondent must actually be offering the goods or services at issue; (2) the respondent must use the site to sell only the trademarked goods or services; (3) the site must accurately and prominently disclose the respondent's relationship with the trademark owner; and (4) the respondent must not try to corner the market in domain names reflecting the trademark.

While the Respondent may be offering services related to the Complainant's Morpheus8 device, the Complainant asserts that the third condition is plainly not satisfied. The website does not accurately or prominently disclose the Respondent's lack of affiliation with the Complainant. To the contrary, the Complainant maintains that the website is intentionally designed to obscure that fact by using suggestive terminology such as "Global Ambassador" and "Official Provider", and by incorporating the Complainant's branding. In the Panel's view, this misleading presentation disqualifies the Respondent from any claim of legitimate interest under *Ok! Data*. Furthermore, the composition of the disputed domain name carries a high risk of implied affiliation with the Complainant and its trademark.

In light of the foregoing, the Panel finds that the Complainant has established this second element under the Policy.

C. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

The Panel finds that the disputed domain name was registered and is being used in bad faith under paragraph 4(b)(iv) of the Policy. The Complainant has provided persuasive evidence that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website and the services promoted thereon.

The Panel also notes that the Respondent used a privacy protection service to obscure its identity, further supporting an inference of bad faith. The Respondent's failure to respond to the Complaint reinforces this conclusion.

The Panel finds that the Complainant has established this third element under 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 <morpheus8.clinic> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: October 1, 2025