

## ADMINISTRATIVE PANEL DECISION

The Founders Inc. v. 林裕长  
Case No. D2025-3798

### 1. The Parties

The Complainant is The Founders Inc., Republic of Korea, represented by Marq Vision, Inc., United States of America.

The Respondent is 林裕长, China.

### 2. The Domain Name and Registrar

The disputed domain name <anua.store> (the “Disputed Domain Name”) is registered with July Name Limited (the “Registrar”).

### 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on September 18, 2025. On September 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On September 22, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 29, 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 in English on October 2, 2025.

On September 29, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the Disputed Domain Name is Chinese. On October 2, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on October 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 4, 2025.

The Center appointed Andrew Sim as the sole panelist in this matter on November 13, 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 a business registered in the Republic of Korea. The Complainant is a global commerce company in the beauty and skincare industry, with "ANUA" being the Complainant's flagship skincare brand. The ANUA brand is widely popular in over 130 countries and has been recognized as a 2024 Amazon Top Brand and in leading rankings in major markets such as Amazon US and Japan's Qoo10.

The Complainant holds registered trademarks for ANUA (comprising the English portion "anua" and three Korean characters) (the "ANUA Trademark") in various jurisdictions:

Jurisdiction	Mark	Registration Number	Registration Date	Class Covered	Status
International	<b>anua</b> 아누아	1546316	July 1, 2020	3	Registered
The United States of America	<b>anua</b> 아누아	79291971	August 24, 2021	3	Registered

The Panel notes that the above registrations do not cover China, where the Respondent is located in, whether through national applications or international designations.

Furthermore, the Complainant operates the primary domain name <anua.kr> as the official website of the ANUA brand (the "Official Website"). The English portion of the ANUA Trademark (with "A" capitalized and "nua" in lowercase) is displayed prominently in various parts of the Official Website.

The Disputed Domain Name, <anua.store>, was registered on May 4, 2025. Based on the Complainant's evidence, upon visiting <anua.store> previously, it resolved to a website (the "Respondent's Website") that prominently displayed the English portion of the ANUA Trademark (with "A" capitalized and "nua" in lowercase) in the same stylization as shown on the Official Website, used official product images of the Complainant without authorization and purported to offer "Anua" skincare products similar to those of the Complainant. Upon the Panel's own visit to <anua.store>, the Respondent's Website is no longer accessible, likely caused by the Registrar's decision to place the Disputed Domain Name on lock.

Little information is known about the Respondent. Available information provided by the Registrar covers only the registrant's name, postal address, telephone number and email address.

## **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.

First, the Complainant contends that the Disputed Domain Name is confusingly similar to the Complainant's ANUA Trademark, as it incorporates the ANUA Trademark in its entirety. The Complainant contends that the inclusion of the generic Top-Level Domain ("gTLD") ".store" does not eliminate the confusing similarity but rather reinforces the misleading impression of an affiliation with the Complainant.

Second, the Complainant contends that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. This is based on that:

- (a) The Respondent is not commonly known by the Disputed Domain Name;
- (b) The Respondent has not acquired trademark or service mark rights;
- (c) There is no relationship or affiliation between the Complainant and the Respondent which might give rise to any license, permission, or other right by which the Respondent could own or use any domain name incorporating the ANUA Trademark; and
- (d) The Respondent is not engaged in bona fide offering of goods or services but has used the Disputed Domain Name in connection with the Respondent's Website that misleads consumers into thinking that the Respondent is the Complainant and is now holding the Disputed Domain Name for commercial gain.

Third, the Complainant contends that the Disputed Domain Name was registered and is being used in bad faith. The Complainant claims that the Respondent was aware of the Complainant and its rights at the time of registration of the Disputed Domain Name. The deliberate choice of incorporating the ANUA Trademark in its entirety with only a gTLD ".store" reflects the intention to exploit the Complainant's reputation and goodwill by falsely implying affiliation. The Respondent's Website also deceives consumers into believing they are dealing with the official ANUA brand, thereby demonstrating an intent to mislead users for commercial gain. Particularly, the Complainant refers to the Respondent's Website's "About" page which displays the phrase "ANUA's ORIGINAL" and highlights the use of natural and active ingredients commonly associated with the Complainant's official products. The Respondent's Website also offers time-limited discounts for first purchases to lure customers quickly. The Respondent has also taken steps to conceal its identity by withholding accurate contact details in the WHOIS record, intending to hinder the enforcement of the Complainant's rights and frustrate the Policy's objectives.

The Complainant requests that the Disputed Domain Name be transferred to the Complainant.

### **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1 Preliminary Issue: Language of the Proceeding**

The language of the Registration Agreement for the Disputed Domain Name is Chinese. 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.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including:

- (a) The Disputed Domain Name is composed of English words, and incorporates the ANUA Trademark in its entirety, with only the addition of the gTLD “.store”;
- (b) The Respondent’s Website is operated exclusively in English, demonstrating that the Respondent conducts its business activities exclusively in English;
- (c) The circumstances demonstrate that the Respondent has sufficient proficiency in English to understand and participate in these proceedings; and
- (d) Requiring the Complainant to translate the Complaint and supporting documentation into Chinese would impose an undue burden and place the Complainant at a significant procedural disadvantage.

The Respondent did not make any specific submissions with respect to the language of the proceeding. This is despite the fact that the Center had sent the notification of the Complaint which includes instructions on the language of the proceeding to the Respondent in both Chinese and English.

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.5.1).

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 Substantive Issues**

Paragraph 4(a) of the Policy states that, in an administrative proceeding, the Complainant must prove each of the following three elements:

- (a) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (b) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (c) the Disputed Domain Name has been registered and is being used in bad faith.

For the below reasons, support for the Complaint can be found due to the satisfaction of the three conditions for the Disputed Domain Name.

### **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 3.0](#), section 1.7.

As the Panel has already noted in section 4 above, the registrations of the Complainant’s ANUA Trademark do not cover China, where the Respondent is located in. However, given the global nature of the Internet and Domain Name System, the Panel does not consider the lack of registration or designation in China is relevant to the assessment under this first element. [WIPO Overview 3.0](#), section 1.1.2. Given the above, 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 English portion of the ANUA Trademark is reproduced within the Disputed Domain Name. While the ANUA Trademark also comprises three Korean characters, the Panel considers that the Korean characters do not overtake the English portion in prominence, and hence the lack thereof in the Disputed Domain Name do not affect the standing of the Complainant under the Policy. This is also consistent with prior UDRP decisions involving the ANUA Trademark, including *The Founders Inc. v. Omar Eddaouri, My Store*, WIPO Case No. [D2024-4926](#), and *The Founders Inc. v. Mera Jewelry*, WIPO Case No. [D2024-4939](#).

Although the addition of the gTLD “.store” following the ANUA Trademark 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 ANUA Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.8 and 1.11.

Accordingly, the Disputed Domain Name is confusingly similar to the Complainant’s ANUA Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. 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.

From the overall appearance of the Respondent’s Website as described in section 4 above, the Panel finds that the Respondent’s Website was used for illegal or illegitimate activities as the Respondent’s Website was clearly an illegal imitation of the Complainant’s Official Website.

According to previous UDRP decisions, the use of a domain name for illegitimate or illegal activity, such as phishing or impersonation, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Particularly in regards to the three illustrative examples of legitimate interests in paragraph 4(c) of the Policy, the Panel finds that:

- (i) the Respondent has not used the Disputed Domain Name in connection with a bona fide offering of goods and services, as the Panel has ruled that the Respondent’s Website was used for illegal or illegitimate activities;
- (ii) the Disputed Domain Name does not correspond with the Respondent’s name (i.e., “林裕长”), and there is no evidence of the Respondent operating any business or organization with similar name as the Disputed Domain Name; and

(iii) the Respondent's use of the Disputed Domain Name does not fall within the scope of legitimate noncommercial or fair use, as the Respondent's Website was used for illegal or illegitimate activities.

The Panel also finds that the Respondent has no rights or legitimate interests to use the Complainant's ANUA Trademark.

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.

The Panel finds that the circumstances of registering and using the Disputed Domain Name clearly demonstrate the Respondent's bad faith and have constituted the situation as specified in paragraph 4(b)(iv) of the Policy:

(a) The Complainant's ANUA Trademark has been registered since 2020 before the Respondent's registration of the Disputed Domain Name which is confusingly similar to the Complainant's ANUA Trademark, and also similar to its primary domain name <anua.kr>;

(b) While the Complainant's ANUA Trademark does not cover China, where the Respondent is located in, given that the English portion of the ANUA Trademark and the official product images of the Complainant appeared extensively on the Respondent's Website, the Panel finds that the Respondent must have had actual knowledge of the Complainant and the ANUA Trademark as well as constructive knowledge, at the very least, of the ANUA Trademark at the time of registering the Disputed Domain Name;

(c) As earlier found in section 6.2 above that the Respondent's Website was intended to impersonate the Complainant's Official Website, bad faith is manifestly apparent. [WIPO Overview 3.0](#), section 3.1.4; and

(d) There is no reasonable connection or association between the Respondent and the Disputed Domain Name.

Inference of bad faith is also drawn in accordance with paragraph 14(b) of the Rules for the Respondent's failure to file a response as required in paragraph 5(a) of the Rules in the absence of exceptional circumstances.

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 <anua.store> be transferred to the Complainant.

*/Andrew Sim/*

**Andrew Sim**

Sole Panelist

Date: November 28, 2025