

ADMINISTRATIVE PANEL DECISION

AX Beauty Brands, LLC v. Carrie Folse
Case No. D2025-3894

1. The Parties

The Complainant is AX Beauty Brands, LLC, United States of America (“United States”), represented by Meister Seelig & Fein LLP, United States.

The Respondent is Carrie Folse, United States.

2. The Domain Name and Registrar

The disputed domain name <urbanskin.shop> is registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 24, 2025. On September 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 25, 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 (Spaceship, Inc.) 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 on September 29, 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 October 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 22, 2025.

The Center appointed Joseph Simone as the sole panelist in this matter on November 3, 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, AX Beauty Brands, LLC, is a consumer products company specializing in the development and marketing of beauty and personal care goods, including skincare, cosmetics, and wellness products. Among its portfolio of proprietary brands is Urban Skin Rx, a recognized skincare brand known for its focus on melanin-rich skin treatments for issues such as hyperpigmentation and uneven skin tone.

The Complainant has a portfolio of trade mark registrations in the United States incorporating the URBAN SKIN RX mark, including the following:

- United States Trade Mark Registration No. 5221577 for URBAN SKIN RX in Classes 3 and 35, registered on June 13, 2017; and
- United States Trade Mark Registration No. 6739929 for URBAN SKIN RX PRO STRENGTH COLLECTION in Classes 3 and 35, registered on May 24, 2022.

The disputed domain name <urbanskin.shop> was registered on June 6, 2025. The evidence provided by the Complainant indicates that at the time of filing of the Complaint, the disputed domain name resolves to a website that replicates the trade marks as well as the layout and format of the Complainant's official website. At the time of issuance of this Decision, the disputed domain continued to resolve to the same website.

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.

In particular, the Complainant contends that the disputed domain name registered by the Respondent is identical or confusingly similar to the Complainant's URBAN SKIN RX marks.

The Complainant asserts that it has not authorized the Respondent to use the URBAN SKIN RX marks, and there is no evidence to suggest that the Respondent has used, or has undertaken any demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services.

The Complainant also claims there is no evidence that the Respondent has any connection to the URBAN SKIN RX marks, and that there is no plausible good faith reason for the Respondent to have registered the disputed domain name. The Complainant therefore argues that the registration and any use of the disputed domain name must be in bad faith. The Complainant further notes that the Respondent is using the disputed domain name to direct Internet users to an imitation website prominently displaying the URBAN SKIN RX mark on its landing page and claiming to offer the Complainant's branded cosmetic products for sale identified by their additional specific product-related registered and common law trademarks owned by the Complainant, thus unfairly trading on the goodwill associated with the Complainant's marks.

The Complainant therefore argues that the registration and any use of the disputed domain name must be in bad faith.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

It is widely 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 trade mark 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 Panel acknowledges that the Complainant has established rights in the URBAN SKIN RX trade marks. [WIPO Overview 3.0](#), section 1.2.1.

Disregarding the generic Top-Level Domain ("gTLD") ".shop", the disputed domain name incorporates the term URBAN SKIN, which is identical to the main distinctive element of the Complainant's trade marks URBAN SKIN RX. Thus, the disputed domain name should be regarded as confusingly similar to the Complainant's URBAN SKIN RX trade marks. [WIPO Overview 3.0](#), sections 1.7 and 1.11.1.

The Panel therefore finds that the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy in establishing its rights in the URBAN SKIN RX trade marks and in showing that the disputed domain name is confusingly similar to its marks.

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 rests with 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.

In this case, the Complainant asserts that it has not authorized the Respondent to use its trade marks and there is no evidence to suggest that the Respondent has used, or undertaken any demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Having reviewed the available records, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Respondent did not file a response and has therefore failed to assert factors or put forth evidence to establish that it enjoys rights or legitimate interests in the disputed domain name. Previously, the disputed domain name was used to impersonate the Complainant's website. Such use of the disputed domain name is inherently fraudulent and cannot confer any rights or legitimate interests upon the Respondent. Panels have categorically held that the use of a domain name for illegal activity can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.

There is also no evidence to show that the Respondent has been commonly known by the disputed domain name or that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name.

As such, the Panel concludes that the Respondent has failed to rebut the Complainant's prima facie showing of the Respondent's lack of rights or legitimate interests in the disputed domain name, and that none of the circumstances of paragraph 4(c) of the Policy is applicable in this case.

Accordingly, and based on the Panel's findings below, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name pursuant to paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The third and final element that a complainant must prove is that the respondent has registered and is using the disputed domain name in bad faith.

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered as evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that the respondent registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant (the owner of the trade mark or service mark) or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the respondent registered the domain name in order to prevent the owner of the trade mark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) circumstances indicating that the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the respondent is using the domain name to intentionally attempt to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on its website or location.

The examples of bad faith registration and use set forth in paragraph 4(b) of the Policy are not meant to be exhaustive of all circumstances in which bad faith may be found. Other circumstances may also 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.

For reasons discussed under this and the preceding heading, the Panel believes that the Respondent's conduct in this case constitutes bad faith registration and use of the disputed domain name.

As indicated above, the Complainant's trade mark registrations incorporating the URBAN SKIN RX mark predate the registration of the disputed domain name. The Panel finds that the Respondent was or should have been aware of the Complainant's trade marks at the time of registration. This finding is supported by the composition of the disputed domain name, which is composed of the main distinctive element of the Complainant's registered URBAN SKIN RX trademark, as well as by the Respondent's use of the disputed domain name to imitate the Complainants' website. Prior to the registration date of the disputed domain name, the "urban skin rx" name was already widely known and directly associated with the Complainant's activities. A simple online search for the term "urban skin" would have revealed the existence of the established URBAN SKIN RX brand. [WIPO Overview 3.0](#), section 3.2.2.

The disputed domain name has been used by the Respondent in bad faith. As established above, the Complainant showed that the disputed domain name was used in relation to a website which was a substantial copy of the Complainant's website, thereby misleading the public. This presents an implied ongoing threat to the Complainant and further supports a finding of bad faith.

Accordingly, the Panel finds that the Respondent has registered and used the disputed domain name pursuant to paragraph 4(a)(iii) 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 <urbanskin.shop> be transferred to the Complainant.

/Joseph Simone/

Joseph Simone

Sole Panelist

Date: November 19, 2025