

## ADMINISTRATIVE PANEL DECISION

FragranceX.com Inc. v. Yiwei Ren, Yiwei  
Case No. D2025-4672

### 1. The Parties

The Complainant is FragranceX.com Inc., United States of America (“United States”), represented by SafeNames Ltd., United Kingdom.

The Respondent is Yiwei Ren, Yiwei, China.

### 2. The Domain Name and Registrar

The disputed domain name <fragrancex.site> is registered with Atak Domain Hosting Internet ve Bilgi Teknolojileri Limited Sirketi d/b/a Atak Teknoloji (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 11, 2025. On November 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 12, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the 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 November 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 8, 2025.

The Center appointed Philippe Gilliéron as the sole panelist in this matter on December 12, 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 was founded in 2001. It is an online retailer for fragrances which sells perfumes, colognes, lotions and other cosmetics from famous brands through its website <fragrancex.com>, held since April 2001.

The Complainant's website receives over 3 million visits per month and makes a yearly revenue in excess of USD 22 million.

The Complainant holds the following trademarks in the United States:

- United States Trademark Registration Number 5375103 for FRAGRANCEX, registered on January 9, 2018, in class 35; and
- United States Trademark Registration Number 3365121 for FRAGRANCEX.COM, registered on January 8, 2008, in class 35.

The Complainant further has an extensive social media presence through its pages on Facebook, X or Instagram, totaling around 1.1 million "likes" on its Facebook page.

On September 22, 2025, the Respondent registered the disputed domain name. At the time of filing of the Complaint, the disputed domain name was offered for sale for USD 1,450. The disputed domain name does not currently resolve to any active website.

On September 29, 2025, the Complainant, acting through its legal counsel, sent a cease-and-desist letter to the Respondent, drawing his attention upon its trademark rights and inviting him to transfer the disputed domain name in its favor and refrain from any further use by October 13, 2025.

The Respondent did not respond.

#### **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 identical or confusingly similar to its trademark FRAGRANCEX as it entirely incorporates such trademark.

It further considers that the Respondent has no rights or legitimate interests in the disputed domain name as it does not have any trademark rights to the term "FRAGRANCEX" and has not been authorized by the Complainant to use its trademarks. Furthermore, the Respondent has neither used nor prepared to use the disputed domain name in connection with a bona fide offering of goods or services. He is not commonly known under that name.

Finally, the Complainant affirms that the disputed domain name was registered and is being used in bad faith. In light of its well-known character, the Respondent was obviously aware of the Complainant's trademark when it registered the disputed domain name. The Respondent's use of the disputed domain name, to redirect Internet users to an offer for sale webpage that advertises the disputed domain name on sale is evidence that the Respondent intends to capitalise on the goodwill and reputation of the Complainant's FRAGRANCEX trademark. The Complainant further highlights that the Respondent has engaged in a pattern of abusive conduct by registering other domain names that encompass the marks of well-known third-party trademarks.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs this Panel to "[...] decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Pursuant to paragraph 4(a) of the Policy, the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be cancelled or transferred:

- (i) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or a 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.

### **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 Complainant's FRAGRANCEX trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark 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.

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 was obviously aware of the Complainant's FRAGRANCEX trademark when he registered the disputed domain name, as such a choice cannot be a pure coincidence but rather reflects a deliberate intent to appropriate the Complainant's trademark in an illegitimate way.

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.

Having reviewed the available record, the Panel notes the composition of the disputed domain name, which consists of the entire and sole capture of the Complainant's FRAGRANCEX trademark and is listed for sale. In the Panel's view, such a registration reflects the Respondent's intent to misappropriate the Complainant's trademark and related goodwill in an attempt to sell the disputed domain name. The Respondent, who was provided the opportunity to prove otherwise, did neither respond to the Complainant's cease-and-desist letter sent on September 29, 2025, nor to the Complaint. As a result, the Panel has no doubt in ruling that the use made by the Respondent of the disputed domain name amounts to a use in bad faith.

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 <fragrancex.site> be transferred to the Complainant.

*/Philippe Gilliéron/*

**Philippe Gilliéron**

Sole Panelist

Date: December 24, 2025.