

## **ADMINISTRATIVE PANEL DECISION**

The Procter & Gamble Company v. york stella  
Case No. D2025-5010

### **1. The Parties**

The Complainant is The Procter & Gamble Company, United States of America, represented by Studio Barbero S.p.A., Italy.

The Respondent is york stella, China.

### **2. The Domain Name and Registrar**

The disputed domain name <thefairynonbio.com> is registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 3, 2025. On December 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 4, 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 (Redated for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 8, 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 amendment to the Complaint on December 9, 2025.

The Center verified that the Complaint together with the amendment to 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 December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 9, 2026.

The Center appointed Moonchul Chang as the sole panelist in this matter on January 13, 2026. 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, the Procter & Gamble Company founded in 1837, currently manufactures a wide range of consumer goods such as health care, hair care, cosmetics, laundry and fabrics care. The Complainant operates over 60 brands in about 80 countries in the field of cleaning agents, personal care and hygienic products. The brand of FAIRY dates back to 1898 in the United Kingdom. In 1989, the Complainant introduced FAIRY NON BIO, a laundry detergent recognized as a gentle yet capable laundry detergent for washing baby clothes.

The Complainant is the owner, directly or through its wholly owned subsidiaries, of the following trademark registrations:

- European Union Trademark FAIRY with registration No. 000230714, registered on September 8, 1998;
- European Union Trademark FAIRY with registration No. 004761904 registered on January 17, 2007; and
- European Union Trademark FAIRY NON BIO with registration No. 019159550 registered on July 5, 2025.

The disputed domain name was registered on October 11, 2025. It resolves to a website displaying the Complainant's trademarks FAIRY and FAIRY NON BIO and its product visuals, publishing information on the Complainant's FAIRY NON BIO products, including in the "About Us" section, and promoting the sale of the Complainant's FAIRY NON BIO products.

#### **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.

The Complainant contends that:

(a) the disputed domain name is confusingly similar to the trademarks FAIRY and FAIRY NON BIO in which the Complainant has rights, because the disputed domain name reproduces the FAIRY trademark in its entirety and reproduces FAIRY NON BIO with the mere deletion of spaces and the addition of the term "the" as prefix.

(b) the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not an authorized reseller of the Complainant and has not been authorized to register and use the disputed domain name. In addition, the Respondent's website under the disputed domain name reproduces the Complainant's FAIRY or FAIRY NON BIO trademark and product visuals, publishing information on the Complainant's FAIRY NON BIO products and promoting the sale of the Complainant's FAIRY NON BIO products, without providing any disclaimer as to the Respondent's lack of relationship with the Complainant. This demonstrates that the Respondent intended to obtain an unfair commercial gain, with a view to misleadingly diverting consumers. Further, the Respondent has not been commonly known by the disputed domain name. Accordingly, the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or fair use of the disputed domain name.

(c) the disputed domain name was registered and is being used in bad faith. Considering that the Respondent's website under the disputed domain name promotes FAIRY and FAIRY NON BIO products, it is evident that the Respondent knew of the Complainant's trademark at the time of registering the disputed domain name. Further, the Respondent uses the disputed domain name with the intention to attract, for commercial gain, Internet users to the website to which the disputed domain name resolves by creating a likelihood of confusion with the FAIRY and FAIRY NON BIO trademark as to the source, sponsorship, affiliation, endorsement of its website and of the products on its website, which constitutes bad faith use of the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, the Complainant must demonstrate that the three elements enumerated in paragraph 4(a) of the Policy have been satisfied. These elements are that: (i) the disputed domain name is identical or confusingly similar to the Complainant's trademark or service mark; (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 names. 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 disputed domain name reproduces the Complainant's trademark FAIRY in its entirety and reproduces its trademark FAIRY NON BIO with the deletion of spaces and the addition of the term "the". The Panel finds the Complainant's marks are recognizable within the disputed domain name and the addition of such term "the" to the trademark FAIRY NON BIO 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. In addition, the generic Top-Level Domain ("gTLD") ".com" is disregarded under the first element test. [WIPO Overview 3.0](#), section 1.11.1.

Therefore, 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. Under paragraph 4(a) of the Policy, the overall burden of proof is on the Complainant. However, once the Complainant presents a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, the burden of production of evidence 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.

Firstly, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. Although the Complainant has not given the Respondent permission, authorization, consent, or license to use its FAIRY or FAIRY NON BIO mark, the Respondent registered and has used the disputed domain name which includes the Complainant's trademarks.

Secondly, the Complainant contends that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services or fair use of the disputed domain name. Here, the Respondent has used the website under the disputed domain name, displaying the Complainant's registered trademarks FAIRY and FAIRY NON BIO and publishing information on the Complainant's FAIRY NON BIO products, including in the "About Us" section, and promoting the sale of the Complainant's FAIRY NON BIO products, without providing any disclaimer as to the Respondent's lack of relationship with the Complainant. The Complainant contends that the Respondent has intended to obtain an unfair commercial gain, with a view to misleadingly diverting consumers. The Panel considers that such use cannot confer rights or legitimate interests on a respondent as the disputed domain name has not been used to provide any bona fide offering of goods or services and such use does not constitute fair use of the disputed domain name.

Thirdly, there is no evidence to suggest that the Respondent has been commonly known by the disputed domain name.

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.

Therefore, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

Paragraph 4(a)(iii) of the Policy requires that the disputed domain name has "been registered and is being used in bad faith". Thus, for the Complainant to succeed, a UDRP panel must be satisfied that a domain name has been registered and is being used in bad faith. These requirements are conjunctive; each must be proven, otherwise the Complaint fails. In addition, 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.

Firstly, considering that the disputed domain name reproduces the Complainant's trademark in its entirety and the Respondent's website under the disputed domain name promotes the FAIRY and FAIRY NON BIO products, it is clear that the Respondent was aware of the Complainant's trademark and targeted it at the time of registration of the disputed domain name. The Panel considers it is bad faith registration that the Respondent deliberately chose the disputed domain name to create a likelihood of confusion with the Complainant's trademarks, so as to create a false association or affiliation with the Complainant.

Secondly, as earlier mentioned, the Respondent uses the Complainant's trademarks FAIRY and FAIRY NON BIO for the website, to publish information on the Complainant's FAIRY NON BIO products, including in the "About Us" section, and to promote the sale of the Complainant's FAIRY NON BIO products. In addition, the website is displaying the Complainant's trademarks FAIRY and FAIRY NON BIO, without providing any disclaimer as to the Respondent's lack of relationship with the Complainant. Accordingly, the Respondent intends to obtain an unfair commercial gain, with a view to misleadingly divert consumers or to tarnish the trademarks owned by the Complainant. The Panel considers that such use of the disputed domain name constitutes bad faith use under paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.0](#), section 3.1 and section 3.4.

Having reviewed the available record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith use under the Policy.

Therefore, the Panel concludes that third element of the Policy has been established.

## **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 <thefairynonbio.com> be transferred to the Complainant.

*/Moonchul Chang/*

**Moonchul Chang**

Sole Panelist

Date: January 27, 2026