

ADMINISTRATIVE PANEL DECISION

Attire You LLC v. 高锦满 (gao jin man)

Case No. D2025-5129

1. The Parties

The Complainant is Attire You LLC, United States of America (“United States”), represented by Stubbs Alderton & Markiles, LLP, United States.

The Respondent is 高锦满 (gao jin man), China.

2. The Domain Name and Registrar

The disputed domain name <songofskim.com> is registered with DNSPod, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on December 10, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 11, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on December 11, 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 December 19, 2025.

On December 11, 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 December 19, 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 December 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 12, 2026.

The Center appointed Douglas Clark as the sole panelist in this matter on January 20, 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 a New York limited liability company engaged in global online retail involving cosmetic bags and Korean skincare-related products.

The Complainant is the proprietor of United States trademark SONG OF SKIN with the registration number 7,316,019, registered on February 27, 2024, for "On-line retail store services featuring skin care products" in International Class 35 and "Cosmetic bags sold empty" in International Class 18.

Since 2022, Complainant has used the SONG OF SKIN mark in commerce in the United States in connection with cosmetic bags and online retail store services. The Complainant has promoted its SONG OF SKIN brand and products through its website "www.songofskin.com", as well as via various social media platforms and sponsorships involving influencers in multiple jurisdictions.

The Respondent is apparently an individual located in China.

The disputed domain name <songofskim.com> was registered on November 4, 2025, through the Registrar.

The record shows that the content displayed on the website to which the Respondent's disputed domain name resolves closely mirrors that of the website of the Complainant.

5. Parties' Contentions

A. Complainant

The Complainant contends that (i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

In particular, the Complainant contends that Respondent registered and is using the disputed domain name, to confuse and lure Internet Users to its website.

The Complainant submits that it has no affiliation with the Respondent, nor has it authorized the Respondent to register or use a domain name, which includes the Complainant's mark only changing the last letter from "n" to "m", and that the Respondent has no rights or legitimate interests in the registration of the disputed domain name. Rather, the Complainant contends that the Respondent has acted in bad faith in acquiring and setting up the disputed domain name, when the Respondent clearly knew of the Complainant's rights.

B. Respondent

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

6. Discussion and Findings

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 the fact that the disputed domain name is in English and is nearly identical to the Complainant's English domain name and English SONG OF SKIN trademark, and the website content at the disputed domain name is in English and appears to target English-speaking users.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

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.

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.

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.

In the present case, the disputed domain name is confusingly similar to the Complainant's SONG OF SKIN trademark. The substitution of the final letter "n" in "skin" with the letter "m" in the disputed domain name is a minor typographical variation and does not prevent a finding of confusing similarity.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights, and that the Complainant has satisfied the first element of paragraph 4(a) of the Policy.

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.

Panels have held that the use of a domain name for passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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's conduct reflects a clear pattern of bad faith behaviour. The Respondent reproduced substantial portions of the Complainant's website content, including the Complainant's trademark, on the website associated with the disputed domain name. By doing so, it is clear the Respondent was intentionally seeking to attract Internet users for commercial gain through the creation of a likelihood of confusion with the Complainant's mark, and to induce them into fraudulent transactions.

Panels have also held that the use of a domain name for the purposes of passing off constitutes bad faith under the Policy. [WIPO Overview 3.0](#), section 3.4.

The Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <songofskim.com> be transferred to the Complainant.

/Douglas Clark/

Douglas Clark

Sole Panelist

Date: February 9, 2026