

ADMINISTRATIVE PANEL DECISION

HydraFacial LLC v. Natalie Keller
Case No. D2025-5362

1. The Parties

The Complainant is HydraFacial LLC, United States of America (“United States”), represented by Com Laude Limited, United Kingdom.

The Respondent is Natalie Keller, Costa Rica.

2. The Domain Name and Registrar

The disputed domain name <hydracialnosara.com> is registered with Squarespace Domains LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 22, 2025. On December 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 23, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Respondent sent an email communication to the Center on December 26, 2025. The Complainant filed an amended Complaint on December 30, 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 January 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 9, 2026. The Respondent did not submit any formal response. The Center commenced the panel appointment process on February 12, 2026.

The Center appointed Edoardo Fano as the sole panelist in this matter on February 16, 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.

The Panel has not received any requests from the Complainant or the Respondent regarding further submissions, waivers, or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

Having reviewed the communication records in the case file provided by the Center, the Panel finds that the Center has discharged its responsibility under the Rules, paragraph 2(a), "to employ reasonably available means calculated to achieve actual notice to [the] Respondent". Therefore, the Panel shall issue its Decision based upon the Complaint, the Policy, the Rules, and the Supplemental Rules and without the benefit of a formal response from the Respondent.

The language of the proceeding is English, being the language of the Registration Agreement, as per paragraph 11(a) of the Rules.

4. Factual Background

The Complainant is HydraFacial LLC, a United States company operating in the advanced skincare technologies field and owning several trademark registrations worldwide for HYDRAFACIAL, among which:

- United States Trademark Registration No. 4317059 HYDRAFACIAL, registered on April 9, 2013;
- Costa Rica Trademark Registration No. 270532 HYDRAFACIAL, registered on April 23, 2018;
- European Union Trade Mark No. 004594685 HYDRAFACIAL MD, registered on August 3, 2006.

The Complainant also operates on the Internet, its main website being "www.hydrafacial.com".

The Complainant provided evidence in support of the above.

According to the Whois records, the disputed domain name was registered on September 20, 2025, and it resolves to a website in which the Complainant's trademark is reproduced and skin treatments services are offered, that is the same services as the Complainant, including services of the Complainant's competitors.

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 states that the disputed domain name is confusingly similar to its trademark HYDRAFACIAL, as the disputed domain name wholly incorporates the Complainant's trademark.

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name since it has not been authorized by the Complainant to register the disputed domain name or to use its trademark within the disputed domain name, it is not commonly known by the disputed domain name and it is not making either a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name.

The Complainant submits that the Respondent has registered the disputed domain name in bad faith, since the Complainant's trademark HYDRAFACIAL is well-known in the field of advanced skincare technologies. Therefore, the Respondent targeted the Complainant's trademark at the time of registration of the disputed

domain name and the Complainant contends that the use of the disputed domain name to intentionally attract, for commercial gain, Internet users to the Respondent's website, creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website, qualifies as bad faith registration and use.

B. Respondent

The Respondent has made no formal response to the Complainant's contentions. However, as noted above, on December 26, 2025, the Respondent sent the following informal email communication to the Center:

"I acknowledge receipt of your notification. The domain name hydrafacialnosara.com is used in connection with a legitimate cosmetic practice offering authorized HydraFacial® treatments in Nosara, Costa Rica, and is not used in bad faith or to mislead consumers. At this stage, I do not wish to amend my Complaint! Kind regards".

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy in order to succeed:

- (i) the disputed domain name is identical or confusingly similar to a trademark or 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 ("[WIPO Overview 3.1](#)"), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

While the addition of other terms, here "nosara" (the name of a region in Costa Rica, the Respondent's purported country), 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 Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

It is also well-accepted that a generic Top-Level Domain ("gTLD"), in this case ".com", is typically ignored when assessing the similarity between a trademark and a domain name. [WIPO Overview 3.1](#), section 1.11.1.

Based on the available record, 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.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

The Complainant in its Complaint, and as set out above, has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name. It asserts that the Respondent, who is not currently associated with the Complainant in any way, is not using the disputed domain name for a legitimate noncommercial or fair use or in connection with a bona fide offering of goods or services.

The prima facie case presented by the Complainant is enough to shift the burden of production to the Respondent to demonstrate that it has rights or legitimate interests in the disputed domain name. However, the Respondent has not presented any evidence of any rights or legitimate interests it may have in the disputed domain name. While the Respondent alleges that it offers “authorized HydraFacial® treatments”, it did not provide any evidence of said authorization, and as discussed above, the Complainant asserts that no such authorization was provided to the Respondent.

Should the Complainant’s skin treatments services offered on the website to which the disputed domain name resolves be genuine and legitimately acquired by the Respondent, the question that would arise is whether the Respondent would therefore have any rights or legitimate interests in using the disputed domain name that is confusingly similar to the Complainant’s trademark in circumstances that are likely to give rise to confusion.

According to the current state of UDRP decisions in relation to the issue of resellers as summarized in the [WIPO Overview 3.1](#), section 2.8.1:

“[...] resellers, distributors, or service providers using a domain name containing the complainant’s trademark to undertake sales or repairs related to the complainant’s goods or services may be making a bona fide offering of goods and services and thus have a legitimate interest in such domain name. Outlined in the ‘Ok! Data test’, the following cumulative requirements will be applied in the specific conditions of a UDRP case:

- (i) the respondent must actually be offering the goods or services at issue;
- (ii) the respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and
- (iv) the respondent must not try to ‘corner the market’ in domain names that reflect the trademark”.

This summary is based on the UDRP decision in *Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

Even if the skin treatments services offered by the Respondent were the Complainant’s genuine skin treatment services, and also taking into consideration the Respondent’s informal communication of December 26, 2025, from an inspection of the Respondent’s website, the Panel finds that the use of the Complainant’s trademark and of the terms “Hydrafacial™” and “©2024-2025 Hydrafacial Nosara” on the website, the promotion of also third-party skin treatments, and the lack of any prominent and accurate disclaimer disclosing the lack of relationship with the Complainant would falsely suggest to Internet users, under the *Ok! Data* principles (see above), that the website to which the disputed domain name resolves is owned by the Complainant or at least somehow affiliated to or endorsed by the Complainant.

Finally, the Panel finds that the composition of the disputed domain name (incorporating the Complainant's trademark in its entirety and a geographical term) carries a risk of implied affiliation as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

Based on the available record, 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, regarding the registration in bad faith of the disputed domain name, the reputation of the Complainant's trademark HYDRAFACIAL in the field of advanced skincare technologies is clearly established, and the Panel finds that the Respondent must have known of the Complainant, and deliberately registered the disputed domain name in bad faith, especially because in the website at the disputed domain name the Respondent is offering skin treatments services, including of the Complainant's competitors.

The Panel further notes that the disputed domain name is also being used in bad faith since on the website at the disputed domain name skin treatments services are offered, that is the Complainant's business activity, including skin treatments services of the Complainant's competitors, while displaying the Complainant's trademark. Therefore, despite the Respondent's assertion to the contrary, the Panel finds that under the circumstances of this case the Respondent is trying to attract Internet users to its website by creating likelihood of confusion with the Complainant's trademark as to the disputed domain name's source, sponsorship, affiliation or endorsement, an activity clearly detrimental to the Complainant's business.

The above suggests to the Panel that the Respondent more likely than not intentionally registered and was using the disputed domain name in order both to disrupt the Complainant's business, and to attract Internet users to its website in accordance with paragraph 4(b)(iv) of the Policy.

Furthermore, the Panel considers that the nature of the inherently misleading disputed domain name, which incorporates the Complainant's trademark in its entirety with the addition of the term "nosara" (the name of a region in Costa Rica, the Respondent's purported country), further supports a finding of bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Based on the available record, the Panel finds the 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, <hydrfacialnosara.com>, be transferred to the Complainant.

/Edoardo Fano/

Edoardo Fano

Sole Panelist

Date: February 19, 2026