ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
CLARINS v. GREAT SAFI
Case No. D2026-0079

1. The Parties

The Complainant is CLARINS, France, represented by Tmark Conseils, France.

The Respondent is GREAT SAFI, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <clarinsusa.store> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 9, 2026. On January 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 12, 2026, 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 ("IDENTITY UNDISCLOSED") and contact information in the Complaint. The Center sent an email communication to the Complainant on January 12, 2026, 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 January 15, 2026.

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 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 5, 2026. The Respondent sent two email communications to the Center on January 16, 2026. The Center commenced the panel appointment process on February 6, 2026.

The Center appointed Peter Kružliak as the sole panelist in this matter on February 10, 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 is one of the major actors in the field of cosmetics and make-up products. It has been doing business in France for more than 60 years and is well-known in France and well established worldwide.

The Complainant is the owner of inter alia the following CLARINS trademark registrations:

- European Union trademark CLARINS (word), number 005394283, filed on October 17, 2026, and registered on October 05, 2010, for goods and services in class 3, 5, 10, 16, 21, 44;
- Chinese trademark CLARINS, number 13826490, filed on December 30, 2013, and registered on August 21, 2015 for services in class 44.

(the “CLARINS trademark”)

The Complainant registered the domain name <clarins.com> on March 16, 1997, and the domain name <clarinsusa.com> on November 12, 1997.

The disputed domain name was created on December 26, 2025, and based on the available record it resolved to a place-holder website. On the day of decision, the disputed domain name does not resolve to any 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.

Notably, the Complainant contends that the disputed domain name is identical and/or confusingly similar to its CLARINS trademark, as it contains these trademarks in their entirety.

The Respondent has no rights or legitimate interests in respect of the disputed domain name for the following reasons:

- the Complainant has prior rights to the Complainant’s trademarks, which have been in use for a long time and are enjoying world-wide reputation; and
- the Respondent has no rights nor any activity under the Complainant’s trademarks, particularly the Respondent has no genuine activity under the disputed domain name, the composition of the domain suggests sponsorship or endorsement by the Complainant as trademark owner, and finally the configuration of email servers (MX records) in respect of the disputed domain name further supports the finding that the Respondent is attempting to impersonate the Complainant.

The disputed domain name was registered and is being used in bad faith for the following reasons:
- the Respondent was aware of the Complainant’s prior rights to the CLARINS trademarks and about their wide use,
- the Respondent is exploiting the Complainant’s earlier rights to capitalize on consumer recognition of the CLARINS trademark, which is a famous or widely-known trademark.

- The reputation of the prior trademark as well as the composition of the domain name, are factors from which the Respondent's bad faith may be inferred, even in the absence of an active website; and
- The Respondent's bad faith is further evidenced by the configuration of email servers (MX records) for the disputed domain name, which enables him to impersonate the Complainant when sending emails to third parties, as part of a phishing scheme.

B. Respondent

The Respondent did not reply substantively to the Complainant's contentions but sent email communications to the Center on January 16, 2026 – in both of these emails asserting that the disputed domain name was registered by mistake and without intention to infringe on Complainant's trademarks or cause harm. Furthermore, in the first email the Respondent indicated willingness to cancel or transfer the disputed domain name to the Complainant and in the second email the Respondent claimed that the disputed domain name was removed.

6. Discussion and Findings

6.1 Procedural matter – Respondents' consent

Firstly, the Panel has to address the Respondent's willingness to voluntary transfer the disputed domain name indicated in the Respondent's communication without the need for further administrative proceedings. A panel may at its discretion order the transfer of the disputed domain name if the respondent has given its consent on the record to the transfer remedy sought by the complainant under the Policy, paragraph 4(a). WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1"), section 4.10.

In some cases, despite such respondent consent, a panel may in its discretion still find it appropriate to proceed to a substantive decision on the merits. In the present case, since the Complainant did not comment on the possibility of the settlement and in the subsequent communication the Respondent indicated the removal of the disputed domain name, thus there is ambiguity as to the scope of the Respondent's consent, the Panel will proceed to a decision on the merits, and analyze the three elements under paragraph 4(a) of the Policy.

6.2 Substantive considerations

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 3.1, section 1.7.

The Complainant has shown rights in respect of the CLARINS trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the CLARINS trademark is reproduced within the disputed domain name and although the addition of another term, in this case geographical term "usa", 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 mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The generic Top-Level Domain ("gTLD") of the disputed domain name may be disregarded in determining identity and confusing similarity. WIPO Overview 3.1, section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the CLARINS trademark for the purposes of the Policy. WIPO Overview 3.1, 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 3.1, 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 only claimed that the disputed domain name was registered by mistake and without intent to infringe Complainant's trademark or cause harm, thus 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 available record does not show any trademark registrations or earlier relevant rights of the Respondent corresponding to the disputed domain name, nor that the Respondent is commonly known by the disputed domain name nor that the Respondent was granted any authorization to use the CLARINS trademark by the Complainant.

Finally, there is no evidence to suggest that the use of the disputed domain name by the Respondent is legitimate noncommercial or fair use. The CLARINS trademark has a worldwide reputation and is well known, which was repeatedly recognized by previous UDRP decisions (see for instance *CLARINS v. aleyna cepci*, WIPO Case No. D2024-4134; *Clarins v. Gholam Jelani*, WIPO Case No. D2024-2903; *CLARINS v. zahir sanlisoy*, WIPO Case No. D2024-2866; *Clarins v. Privacy Service Provided by Withheld for Privacy ehf / Do Thanh Luan*, WIPO Case No. D2022-1322; *Clarins v. Privacy Service Provided by Withheld for Privacy ehf / Do Thanh Luan, Lilla Group*, WIPO Case No. D2022-1178; *Clarins v. rene yomgne*, WIPO Case No. D2019-2631; and *CLARINS v. Andre Schneider/ DomCollect AG*, WIPO Case No. D2014-0595). According to the Panel, by using the well-known trademark in the disputed domain name the Respondent was trying to gain or seeking reputational advantage from the Complainant's CLARINS trademark for commercial gain, which prevents a finding of any legitimate noncommercial or fair use on the part of the Respondent. WIPO Overview 3.1, section 2.5.3.

This is further supported by the composition of the disputed domain name – with the gTLD "store" and the addition of "usa" in the disputed domain indicating the sales activities associated with the CLARINS trademark for the territory of the United States of America, which suggests sponsorship or endorsement by the trademark owner. WIPO Overview 3.1, section 2.5.3.

The Panel therefore 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 first notes that the Complainant's CLARINS trademark is registered in many jurisdictions globally, enjoys reputation and is globally well known, as recognized by numerous earlier UDRP decisions (see above), thus, it does not seem conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's trademark. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity, can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4. As a result, the Panel is of the opinion that the Respondent has registered the disputed domain name in bad faith.

Regarding the present use of the disputed domain name, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes (i) the distinctiveness and the well-known character of the Complainant's CLARINS trademark, (ii) the composition of the disputed domain name, which clearly targets the Complainant and the sales of the products under the CLARINS trademark at the territory of the United States, as well as the failure of the Respondent to (iv) file any material response or (v) provide any evidence of actual or contemplated good-faith use and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel therefore finds that the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy and 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 <clarinsusa.store> be transferred to the Complainant.

/Peter Kružliak/
Peter Kružliak
Sole Panelist
Date: February 24, 2026