

ADMINISTRATIVE PANEL DECISION

Byoma Limited v. lar frank
Case No. D2026-0696

1. The Parties

The Complainant is Byoma Limited, United Kingdom ("UK"), represented by SafeNames Ltd., UK.

The Respondent is lar frank, Philippines.

2. The Domain Names and Registrar

The disputed domain names <byomahub.com>, <byomasale.com>, <byomastore.com>, <byomausmall.com>, and <byomausmart.com> are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 18, 2026. On February 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 19, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (User #95b900e0 Privacy / User #9df41a6a Privacy / User #8bfef6fd Privacy / User #146de1f1 Privacy / User #bb19d38c Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 19, 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 February 20, 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 February 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 17, 2026.

The Center appointed Roger Staub as the sole panelist in this matter on March 25, 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 a skincare brand based in the UK. On the Complainant's official website, which is accessible via the domain name <byoma.com>, the Complainant's products are offered for sale, and consumers can utilize the Complainant's "AI Skin Analysis Tool" to find the correct product for their skin type. The Complainant submits that it has expanded globally since its launch in 2022, with BYOMA products available to purchase internationally including in the United States of America, Asia, and Europe. The Complainant further submits that its BYOMA brand has received significant recognition in the skincare industry, featuring in multiple beauty magazines. By 2025, the Complainant generated USD 500 million in sales. The Complainant has been recognized for numerous awards for its innovative products.

The Complainant owns various trademark registrations consisting of the element "Byoma". The Complainant's portfolio of BYOMA trademark registrations includes, inter alia, the following trademark registrations:

- UK Trademark Registration No. UK00003610176 for BYOMA, registered on August 6, 2021, in classes 3 and 35; and
- International Trademark Registration No. 1633315 for BYOMA, registered on November 2, 2021, in class 3, designating, inter alia, Brazil, Canada, Egypt, Indonesia, Japan, the Republic of Korea, Mexico, the Russian Federation, and Philippines.

Further, the Complainant owns a registration for the domain name <byoma.com> and has social media presences on Facebook, Instagram, and TikTok.

The disputed domain names were registered on January 9, 2026 (<byomastore.com>), January 19, 2026 (<byomausmart.com> and <byomausmall.com>), January 21, 2026 (<byomahub.com>), and February 1, 2026 (<byomasale.com>) respectively.

The disputed domain names previously resolved to virtually identical websites, where BYOMA branded skincare products were purportedly offered for sale at heavily discounted prices. The websites had the same look-and-feel with the Complainant's official website (e.g., using the BYOMA mark and logo, same colors, product images, and subpages). At the time of rendering this Decision, the disputed domain names are resolving to inactive pages.

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 names.

Notably, the Complainant submits the following:

First, the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The Complainant holds multiple trademarks for the term BYOMA in various jurisdictions. The disputed domain names encompass the entirety of the Complainant's BYOMA trademark, with the addition of the words "store", "hub", and "sale", and the terms "mart" and "mall" which have been used in combination with the geographical indicator "us" for the United States of America. The addition of

the dictionary and geographical terms does not dispel the confusing similarity between the Complainant's BYOMA mark and the disputed domain names.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent does not have any trademark rights to the term BYOMA, and there is also no evidence that the Respondent retains unregistered trademark rights. The Respondent did not receive any license from the Complainant to use the disputed domain names. To the best of the Complainant's knowledge, the Respondent is not commonly known by the distinctive term Byoma, nor is it offering any genuine goods or services. The Respondent used the disputed domain names to display online stores impersonating the Complainant, which featured the Complainant's BYOMA logo and trademark. This is not a bona fide offering of goods or services. There are no disclaimers clarifying the lack of affiliation with the Complainant. It is clear that the Respondent intended to cause confusion in the minds of online users through the use of the distinctive "Byoma" name. Given the discounted prices advertised, it is unlikely that the goods offered were genuine, which is why the Respondent would not fall under the reseller defense. Further, the Respondent requested sensitive information from Internet users, which was a phishing activity.

Third, the disputed domain names were registered and are being used in bad faith. The Complainant's trademark registrations predate the creation dates of the disputed domain names by five years. The Byoma name has amassed substantial recognition in the skincare and beauty industry. Given the previous use of the disputed domain names, it is implausible that the Respondent was unaware of the Complainant's BYOMA brand and offerings when registering the disputed domain names. The Respondent has intentionally attempted to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's BYOMA mark and offerings. Setting up checkout pages for Internet users to input their sensitive information adds to the gravity of the misuse of the BYOMA mark. Additionally, the Respondent failed to present a clear disclaimer. The Complainant regards this as fraudulent conduct. The Complainant further submits that the Respondent has previously engaged in a pattern of abusive conduct by registering other domain names that encompass the marks of third-party brands.

B. Respondent

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

6. Discussion and Findings

According to the Policy, to qualify for a transfer, the Complainant must prove each of the following:

First, the disputed domain names are identical or confusingly similar to a trademark or service mark to which the Complainant has rights.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain names.

Third, the disputed domain names have been registered and are being used in bad faith.

Since the Respondent did not submit a response, the Panel may choose to accept the reasonable contentions of the Complainant as true. This Panel will determine whether those facts constitute a violation of the Policy that is sufficient to order the transfer of the disputed domain names (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#)).

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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

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

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

Although the addition of other terms (here: “store”, “usmart”, “usmall”, “hub”, and “sale” respectively) may bear on the assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 that 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 names. 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 names such as those enumerated in the Policy or otherwise.

The full incorporation of the Complainant’s distinctive trademark into the disputed domain names, together with the added terms (i.e., “store”, “usmart”, “usmall”, “hub”, and “sale” respectively) that are descriptive and indicate to Internet users that they can purchase genuine BYOMA products on the websites, carries a risk of implied affiliation with the Complainant as the composition of the disputed domain names effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.1](#), section 2.5.1. This wrong impression is further supported by the fact that the look-and-feel of the websites is the same as that of the Complainant’s website. The Respondent did not rebut the Complainant’s prima facie evidence suggesting that the Respondent has registered the disputed domain names without the Complainant’s authorization and that the goods offered on the websites are not genuine goods. Further, panels have held that the use of a domain name for illegal activity (here, claimed passing off/impersonation) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), 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.

Panels have held that the use of a domain name for illegal activity, here, claimed impersonation/possibility of phishing activity, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Considering: (i) the distinctiveness of the Complainant's trademark, which is also protected in the Respondent's reported location (Philippines), (ii) the composition of the disputed domain names, (iii) the fact that the registration of the Complainant's trademarks predate the registration of the disputed domain names, (iv) the almost identical look-and-feel of the websites to which the disputed domain names resolve compared to that of the Complainant's website, (v) the purported offering for sale of the Complainant's products at heavily discounted prices, and (vi) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, it is clear to the Panel that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its websites, by creating a likelihood of confusion with the Complainant's mark. Therefore, the Panel finds that the disputed domain names were registered and are being used in bad faith pursuant to paragraph 4(b)(iv) of 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 names <byomahub.com>, <byomasale.com>, <byomastore.com>, <byomausmall.com>, and <byomausmart.com> be transferred to the Complainant.

/Roger Staub/

Roger Staub

Sole Panelist

Date: April 8, 2026