

ADMINISTRATIVE PANEL DECISION

The Body Shop Brand Limited v. huapusjmn huapusjmn
Case No. D2026-1045

1. The Parties

The Complainant is The Body Shop Brand Limited, United Kingdom (“UK”), represented by Foot Anstey LLP, UK.

The Respondent is huapusjmn huapusjmn, United States of America.

2. The Domain Name and Registrar

The disputed domain name <bodyshopcare.shop> is registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 11, 2026. On March 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 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 (Redacted for Privacy Purposes / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 16, 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 amendment to the Complaint on March 18, 2026.

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 April 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 5, 2026.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on May 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 a manufacturer and retailer of beauty and cosmetic products. The Complainant was founded in 1976, when it opened its first store under the mark THE BODY SHOP on March 26, 1976 in Brighton, England. The Complainant sells its products through its own THE BODY SHOP branded stores, franchised stores, home sales and online channels and has more than 1,300 retail outlets in over 79 countries with over 22,000 employees all over the world.

The Complainant's official website is located at "www.thebodyshop.com", the domain name for which was registered on October 1, 1996, and the Complainant is the registered proprietor of numerous other domain names incorporating the THE BODY SHOP mark.

The Complainant owns many trademark registrations including UK trademark no. 1133984 for THE BODY SHOP word mark with a filing date of May 19, 1980 and registration date of May 19, 1980, covering cosmetics in class 3; UK trademark no. 902305175 for THE BODY SHOP word mark with a filing date of July 11, 2001 and a registration date of June 12, 2003, covering, amongst other things, retail services in respect of cosmetics in class 35; and UK trademark no. 3988836 for THE BODY SHOP figurative mark with a filing date of November 23, 2023 and registration date of March 15, 2024, covering, among other classes, cosmetics in class 3 and retail services connected to the sale of cosmetics in class 35.

The disputed domain name was registered on January 24, 2026, and links to a website that impersonates the Complainant's official 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 highly similar to the Complainant's trademark THE BODY SHOP. The Complainant says that the words "body shop" are the dominant and distinctive elements of the Complainant's trademarks and are replicated in their entirety in the disputed domain name. The only omission is of the word "the", being a definite article, the absence of which does not decrease the confusing similarity of the disputed domain name, the Complainant argues. The additional word "care" is descriptive of the goods being offered on the website to which the disputed domain name resolves, such as skincare products, and its addition does not affect confusing similarity as the presence of "body shop" in its entirety is all that is required.

Further, the Complainant says that it has not authorized or consented to any third party (whether the Respondent or otherwise) operating an impersonation website at a confusingly similar domain name to the Complainant's registered trademarks. The Respondent is not and cannot be an authorized franchisee or licensee, given the Respondent's activities at the relevant website, the Complainant contends. In any case, that same website fails to disclose the absence of any relationship with the Complainant and yet is offering THE BODY SHOP products in competition with the Complainant. The Complainant says that it had test purchases carried out at the Respondent's website, which was found to operate on a "bait and switch" basis, attempting to secure payment at checkout for sums vastly greater than the THE BODY SHOP marked goods proffered on the website at the disputed domain name. The Complainant maintains that the Respondent is

making a false representation (offering a false low price), intending to make a commercial gain by charging the customer more at checkout and causing loss to the customer who may not be paying attention or becoming aware of or alerted to the inflated price being charged. This deception and luring of customers with fake prices are capable of being fraudulent, the Complainant says. The Complainant contends that in line with previous panel decisions, this type of fraudulent activity, itself a clear indicium of bad faith, can never give rise to rights or legitimate interests.

The Complainant points out that the disputed domain name was registered in 2026, a very long time after the THE BODY SHOP mark was adopted for use by the Complainant when the relevant company was founded in 1976. The Complainant says that it does not accept that the Respondent was not aware of its THE BODY SHOP registered trademark since it is a well-known or famous mark, and is largely replicated in the disputed domain name. According to the Complainant, this clearly establishes bad faith. The illegal activity when an attempted purchase is made at the Respondent's website, as is described above, further adds to the inference of bad faith. Furthermore, the Complainant asserts that the Respondent has also copied copyright photos without permission from the Complainant's website and misappropriated the Complainant's trademark, logo, website trade dress, and website layout, as well as asserting copyright ownership over the content while failing to disclaim any relationship with the Complainant.

The Complainant concludes by pointing out that the Respondent has used a privacy service, a practice the Complainant contends is often associated with the conducting of unlawful online activity.

B. Respondent

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

6. Discussion and Findings

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 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 dominant part of the Complainant's trademark "body shop" has been incorporated in the disputed domain name. Although the addition of other terms here, "care", may bear on assessment of the second and third elements, the Panel finds the addition of this term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. The term in any case evokes the nature of some of the Complainant's products, such as skincare.

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 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 illegitimate activity, here claimed to be the establishment of a website that impersonates the Complainant's own official website, can never confer rights or legitimate interests on a respondent. The said website contains unauthorized replicas of the Complainant's copyright material, trademarks, and elements of trade dress. Further, the said website purports to offer the Complainant's products at extremely low prices but charges customers a much greater amount at checkout. In other words, it makes deceptive claims and engages in a dishonest "bait and switch" ploy. None of this activity can give rise to rights or legitimate interests.

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 disputed domain name incorporates an almost identical copy of the THE BODY SHOP registered mark of the Complainant (only omitting the less significant "the"). It was registered almost 50 years after the Complainant's mark was first adopted by it in business. In light of how well established the THE BODY SHOP mark has become around the world since that time, it is almost inconceivable that the Respondent was not aware of it when registering the disputed domain name. The addition of the term "care" which is associated with some of the Complainant's products, further reinforces this conclusion.

The establishment of a website that appropriates much of the proprietary goodwill, and replicates the copyrights and registered trademarks of the Complainant without permission, amounts to bad faith use. The Complainant further asserts that a dishonest "bait and switch" process was instigated at the Respondent's website, with the intention of deceiving Internet users to their own financial detriment. All this indicates that the disputed domain name was not only registered but is also 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 name <bodyshopcare.shop> be transferred to the Complainant.

/William A. Van Caenegem/

William A. Van Caenegem

Sole Panelist

Date: May 24, 2026