

ADMINISTRATIVE PANEL DECISION

Deciem Beauty Group Inc. v. Maci Woyat
Case No. D2026-1197

1. The Parties

The Complainant is Deciem Beauty Group Inc., Canada, represented by Gowling WLG (Canada) LLP, Canada.

The Respondent is Maci Woyat, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <theorsdinarys.com> is registered with Dominet (HK) Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 19, 2026. On March 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 23, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 25, 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 and amendment to the Complaint on March 25, 2026.

The Center verified that the Complaint, together with the amended Complaint and 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 March 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 17, 2026.

The Center appointed Ada L. Redondo Aguilera as the sole panelist in this matter on April 27, 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 global skincare and beauty company organized under the laws of Canada.

The Complainant is widely known for its functional ingredients focused on skincare and has established a reputation as an innovator in the beauty industry.

Since its foundation in 2013, the Complainant has achieved significant commercial success, offering a wide range of products sold in numerous markets worldwide.

The Complainant's portfolio includes well-known trademarks such as THE ORDINARY and NIOD, which are associated with advanced formulations grounded in materials chemistry and biochemistry.

The Complainant owns registrations worldwide that contain, or are comprised of, THE ORDINARY (collectively, the "THE ORDINARY Trademarks"), including the following:

European Union Trademark Registration number 015761182, registered on December 8, 2016;

United States Patent and Trademark Office Registration number 5203537, registered on May 16, 2017; and

China Trademark Registration number 21258391, registered on November 14, 2017

The Complainant's THE ORDINARY Trademark enjoys widespread recognition and goodwill globally. The Complainant operates its official website at "www.theordinary.com" through which it promotes and sells its products.

The Complainant's products are available in numerous jurisdictions worldwide, including, among others, the United Kingdom, United Arab Emirates, United States, Australia, Brazil, Japan, and Europe.

The disputed Domain Name was registered on November 14, 2025.

The record shows that the disputed domain name has been used in connection with a website reproducing the Complainant's trademarks, product images, and branding elements, and presenting itself as "The Ordinary", with references to "Our Philosophy", "Our mission" and "Welcome to The Ordinary".

The Respondent, according to the information disclosed by the Registrar for the disputed domain name, is in the United States.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the three elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name, which incorporates the Complainant's trademark in its entirety, with minor misspellings consisting of adding two instances of the letter "s", is confusingly similar to the Complainant's THE ORDINARY Trademark. The Complainant's mark remains clearly recognizable within the disputed domain name.

The Complainant asserts that the Respondent has no rights or legitimate interests regarding the disputed domain name. According to the Complainant, the Respondent has not made any legitimate or fair use of the disputed domain name. The Complainant further alleges that the Respondent registered and uses the disputed domain name in bad faith. The Complainant requests the transfer of the disputed domain name to the Complainant.

B. Respondent

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

6. Discussion and Findings

In order to succeed in its Complaint, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied: (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 with respect to 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Therefore, the Panel finds that the Complainant has established rights in the THE ORDINARY Trademark.

The Panel finds the mark is recognizable within the disputed domain name. The disputed domain name incorporates the trademark in its entirety, with minor misspellings consisting of the insertion of letters "s". This is a textbook case of typosquatting. As reflected in section 1.9 of the [WIPO Overview 3.1](#), a disputed domain name consisting of common, obvious, or intentional misspellings of a trademark is considered confusingly similar. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.9.

Regarding the generic Top-Level Domain ("gTLD") ".com" in the disputed domain name, it is well established that a gTLD does not affect the assessment for the purpose of determining identity or confusing similarity. [WIPO Overview 3.1](#), section 1.11.1.

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 entail the difficult task of "proving a negative," requiring information that is often primarily within the respondent's knowledge or control. 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 with 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.

As such, the Panel finds that the Complainant has established the prima facie case, in particular the following:

- a. The Respondent is not affiliated with, authorized by, or licensed by the Complainant to use its trademark in any way, including registering it in the disputed domain name.
- b. According to the evidence presented in the present case, the Respondent is not commonly known by THE ORDINARY Trademark and by the disputed domain name.
- c. In addition, the disputed domain name is a misspelled variation of the Complainant's trademark. The composition of the disputed domain name is a typical typosquatting.
- d. The Respondent is using the disputed domain name to pass itself off as the Complainant, including reproducing the trademark and copyrighted material and other website content as described above.

Such use of the disputed domain name in connection with the products of the Complainant demonstrates that the Respondent has not made legitimate noncommercial or fair use of the disputed domain name but instead reflects an intent to misleadingly divert consumers for commercial gain.

Panels have held that the use of a domain name for illegitimate activity or illegal activity here, claimed as applicable to this case, passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

In conclusion, the Panel finds that the Complainant made a prima facie case, presenting evidence and showing that the Respondent lacks rights or legitimate interests. The Respondent failed to rebut this prima facie case ([WIPO Overview 3.1](#), section 2.1).

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 must have known the Complainant's trademark at the time of registration of the disputed domain name. Given the distinctiveness and global recognition of THE ORDINARY Trademark in relation to its products, and the Respondent's clear attempt to pass itself off as the Complainant, no other plausible explanation exists.

In the present case, the nature of the disputed domain name, a typosquatted variant of the Complainant's trademark, further supports the finding of bad faith registration. Panels have consistently held that typosquatting and passing off constitute compelling evidence of bad faith ([WIPO Overview 3.1](#), section 3.4). Therefore, this Panel finds that the disputed domain name was registered in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

The Panel reviewed the evidence presented in this case, which shows that the Respondent is using the disputed domain name to operate a website that:

- reproduces the Complainant's trademarks and copyrighted materials, and falsely presents itself as the Complainant;
- purportedly offers THE ORDINARY products, and this conduct falls squarely within paragraph 4(b)(iv) of the Policy, as it reflects an intentional attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion as to source, affiliation, or endorsement.

In the Panel's view, the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademarks regarding the source, sponsorship, affiliation, or endorsement of its website or the products offered on it. Pursuant to paragraph 4(b)(iv) of the Policy, this constitutes evidence of the registration and use of a domain name in bad faith. [WIPO Overview 3.1](#), section 3.1.4.

Based on the available record, 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 <theorsdinarys.com> be transferred to the Complainant.

/Ada L. Redondo Aguilera/

Ada L. Redondo Aguilera

Sole Panelist

Date: May 11, 2026