

ADMINISTRATIVE PANEL DECISION

Creations Henry Jacques v. Host Master, Njalla Okta LLC
Case No. D2026-1258

1. The Parties

The Complainant is Creations Henry Jacques, France, represented by MIIP – MADE IN IP, France.

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

2. The Domain Name and Registrar

The disputed domain name <henryjacquesparfums.com> (the “Disputed Domain Name”) is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 24, 2026. On March 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 24, 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 (Information not available / 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 on March 26, 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 March 31, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 20, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 22, 2026.

The Center appointed Gabriela Kennedy as the sole panelist in this matter on May 4, 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 French perfume house founded in 1975. The Complainant specializes in ultra-luxury haute perfumery, and operates around ten boutiques worldwide, with locations in London, United Kingdom, Dubai, United Arab Emirates, Tokyo, Japan, Hong Kong, China, Beverly Hills, United States of America and Paris, France.

The Complainant owns various trademarks for HENRY JACQUES, including, inter alia, French Trademark



Registration No. 1361067 for  in Classes 3 and 25 registered on May 31, 1985, French Trademark Registration No. 3817208 for HENRY JACQUES in Classes 3, 16, 21, 35, and 42 registered on July 15, 2011, and International Trademark Registration No. 1097994 for HENRY JACQUES in Classes 3, 16, 21, 35, and 42 registered on September 22, 2011 designating Bahrain, Brunei Darussalam, the European Union, Japan, Oman, Singapore, China and the Russian Federation (collectively, the “Complainant’s Trademark”).

The Complainant also owns the domain name <parfumshenryjacques.com> (the “Complainant’s Domain Name”), pointing to the official website of the Complainant (the “Complainant’s Website”).

The Disputed Domain Name was registered on July 31, 2025, many years after the Complainant registered its Trademark. According to the Complainant, the Disputed Domain Name used to resolve to a website displaying the Complainant’s Trademark and the name of a Cologne project by the Complainant “IL Y AVAIT UN JARDIN...” (English translation: “There was a garden...”) (the “Respondent’s Website”). The Complainant also claimed that the Respondent’s Website also copied the content/graphic design of the Complainant’s Website. The Disputed Domain Name subsequently began redirecting to a page displaying a security risk warning and then to an error page showing that it was an inactive website. At the time of rendering this Decision, the Disputed Domain Name resolved to an inactive 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:

(a) The Disputed Domain Name is confusingly similar to the Complainant’s Trademark. The Disputed Domain Name reproduces the Complainant’s Trademark in its entirety with the addition of the term “parfums” which is directly linked to the Complainant’s business. The Disputed Domain Name looks similar to the Complainant’s Domain Name except that the term “parfums” being placed at the end instead of the beginning of the domain name.

(b) The Respondent has no rights or legitimate interests in the Disputed Domain Name. The Respondent is not known by the Disputed Domain Name, does not provide any services, and has no business relationship or any connection with the Complainant. The Respondent’s Website used to resolve to a website which

displayed the Complainant's Trademark, adopted a design similar to that of the Complainant's Website, and featured content related to the Complainant's business. It now resolves to an inactive page warning of security risks with no concrete activity, which further demonstrates its lack of legitimate interest. The composition and use of the Disputed Domain Name create an impression that the Disputed Domain Name has an affiliation with the Complainant when it is not the case.

(c) The Respondent has registered the Disputed Domain Name and is using it in bad faith. The Disputed Domain Name has never resolved to an active and legitimate website. The Respondent's Website initially adopted content and design replicating that of the Complainant's Website and now redirects to an inactive website displaying an error message with no substantive content. The Respondent must have been fully aware of the Complainant's Trademark given its attempt to impersonate the Complainant. The Respondent has registered and used the Disputed Domain Name to attract the Internet users to the Respondent's Website by creating a likelihood of confusion with the Complainant's Trademark as to the source or affiliation of the Respondent's Website.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

- (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 by the Respondent 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 or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the Complainant's Trademark is reproduced within the Disputed Domain Name. Furthermore, the generic Top-Level Domain in this case ".com" may be disregarded for the purposes of assessing confusing similarity under the first element. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's Trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "parfums") 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.

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.

In the present case, the Respondent did not submit a Response. The fact that the Respondent did not submit a Response does not automatically result in a decision in favor of the Complainant. However, the Respondent’s failure to file a Response may result in the Panel drawing appropriate inferences from such default. The Panel may also accept all reasonable and supported allegations and inferences flowing from the Complainant as true (see *Entertainment Shopping AG v. Nischal Soni, Sonik Technologies*, WIPO Case No. [D2009-1437](#); and *Charles Jourdan Holding AG v. AAIM*, WIPO Case No. [D2000-0403](#)).

The Panel notes that there is no evidence to show that the Respondent has trademark rights corresponding to the Disputed Domain Name, or that the Respondent has become commonly known by the Disputed Domain Name. The Panel further notes that the Complainant has provided no license or authorization of any kind to the Respondent to use the Complainant’s Trademark or to apply for or use any domain name incorporating the Complainant’s Trademark. The Respondent would likely not have adopted the Complainant’s Trademark if not for the purpose of creating an impression that the Disputed Domain Name is associated with, or originates from, the Complainant. The reproduction of the Complainant’s Trademark and the transposition of the term “parfums” within the Disputed Domain Name is meant to create a clear confusion with the Complainant’s own domain name that resolves to its official website. The purported use of the Complainant’s Trademark on the Respondent’s Website enhances the risk of consumer confusion through an implied affiliation as the Disputed Domain Name effectively impersonates or suggests sponsorship or endorsement by the Complainant. See section 2.5.1 of the [WIPO Overview 3.1](#).

There is also no evidence to suggest that the Respondent’s use of the Disputed Domain Name is in connection with a bona fide offering of goods or services or be regarded as legitimate noncommercial or fair use. The Respondent had purportedly used the Respondent’s Website to impersonate or pass itself off as the Complainant by featuring the Complainant’s Trademark, adopting a website layout similar to that of the Complainant’s Website, and displaying content related to the Complainant’s business. The Respondent’s Website currently resolves to an inactive page with no substantive content offered, showing that the Respondent is not using the Disputed Domain Name for any bona fide, legitimate noncommercial or fair purpose, and has no rights or legitimate interests in it.

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

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.

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 it is difficult to conceive of any plausible use of the Disputed Domain Name by the unaffiliated Respondent that would amount to good faith use, given that the Disputed Domain Name incorporates the Complainant's Trademark in its entirety together with the term "parfums", and the Respondent's Website had purportedly featured the Complainant's Trademark and displayed content related to the Complainant's business. The Respondent has registered and used the Disputed Domain Name to mislead and divert Internet users to the Respondent's Website for commercial gain by creating a likelihood of confusion with the Complainant's Trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's Website. Further, the Respondent failed to respond to the Complainant's contentions and has provided no evidence of any actual or contemplated good faith use of the Disputed Domain Name.

Panels have previously held that a finding of bad faith can be established where a complainant's trademark is shown to be well-known or in wide use at the time of registration of the disputed domain name (see *LEGO Juris A/S v. store24hour*, WIPO Case No. [D2013-0091](#)). The Respondent must have been aware of the Complainant and the Complainant's Trademark when registering and using the Disputed Domain Name given the well-known nature of the Complainant's Trademark in its industry and the fact that it was put into use well before the Respondent registered the Disputed Domain Name. Moreover, the Respondent's Website purportedly featured the Complainant's Trademark to create an impression of being a website authorized or endorsed by the Complainant when it is not. Panels have held that the use of a domain name for illegitimate activity here, claimed passing off constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

The Panel notes that at the time of rendering this Decision, the Disputed Domain Name resolved to an inactive website. Panels have found that the lack of use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's Trademark and the composition of the Disputed Domain Name 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 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 <henryjacquesparfums.com> be transferred to the Complainant.

/Gabriela Kennedy/

Gabriela Kennedy

Sole Panelist

Date: May 18, 2026