ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Byoma Limited v. 陈 晓 (Chen Xiao)
Case No. D2026-1302

1. The Parties

The Complainant is Byoma Limited, United Kingdom, represented by SafeNames Ltd., United Kingdom.

The Respondent is 陈 晓 (Chen Xiao), China.

2. The Domain Name and Registrar

The disputed domain name <byomas.store> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 26, 2026. On March 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 27, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 4, 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 April 8, 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 April 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 12, 2026.

The Center appointed Pascal Böhner as the sole panelist in this matter on June 8, 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, Byoma Limited, is a United Kingdom-incorporated skincare brand founded in 2020 in Scotland. It operates under the brand name BYOMA and forms part of the Bansk Group of companies. BYOMA markets science-based skincare products for the face and body, focusing on cleansing, treating, moisturising, and protecting the skin. The Complainant sells its products through its official website and a network of authorised retailers, and maintains a presence across various social media platforms. The Complainant has received recognition in the skincare industry and has been the recipient of industry beauty awards.

The Complainant operates its website at “www.byoma.com”.

The Complainant holds registered trademark rights in the mark BYOMA in multiple jurisdictions, including:

1. United Kingdom Intellectual Property Office, registration No. UK00003610176, BYOMA, word mark, Classes 3 and 35, filing date March 15, 2021, registered on August 6, 2021;

2. European Union Intellectual Property Office, registration No. 018443892, BYOMA, word mark, registered on October 14, 2021.

3. United States of America Patent and Trademark Office, registration No. 6,690,108, BYOMA, word mark, Classes 3 and 35, registered on April 5, 2022.

The disputed domain name <byomas.store> was registered on January 21, 2026. The disputed domain name had previously resolved to an active website (Annex 10 to the Complaint), prominently displaying the Complainant’s mark and purportedly offering the Complainant’s products for sale. At the time of the commencement of the proceeding, the disputed domain name returned a “503 Service Unavailable” error and the corresponding website was inaccessible (Annex 11 to the Complaint).

The Respondent is an individual located in China. Evidence submitted by the Complainant indicates that the Respondent has engaged in a pattern of bad faith domain name registrations (Annex 14 to the Complaint, e.g. *Byoma Limited v. da xiong, 陈 晓 (Chen Xiao),* WIPO Case No. D2026-0336; and *AX Beauty Brands, LLC v. 陈晓 (Xiao Chen),* WIPO Case No. D2025-3201).

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 <byomas.store> is confusingly similar to its BYOMA mark, since it incorporates the mark in its entirety with the mere addition of the letter “s” and the generic Top-Level Domain (“gTLD”) “.store”. The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name, has not been authorised by the Complainant to use the BYOMA mark, is not commonly known by the disputed domain name, and is not making any legitimate noncommercial or fair use thereof. The Complainant further contends that the Respondent registered and is using the disputed domain name in bad faith, in particular by intentionally attempting to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant’s mark, and by engaging in a pattern of bad faith domain name registrations.

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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is 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, the letter "s") 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 applicable Top-Level Domain in a domain name (here, ".store") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11. The Panel notes, however, that the meaning of the gTLD may be relevant under the second and third elements, and returns to this point below.

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.

There is no evidence that the Respondent, before any notice of the dispute, used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services. There is no indication that the Respondent has been commonly known by the disputed domain name. The Respondent has not received any licence or authorisation from the Complainant to use the BYOMA mark. Nor is there any evidence of legitimate noncommercial or fair use.

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 BYOMA mark is a coined, inherently distinctive term with no recognised meaning. Given the distinctiveness and commercial reputation of the mark and the Complainant's established commercial presence since 2020, including retail distribution, industry recognition, beauty awards, and a significant social media following, the Panel finds it inconceivable that the Respondent was unaware of the Complainant and its mark when registering the disputed domain name on January 21, 2026, approximately five years after the Complainant's earliest trademark registrations.

The disputed domain name reproduces the BYOMA mark in its entirety, with only the addition of the letter "s". The composition of the disputed domain name is consistent with bad faith registration intended to attract Internet users searching for the Complainant's brand, and Internet users may not notice such sutle misspelling. The gTLD ".store" further reinforces the inference of bad faith targeting in this context, as it directly corresponds to the Complainant's area of trade and signals an online retail outlet, which is precisely how the disputed domain name had previously been used (Annex 10 to the Complaint). The Panel finds that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website, within the meaning of paragraph 4(b)(iv) of the Policy.

In addition, the evidence on record (Annex 14 to the Complaint) demonstrates that the Respondent has engaged in a pattern of registering domain names corresponding to third-party trademarks, which constitutes a further indicium of bad faith under paragraph 4(b)(ii) of the Policy.

Panels have found that the non-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. The seminal decision in this regard is *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. D2000-0003, in which the panel held that passive holding may amount to bad faith use where the surrounding circumstances leave no plausible good faith use of the domain name available to the respondent. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, the composition of the disputed domain name, the Respondent's pattern of bad faith conduct, and the absence of any conceivable 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 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 <byomas.store> be transferred to the Complainant.

/Pascal Böhner/
Pascal Böhner
Sole Panelist
Date: June 22, 2026