

ADMINISTRATIVE PANEL DECISION

Byoma Limited v. kellyw kellyw
Case No. D2026-1504

1. The Parties

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

The Respondent is kellyw kellyw, United States of America.

2. The Domain Name and Registrar

The disputed domain name <byomaofficial.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 April 9, 2026. On April 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 10, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 13, 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 14, 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 27, 2026.

The Center appointed Dilek Zeybel as the sole panelist in this matter on June 3, 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 Byoma Limited, a skincare company established in the United Kingdom in 2020. It develops, markets, and sells skincare products under the trademark BYOMA and distributes its products internationally through its official website and authorized retailers, and has experienced significant commercial success and recognition in the skincare industry, with reported sales reaching approximately USD 500 million by 2025.

The Complainant's trademark portfolio includes registrations for the trademark BYOMA in various jurisdictions worldwide, including but not limited to the following:

- Australian trademark BYOMA, No. 2167020, registered on March 29, 2021, in classes 3 and 35.
- United Kingdom trademark BYOMA, No. UK00003610176, registered on August 6, 2021, in classes 3 and 35.
- International trademark BYOMA, No. 1633315, registered on November 2, 2021, in class 03.

The Complainant operates its official website at "www.byoma.com".

The Respondent registered the disputed domain name <byomaofficial.shop> on March 23, 2026.

The disputed domain name previously resolved to a website purporting to operate as an official BYOMA online store. The website prominently displayed the Complainant's BYOMA trademark and logo, reproduced content and visual elements associated with the Complainant, and purported to offer the Complainant's products for sale. The website further included account registration, login, and checkout functionalities.

At the time of the Panel's decision, the disputed domain name no longer resolves to an active 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.

The Complainant submits that the disputed domain name is confusingly similar to its BYOMA trademark, which it incorporates in its entirety. According to the Complainant, the addition of the term "official" does not prevent a finding of confusing similarity and instead reinforces the false impression that the disputed domain name is affiliated with, endorsed by, or operated by the Complainant.

The Complainant further argues that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant states that the Respondent is not affiliated with the Complainant and has never been authorized to use the BYOMA trademark.

The Complainant asserts that the disputed domain name was used for a website impersonating the Complainant by reproducing the Complainant's BYOMA trademark, logo, and website content, and by purporting to operate as an official BYOMA online store offering BYOMA products for sale. The Complainant further submits that the website contained login, registration, and checkout functionalities and collected Internet users' information. According to the Complainant, such use cannot give rise to rights or legitimate interests in the disputed domain name.

Finally, the Complainant contends that the disputed domain name was registered and used in bad faith. The Complainant argues that the Respondent was clearly aware of the Complainant and its distinctive BYOMA trademark when registering the disputed domain name and intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark and falsely suggesting an affiliation with the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules directs the Panel as to the principles to be applied in determining the dispute: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

The Policy provides, at paragraph 4(a), that each of the three elements must be made for a complaint to prevail:

- (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;
- (iii) the disputed domain name has been registered and is being used in bad faith.

Pursuant to paragraph 14(b) of the Rules, where a party does not comply with any provision of the Rules, the Panel may draw such inferences as it considers appropriate.

Considering the Parties' submissions, the Policy, the Rules, the Supplemental Rules, and applicable law, the Panel's findings with respect to each of the above elements are set out below.

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 Panel finds the mark is recognizable 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 the term “official”, which is a descriptive term, may bear on the assessment of the second and third elements, the Panel finds that such addition does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s 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 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.

Furthermore, the Respondent is not affiliated with the Complainant and has never been authorized, licensed, or otherwise permitted to use the Complainant’s BYOMA trademark.

The disputed domain name was used for a website prominently displaying the Complainant’s BYOMA trademark, logo, and official product images, while purporting to operate as an official online store for the Complainant’s products. The website further included account registration, login, and checkout functionalities through which Internet users were invited to submit personal, shipping, and payment-related information.

Such conduct is consistent with impersonation or passing off and does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use. Panels have categorically held that the use of a domain name for such illegitimate activity can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Furthermore, where a domain name consists of a trademark plus an additional term (here “official”), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.1](#), section 2.5.1.

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.

By using the disputed domain name to resolve to a website offering the Complainant's products and displaying the Complainant's official product images, the Respondent sought to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark. The website prominently displayed the Complainant's trademark and logo, reproduced content associated with the Complainant's official website, and purported to operate as an official BYOMA online store. The website further included account registration, login, and checkout functionalities through which Internet users were invited to provide personal, shipping, and payment-related information. Such conduct is consistent with a copycat or impersonation website designed to create a false impression of affiliation with the Complainant. Panels have held that the use of a domain name for such illegitimate activity constitutes evidence of bad faith.

[WIPO Overview 3.1](#), section 3.4.

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.

In the present case, the Panel finds that paragraph 4(b)(iv) of the Policy applies. By using the disputed domain name to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the website and the products offered therein, the Respondent has registered and used the disputed domain name in bad faith.

[WIPO Overview 3.1](#), section 3.1.4.

Finally, the disputed domain name incorporates the Complainant's BYOMA trademark in its entirety together with the term "official", which falsely suggests that the disputed domain name is operated by, affiliated with, or endorsed by the Complainant. The Panel finds it implausible that the Respondent arrived at this combination by mere coincidence. Rather, the circumstances indicate that the Respondent was aware of the Complainant's trademark and deliberately targeted it when registering the disputed domain name.

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 <byomaofficial.shop> be transferred to the Complainant.

/Dilek Zeybel/

Dilek Zeybel

Sole Panelist

Date: June 17, 2026