

ADMINISTRATIVE PANEL DECISION

OBAGI HOLDINGS COMPANY LIMITED v. douglasu douglasu **Case No. D2026-1976**

1. The Parties

The Complainant is Obagi Holdings Company Limited, Cayman Islands, United Kingdom, represented by MSA IP – Milojevic Sekulic & Associates, Serbia.

The Respondent is douglasu douglasu, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <obagiface.com> is registered with TuringSign Inc. d/b/a Cosmotown (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 7, 2026. On May 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 11, 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 (NOT DISCLOSED) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 12, 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 May 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 May 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 8, 2026.

The Center appointed Uwa Ohiku as the sole panelist in this matter on June 12, 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 company founded in 1988 and has marketed its skincare range of products for over 35 years under the OBAGI trademark.

The Complainant or through its affiliated companies, owns several trademarks including the following: United States Trademark Registration No. 2203028 for OBAGI, registered on November 10, 1998; European Union Trademark Registration No. 000164509 for OBAGI, registered on July 10, 1998; International Registration No. 1495947A for OBAGI, registered on July 31, 2019, and International Registration No. 1592492A for OBAGI MEDICAL, registered on March 29, 2021.

The Complainant hosts its main website through the domain name <obagi.com>.

The disputed domain name was registered on April 23, 2026, and at the time of the Complaint, resolved to an active website purporting to offer the Complainant's products for sale under the trademark OBAGI, at greatly discounted prices. The website also had "Obagi Medical" indicated on the upper left part of it, and "Official Obagi Medical®" on top. At the time of this Decision, the position is unchanged.

The Respondent appears to be located in the United States.

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 and supports its contentions with copious evidence comprising several annexes and references to previous UDRP panel decisions. The Complainant also refers to applicable provisions of the Rules, the Policy and the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), respectively, to buttress its contentions.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any other rules and principles of law that it deems applicable".

The Respondent did not file a response, but the Complainant must establish all three elements enumerated in paragraph 4(a) of the Policy for a transfer of the disputed domain name and the Panel must verify that all three elements are indeed established. [WIPO Overview 3.1](#), section 4.3. The Panel may also carry out limited independent research in discharging its responsibility, under the general powers of the Panel, amongst others, specified in paragraph 10 of the Rules.

A. Identical or Confusingly Similar

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.

A comparison between the Complainant's trademark and the disputed domain name shows that the entirety of the Complainant's mark OBAGI is reproduced and 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.

The addition of the term “face” does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s mark OBAGI for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. Further, the generic Top-Level Domain (“gTLD”) “.com” is disregarded when assessing confusing similarity, as this is a standard registration requirement.

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. The Respondent was given notice of this Complaint and an opportunity to come forward to refute the Complainant’s allegations but failed to do so.

Having reviewed the available record and, based on the preponderance of the evidence, 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 any of the Complainant’s contentions or come forward with any relevant evidence such as enumerated in the Policy or otherwise, to demonstrate rights or legitimate interests in the disputed domain name.

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

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

For the purposes of paragraph 4(a)(iii) of the Policy, 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 making this assessment as well. [WIPO Overview 3.1](#), section 3.2.1.

The Panel has reviewed the evidence provided by the Complainant in support of its contentions and conducted limited checks and the Panel concludes that it is highly unlikely that the Respondent was not aware of the Complainant and its OBAGI mark which has been in existence for dozens of years before the disputed domain name was registered by the Respondent. In the Panel’s view, registering the disputed domain name incorporating the exact Complainant’s mark OBAGI together with the term “face”, which is relevant to the Complainant’s business which offers various facial care products, is not coincidental but intentionally selected to take unfair advantage of the Complainant’s worldwide reputation and its mark (which previous UDRP panels have acknowledged to be bad faith).

The Panel further concludes that the Respondent’s use of the disputed domain name to resolve to an active website which appeared to mimic the Complainant’s official website available at its main domain name <obagi.com>, with a similar layout including the use of the “Obagi Medical” logo at the top left of the homepage, and “Official Obagi Medical®” at the top, cannot be good faith use. [WIPO Overview 3.1](#), section 3.4.

Further, the Panel notes that at the bottom of the website hosted by the disputed domain name, appears “Copyright @ 2025 nufacelift.com”, which domain name resolves to the following message: “Hmmm.....can’t reach this page”. However, the disputed domain name itself remains active and Internet visitors who wish to make purchases are directed to a page where credit/debit cards details and other

personal details can be collected, raising concerns about illegal/bad faith activities. [WIPO Overview 3.1](#), section 3.4.

In the Panel's view, the offering for sale of various products under the trademark OBAGI in the manner described above, amounts to attracting, for commercial gain, Internet users to the website connected with the disputed domain name or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or other location or of a product or service within the meaning of paragraph 4(b)(iv) of the Policy, thus evidencing registration and use of the disputed domain name in bad faith.

Given the foregoing, particularly the manner of use of the disputed domain name, the several contentions made by the Complainant and the preponderance of evidence provided, none of which the Respondent has come forward to counter or explain, and all the surrounding circumstances of this case, the Panel is satisfied that the Complainant has established that the Respondent was aware of the Complainant and its mark and clearly targeted the Complainant and registered and is using the disputed domain name in bad faith.

Having reviewed the record, therefore, 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 <obagiface.com> be transferred to the Complainant.

/Uwa Ohiku/

Uwa Ohiku

Sole Panelist

Date: June 22, 2026