

ADMINISTRATIVE PANEL DECISION

Byoma Limited v. tartals tartals
Case No. D2026-1977

1. The Parties

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

The Respondent is tartals tartals, United States of America.

2. The Domain Name and Registrar

The disputed domain name <shopbyoma.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 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 7, 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 Purposes) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 8, 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 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 May 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 3, 2026.

The Center appointed Federica Togo as the sole panelist in this matter on June 9, 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

It results from the Complainant's undisputed allegations that it is a skincare brand founded in 2020 in Scotland, United Kingdom ("UK"). BYOMA products are available to purchase through the Complainant's website and shipped internationally, across the UK, the United States of America, and through numerous renowned beauty retailers globally such as Sephora and Space NK.

The Complainant is the registered owner of many trademarks consisting and/or containing BYOMA, e.g. European Union trademark registration no. 018443892 BYOMA, registered on October 14, 2021, for goods and services in the classes 3 and 35.

Moreover, the Complainant uses the domain name <byoma.com> for its official website.

The disputed domain name <shopbyoma.shop> was registered on March 31, 2026.

Further, the undisputed evidence provided by the Complainant proves that the disputed domain name resolved to web shop allegedly offering Complainant's products and displaying without authorization the Complainant's trademark and logo and using the Complainant's copyrighted images and website imagery.

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 is identical or confusingly similar to the Complainant's mark BYOMA. In particular, the disputed domain name encompasses the entirety of the Complainant's BYOMA mark with the addition of the word "shop" before the mark. Where a domain name incorporates the entirety of a complainant's trademark and is easily recognisable in the domain name, this will be sufficient to establish identical or confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent did not receive any license from the Complainant to use domain names featuring the BYOMA trademark. The Complainant highlights that the Respondent previously used the disputed domain name to resolve to a website that impersonated the Complainant's offerings, using its BYOMA logo, trademark and copyrighted material taken from the Complainant's website. The Respondent used visual indicia from the Complainant's main website, purporting to sell goods under the Complainant's name and some at discounted prices- the website also collected Internet users' sensitive information in the checkout process. Shortly after the impersonation website was active, the disputed domain name was suspended by the Registrar by being placed in clientHold status and now resolves to an inactive webpage.

Furthermore, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, since its establishment in 2020, the BYOMA brand and mark have amassed substantial recognition in the skincare and beauty industry. Therefore, the BYOMA mark does not have any generic dictionary meaning, only existing in connection with the Complainant's brand. It is therefore clear that the simplest degree of due diligence would have otherwise made the Respondent aware of the Complainant's rights in its recognisable BYOMA mark. The disputed domain name replicates the BYOMA trademark with the addition of the term "shop" which only reinforces its connection to the Complainant. The Respondent has intentionally attempted to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's BYOMA mark and offerings. The use of the disputed domain name to host an online store using the name "BYOMA", and featuring the Complainant's products, gives Internet users a false impression that the site is controlled or authorised by the Complainant.

Furthermore, setting up a “login” and “checkout” page for Internet users to input their sensitive information adds to the gravity of the misuse of the BYOMA mark. Those Internet users would then have entered personal information on the website, believing they were interacting with the Complainant. Such deception and solicitation of personal details is clear evidence of bad faith. The previous use of the disputed domain name evidently shows there is no plausible future good faith use to be made by the Respondent. Therefore, the current passive holding of the disputed domain name constitutes bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”. Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that the disputed domain name be transferred or cancelled:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (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 in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are established.

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 “shop”, 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 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.

Further, the undisputed evidence provided by the Complainant proves that the disputed domain name resolved to a webshop allegedly offering the Complainant’s products and displaying without authorization the Complainant’s trademark and logo and using the Complainant’s copyrighted images and website imagery.

Panels have held that the use of a domain name for illegitimate activity, here, claimed: copycat site, passing off, or other types of fraud 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

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 results from the Complainant’s evidence that the disputed domain name resolved to web shop allegedly offering Complainant’s products and displaying without authorization the Complainant’s trademark and logo and using the Complainant’s copyrighted images and website imagery. For the Panel, it is therefore evident that the Respondent positively knew the Complainant’s mark. Consequently, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent knew that the disputed domain name included the Complainant’s trademark when it registered the disputed domain name.

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.

On this regard, the further circumstances surrounding the disputed domain name’s registration and use confirm the findings that the Respondent has registered and is using the disputed domain names in bad faith:

- (1) the nature of the disputed domain name, incorporating the Complainant’s mark plus the addition of the generic term “shop”;
- (2) the content of the website to which the disputed domain name resolved (i.e. web shop, allegedly offering the Complainant’s products and displaying without authorization the Complainant’s trademark and logo and using the Complainant’s copyrighted images and website imagery);
- (3) a clear absence of rights or legitimate interests coupled with no response for the Respondent’s choice of the disputed domain name;

(4) the Respondent concealing its identity through a privacy service.

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 <shopbyoma.shop> be transferred to the Complainant.

/Federica Togo/

Federica Togo

Sole Panelist

Date: June 22, 2026