

ADMINISTRATIVE PANEL DECISION

Byoma Limited v. 卢剑锋 (lu jian feng)

Case No. D2026-2797

1. The Parties

The Complainant is Byoma Limited, United Kingdom ("UK"), represented by Safenames Ltd., UK.

The Respondent is 卢剑锋 (lu jian feng), China.

2. The Domain Name and Registrar

The disputed domain name <byomastores.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on June 26, 2026. On June 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 30, 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 July 2, 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 in English on July 2, 2026.

On July 2, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On the same day, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on July 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 30, 2026.

The Center appointed Francine Tan as the sole panelist in this matter on July 31, 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 owns a skincare brand which was launched in 2022 in Scotland, UK. Operating under the brand name BYOMA, the Complainant is one of the many skincare brands under the parent company, Bansk Group. The Complainant's BYOMA skincare brand has a focus on science-based products intended to support and strengthen the skin barrier. The Complainant's official website is "www.byoma.com", which also provides educational content in the "Byology Class" section, as well as an AI skin analysis tool where consumers can find the correct products for their skin type.

The Complainant has expanded globally, with BYOMA products available for purchase internationally through its website or through retail stores by virtue of its distribution network. The Complainant's products are available, e.g. in Sephora and Boots across the UK, Europe and the Middle-east; and Target and Ulta in the United States of America ("U.S.") and Canada. By 2025, the Complainant had generated USD 500 million in sales. The Complainant has been recognized for numerous awards for its innovative products and has a strong social media presence in relation to its BYOMA trade mark.

The Complainant has registered the BYOMA mark in various jurisdictions. Its trade mark registrations include the following:

- (i) Australian Registration No. 2167020, registered on March 29, 2021;
- (ii) UK Registration No. UK00003610176, registered on August 6, 2021;
- (iii) International Registration No. 1633315, registered on November 2, 2021;
- (iv) European Union Registration No. 018443892, registered on October 14, 2021; and
- (v) U.S. Registration No. 6690108, registered on April 5, 2022.

The disputed domain name was registered on April 1, 2026. Initially, the disputed domain name resolved to an online store website featuring the Complainant's BYOMA logo and trade mark and offering BYOMA-branded products for sale (the "Website"). The Website was, at the time of filing the Complaint, inactive. On April 23, 2026, one week after the Complainant's representatives submitted an abuse report, the disputed domain name was suspended.

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:

1. The disputed domain name is confusingly similar to the Complainant's BYOMA trade mark. The disputed domain name incorporates the entirety of the Complainant's BYOMA mark, with the addition only of an industry-specific term, "stores". The addition of the generic term "stores" does not prevent a finding of confusing similarity with the Complainant's BYOMA trade mark.
2. The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has no trade mark rights, whether registered or unregistered, in the term "Byoma"; the Respondent has not received any licence from the Complainant to use domain names featuring the BYOMA trade mark; the Respondent is not commonly known by the name "Byoma"; and the Respondent has not used, nor prepared to use, the disputed domain name in connection with a bona fide offering of goods or services. The Respondent previously used the disputed domain name in relation to an online store impersonating the Complainant. It featured the Complainant's BYOMA logo and trade mark and by copying the look and feel of the Complainant's website through the use of copyright-protected product images and other visual indicia, the Respondent purported to sell BYOMA-branded products at discounted prices. Through the Website, Internet users were requested to enter sensitive information upon checkout. There was no disclaimer on the Website which clarifies the lack of affiliation with the Complainant.
3. The disputed domain name was registered and is being used in bad faith. The Complainant's trade mark registrations predate the registration date of the disputed domain name. Searching "Byoma" on popular search engines would have listed the Complainant and its goods and services as the top result. The Respondent has intentionally attempted to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's BYOMA trade mark. The Respondent's imitation website gives Internet users a false impression that the Website is controlled or authorized by the Complainant. The Respondent has been a party to at least one previous UDRP proceeding in which the panel concluded that the Respondent had acted in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English, primarily because the evidence suggests that the Respondent is familiar with the English language. In particular: the disputed domain name is composed of Latin characters; the Respondent was targeting the Complainant's business, which is primarily conducted in English; and the content of the Respondent's website was entirely in the English language, targeting English-speaking customers. Requiring a Chinese translation of the Complaint would result in the incurring of additional expense and unnecessary delay.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English. It is rather evident from the Website that the Respondent is familiar with the English language and if that were not the case, he had ample opportunity to express his objection but did not.

6.2 Substantive Issues

A. Identical or Confusingly Similar

It is well established that the first element functions primarily as a standing requirement. The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trade mark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

The Complainant has demonstrated rights in respect of a trade mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the BYOMA mark is reproduced and remains readily recognizable within the disputed domain name. The addition of the term "stores" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trade mark for the purposes of the Policy. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's trade mark and 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 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 neither rebutted the Complainant's prima facie showing nor produced any evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Respondent is not affiliated with the Complainant and has never been authorized by the Complainant to use its BYOMA trade mark or to register any domain name incorporating the said trade mark. The disputed domain name resolved to a website offering goods purportedly originating from the Complainant. While the

Complainant has not alleged nor produced evidence establishing that those goods were counterfeit, it noted that they were offered at discounted prices.

In the Panel's view, however, whether the goods offered on the Website were genuine or counterfeit is not determinative. The Website was a clear imitation of the Complainant's official website and was plainly designed to create the false impression that it was operated, authorized, or endorsed by the Complainant. Such use cannot constitute a bona fide offering of goods or services.

The Panel further agrees with the Complainant that the Respondent cannot rely on the reseller principles outlined in [WIPO Overview 3.1](#), section 2.8.1. The Website failed to accurately and prominently disclose the Respondent's lack of any relationship with the Complainant but instead conveyed the misleading impression of an official or authorized online store.

Accordingly, the Panel finds that 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.

The Panel is satisfied that the Respondent was well aware of the Complainant and its BYOMA trade mark when registering the disputed domain name. The Respondent deliberately sought to create the false impression that the Website was associated with or endorsed by the Complainant.

As noted in [WIPO Overview 3.1](#), section 3.1.4, panels have consistently found that "the mere registration of a domain name that is identical or confusingly similar (particularly domain names ... incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith". Panels have also identified a number of factors supporting a finding that a respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the complainant's mark including the respondent's lack of rights or legitimate interests in the domain name, the mimicking of the complainant's website, and the absence of any conceivable good faith use of the domain name.

Those factors are all present in this case. The Respondent's conduct falls squarely within paragraph 4(b)(iv) of the Policy. The Panel therefore finds that the disputed domain name was registered and is being used in bad faith.

Accordingly, 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 <byomastores.com> be transferred to the Complainant.

/Francine Tan/

Francine Tan

Sole Panelist

Date: August 11, 2026