

ADMINISTRATIVE PANEL DECISION

La Roche-Posay Laboratoire Dermatologique v. Nguyen Hai Duong
Case No. D2026-2897

1. The Parties

The Complainant is La Roche-Posay Laboratoire Dermatologique, France, represented by Dreyfus & associés, France.

The Respondent is Nguyen Hai Duong, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <larocheposay-eventsales.online> is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 2, 2026. On July 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 3, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on July 7, 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 July 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 July 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 24, 2026.

The Center appointed Mireille Buydens as the sole panelist in this matter on August 25, 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.

The Registrar has confirmed that the language of the Registration Agreement for the disputed domain name is English. The Panel notes that the Complaint was filed in English. Therefore, pursuant to paragraph 11(a) of the Rules, the Panel finds that English is the language of the proceeding.

4. Factual Background

The Complainant is a French company specialized in dermatological skincare and cosmetic products. Founded in 1975, the Complainant operates worldwide under the LA ROCHE-POSAY brand and is a major brand for dermatology products. The Complainant and its LA ROCHE-POSAY trademark are present in Viet Nam through its official website “www.laroche-posay.vn”.

The Complainant has provided evidence demonstrating that it is the owner of numerous LA ROCHE-POSAY trademark registrations (hereafter “the LA ROCHE-POSAY Trademark” or “the Trademark”), including, but not limited to, the following:

- International Trademark Registration No. 787605 for LA ROCHE-POSAY (word mark), registered on July 12, 2002, designating, inter alia, Japan, Australia, China, Singapore, and the Republic of Korea;
- International Trademark Registration No. 1281149 for LA ROCHE-POSAY LABORATOIRE DERMATOLOGIQUE (word and design mark), registered on October 14, 2015, and designating, inter alia, Australia, China, Japan, Singapore, and Viet Nam;
- International Trademark Registration No. 1533143 for LA ROCHE-POSAY (word mark), registered on April 24, 2020, designating, inter alia, Viet Nam;

The Complainant is also the owner of the domain name <laroche-posay.com>, which was registered on October 21, 1996, and is used in connection with the Complainant’s activities.

The disputed domain name was registered on June 5, 2026. When the Complainant became aware of the disputed domain name, it sent, on June 8, 2026, a blocking request to the Registrar by email and via an online form. However, according to the Complaint, no satisfactory answer was received. The disputed domain name directs to a website reproducing the Complainant’s LA ROCHE-POSAY Trademark, logo, and product visuals, and offering cosmetic products at prices advertised as “flash sales” and discounted prices. However, when clicking to buy the products offered on the website, the website points to an error page, and the other items presented as clickable on the website are not clickable. The website does not contain any information as to the company operating the 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.

First, the Complainant contends that the disputed domain name is confusingly similar to the LA ROCHE-POSAY Trademark, which enjoys a worldwide reputation, as it reproduces the Complainant’s LA ROCHE-POSAY Trademark in its entirety, with only the omission of the spaces and hyphen and the addition of the generic and descriptive terms “event” and “sales”, separated by a hyphen. These additions reinforce the misleading impression that the disputed domain name is connected to the Complainant’s promotional or commercial activities, in particular special sales events relating to LA ROCHE-POSAY products.

Second, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is neither affiliated with the Complainant in any way nor has it been authorized by the Complainant to use and register its LA ROCHE-POSAY Trademark, or to seek registration of any domain name incorporating said Trademark. The Respondent cannot claim prior rights or legitimate interests in the disputed domain name, as the LA ROCHE-POSAY Trademark precedes the registration of the disputed domain name by years. Furthermore, there is no evidence that the Respondent may be commonly known by the name LA ROCHE-POSAY. Moreover, the disputed domain name is very similar to the famous LA ROCHE-POSAY Trademark of the Complainant and its official domain name, which implies that it is not possible to conceive a plausible circumstance in which the Respondent could legitimately use the disputed domain name, as it would invariably result in misleading the Internet users and taking unfair advantage of the Complainant's reputation. Further, there is no use of the disputed domain name in connection with a bona fide offering of goods or services, as the disputed domain name directs to a website reproducing the Complainant's LA ROCHE-POSAY Trademark, logo and visuals, and offering cosmetic products at low prices, creating in that way a false affiliation with the Complainant.

The Complainant finally contends that the Respondent registered and uses the disputed domain name in bad faith. Concerning the registration in bad faith, the Complainant asserts that, given the reputation of the LA ROCHE-POSAY Trademark and the fact that its registration significantly predates the registration of the disputed domain name, it is inconceivable that the Respondent registered the disputed domain name without actual knowledge of the Complainant and its trademark rights. A quick "LA ROCHE POSAY" trademark search, or even a search on a search engine online, would have revealed to the Respondent the existence of the Complainant and its Trademark. The Respondent could not have chosen the disputed domain name for any reason other than to deliberately cause confusion amongst Internet users in order to take unfair advantage of the Complainant's goodwill and reputation.

Concerning the use in bad faith, the Complainant contends that the Respondent intentionally seeks to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's well-known LA ROCHE-POSAY Trademark as to the source, sponsorship, affiliation, or endorsement of the associated website. Indeed, the disputed domain resolves to an online store prominently operating under the name "LA ROCHE POSAY Thailand", directly reproducing the Complainant's LA ROCHE-POSAY Trademark and corporate name. The website further copies the Complainant's branding elements and visual presentation, including references to alleged LA ROCHE-POSAY products, thereby creating the false impression that the website is an official website operated, authorized, or endorsed by the Complainant. It is more likely than not that the Respondent's primary motive in registering and using the disputed domain name was to capitalize on or otherwise take advantage of the Complainant's LA ROCHE-POSAY Trademark, through the creation of confusion.

B. Respondent

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

6. Discussion and Findings

Dealing with the Respondent's failure to file a response to the Complaint, paragraph 14(b) of the Rules provides that if a party, in the absence of exceptional circumstances, does not comply with a provision of, or requirement under these Rules, the panel shall be entitled to draw such inferences from this omission, as it considers appropriate.

Paragraph 4(a) of the Policy provides that the Complainant must prove each of the following three elements in order to succeed in its Complaint:

- (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.

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 LA ROCHE-POSAY Trademark is recognizable within the disputed domain name. The disputed domain name reproduces said Trademark in its entirety with the omission of the hyphen between "LA ROCHE" and "POSAY" and with the addition of the terms "event" and "sales" separated by a hyphen. Accordingly, the disputed domain name is confusingly similar to the LA ROCHE-POSAY Trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here "event" and "sales", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the Trademark 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.

According to the Complaint, which has not been rebutted by the Respondent, the Respondent is not licensed by, nor affiliated with, the Complainant in any way, and is not an authorized dealer, distributor, reseller, or service provider of the Complainant. There is no evidence that the Respondent is commonly known by the disputed domain name, nor is there any evidence of use or demonstrable preparations to use the disputed domain name for a bona fide offering of goods or services. There is no evidence of legitimate noncommercial or fair use of the disputed domain name, either. On the contrary, the Panel first notes that the disputed domain name reproduces the LA ROCHE-POSAY Trademark with the omission of the hyphen

between “LA ROCHE” and “POSAY” and with the addition of the terms “event” and “sales” separated by a hyphen. The terms “event” and “sales” are descriptive of the Complainant’s activities as the Complainant sells products—and it is thus likely to organize sales and “event sales” (with the meaning of important or noticeable sales). As a result, the disputed domain name in itself carries a risk of implied affiliation, which cannot constitute fair use as it effectively impersonates or suggests sponsorship or endorsement by the Complainant.

The Panel further notes that the website prominently reproduces the LA ROCHE-POSAY Trademark, only proposes the Complainant’s products, with the same pictures of the products as the Complainant, and does not contain a disclaimer or notice explaining its (lack of) relationship with the Complainant. Panels have recognized that resellers and distributors may be making a bona fide offering of goods and services and thus have a legitimate interest in using a domain name containing the trademark of the products they are distributing. However, in such a case, the following cumulative requirements apply (also known as the “Ok! Data test” – [WIPO Overview 3.1](#), Section 2.8.1): (i) the respondent must actually be offering the goods or services at issue; (ii) the respondent must use the site to sell only the trademarked goods or services; (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and (iv) the respondent must not try to “corner the market” in domain names that reflect the trademark. In the present case, the website under the disputed domain name does not accurately and prominently disclose the (lack of) the Respondent’s relationship with the Complainant. The Complainant asserts that the Respondent is not one of its distributors or resellers, and the Respondent did not rebut this assertion. In the Panel’s view, these elements demonstrate that the disputed domain name is being used for an online shop intended to deceive consumers seeking the Complainant’s products. The Respondent induces Internet users into falsely believing that the disputed domain name resolves to a website operated or endorsed by the Complainant and selling LA ROCHE-POSAY products at discounted prices. Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation/passing off, 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.

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.

Concerning the registration in bad faith, the Panel notes that the Respondent has composed the disputed domain name by reproducing the LA ROCHE-POSAY Trademark in its entirety with the omission of the hyphen between “LAROCHÉ” and “POSAY” and with the addition of the terms “event” and “sales” separated by a hyphen. The terms “event” and “sales” are descriptive for the Complainant’s activities as the Complainant sells products - and could therefore organize sales and/or “event sales” (with the meaning of important or noticeable sales). Noting the foregoing and the near instantaneous and global reach of the Internet and search engines, and particularly where the complainant’s trademark is widely known as it is the case here, and the respondent cannot credibly claim to have been unaware of the trademark, panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be confusingly similar to a complainant’s mark. [WIPO Overview 3.1](#), section 3.2.2. Taking into account the reputation of the Complainant’s LA ROCHE-POSAY Trademark, registered decades before the disputed domain name (including in Viet Nam, where the Respondent is purportedly located) and widely used worldwide (including on the Internet), the Panel takes the view that the Respondent was well aware of the Complainant’s LA ROCHE-POSAY Trademark when it registered the disputed domain name and registered it with the intention to mislead Internet users into believing that the website under the disputed domain name is affiliated with, or endorsed by, the Complainant.

Concerning the use in bad faith, panels have held that the use of a domain name for illegitimate activity, here impersonating or passing off, constitutes bad faith. In the present case, the disputed domain name resolves to a website offering dermatological and cosmetic products which are identical to the products sold by the Complainant. The Respondent passes itself off as the Complainant, or as the Complainant's distributor for Thailand: the website prominently depicts the LA ROCHE-POSAY Trademark and logo, offers the same products as the Complainant, using the same product pictures as the Complainant, without mentioning its (lack of) relationship with the Complainant. Even if the Respondent intended to present itself as a reseller of the Complainant's products, it should disclose, prominently and accurately, its (lack of) relationship with the Complainant—which is not the case here. By selling the same products as the Complainant, while depicting the Complainant's LA ROCHE-POSAY Trademark without disclosing its (lack of) relationship with the Complainant, the Respondent falsely induces Internet users into believing that the website under the disputed domain name is a website operated or endorsed by the Complainant.

In light of this, it seems inconceivable that the Respondent would have registered and used the disputed domain name for a reason other than seeking to unduly benefit from the Complainant, its LA ROCHE-POSAY Trademark, and associated goodwill.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <larocheposay-eventsales.online> be transferred to the Complainant.

/Mireille Buydens/

Mireille Buydens

Sole Panelist

Date: September 7, 2026