

ADMINISTRATIVE PANEL DECISION

Pharma Développement, société par actions simplifiées (SAS) v. MEILK LTD
Case No. D2026-3155

1. The Parties

The Complainant is Pharma Développement, société par actions simplifiées (SAS), France, represented by Gilbey Legal, France.

The Respondent is MEILK LTD, United Kingdom, self-represented.

2. The Domain Name and Registrar

The disputed domain name <a313krem.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 17, 2026. On July 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 17, 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 / Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 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 amendment to the Complaint on July 23, 2026.

The Center verified that the Complaint together with the amendment to the 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 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 16, 2026. The Respondent filed a Response on July 31, 2026. The Center informed the Parties of the commencement of the panel appointment process on August 19, 2026. On the same day, the Respondent sent another email communication to the Center.

The Center appointed Kaya Köklü as the sole panelist in this matter on August 27, 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 pharmaceutical laboratory established in 1991 in France, specializing in the development and distribution of various products including skin care and dermo-cosmetic products.

The Complainant is the owner of the A313 trademark, which is registered in various jurisdictions and widely used by the Complainant for its skin care products. Among others, the Complainant is the owner of the International Trademark Registration No. 1682997, registered on August 2, 2022, for A313, among many others designating also Türkiye and the European Union, and covering protection particularly for various cosmetic and pharmaceutical goods in classes 3 and 5.

The Respondent is reportedly located in the United Kingdom.

The disputed domain name was registered on March 14, 2025.

This disputed domain name redirects users to a website in Turkish language at the domain name <retimax.net>, which purportedly offers skin care products comparable to the ones of the Complainant.

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.

B. Respondent

The Respondent contends that it has registered the disputed domain name with the intention to enter into a distribution partnership with the Complainant. The Respondent asserts that following registration of the disputed domain name, it approached the Complainant in allegedly good faith, but no commercial agreement could be reached. The Respondent further argues that it has never offered the disputed domain name for sale to the Complainant or to any third party and never attempted to extort money from the Complainant.

The Respondent further states that the disputed domain name is no longer used and that the website to which the disputed domain name redirects, is no longer operating. Against this background, the Respondent explicitly states that it "does not object to the transfer of the disputed domain name to the Complainant".

In its further email communication to the Center on August 19, 2026, the Respondent wanted to make sure that its Response of July 31, 2026 and the respective annexes were received by the Center.

6. Discussion and Findings

6.1. Respondent's Consent to Transfer

The Panel notes that even without a formal settlement between the Parties, a consent for the transfer of the disputed domain name by the Respondent can provide sufficient basis for an order for transfer without the need for a decision on the merits of the case. In view of WIPO Overview of WIPO Panel Views on Select

UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.10, a panel may “order the requested remedy solely on the basis of such consent”.

In its Response to the Center of August 1, 2026, the Respondent expressed its willingness and consent to the transfer of the disputed domain name as requested by the Complainant. However, at the same time, the Respondent expressly denied that it registered or used the disputed domain name in bad faith.

According to section 4.10 of the [WIPO Overview 3.1](#), a panel may, in its discretion, proceed with a substantive decision on the merits despite a respondent’s consent to transfer, where the respondent, while consenting to the requested remedy, expressly disclaims any bad faith.

Given that this is exactly the situation in the present case, the Panel considers it more appropriate to proceed with a decision on the merits instead of rendering a decision in summary form based on the Respondent’s consent only.

6.2. Substantive Issues

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark 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.

It is further noted that the Panel has taken note of the [WIPO Overview 3.1](#), and, where appropriate, will decide consistently with the consensus views captured therein.

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the A313 trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the A313 mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the A313 mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other term, here “krem” (which means “cream” in the Turkish language), 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.

In this regard, the Panel notes that the disputed domain name, which fully comprises the Complainant’s A313 trademark, redirects to another active website purportedly offering products competing with those of the Complainant, irrespective of the Respondent’s assertion that this website is no longer actively operated. The Panel finds that such use in combination with the confusing similar nature of the disputed domain name carries a risk of misleading Internet users into the believing that the disputed domain name and the associated website are somehow authorized, sponsored, or endorsed by or otherwise affiliated with the Complainant. A respondent’s use of a complainant’s mark to redirect users to a competing site would not support a claim to rights or legitimate interests. [WIPO Overview 3.1](#), section 2.5.3.

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.

In the present case, the Panel notes that the Respondent does not rebut that it was aware of the Complainant’s A313 trademark when registering this disputed domain name. Rather, the Respondent argues that it registered the disputed domain name with the purpose of subsequently entering into a business partnership with the Complainant. Such a deliberate registration of a domain name knowingly incorporating another party’s trademark, without authorization, possibly for the purpose of using the domain name as leverage to initiate or facilitate subsequent business negotiations with the trademark owner, does in view of the Panel constitute a registration in bad faith.

With regard to bad faith use of the disputed domain name, the Panel notes that the disputed domain name is being used to redirect Internet users to another active website purportedly offering products competing with those of the Complainant, irrespective of the Respondent’s assertion that associated website is no longer actively operated. By using the disputed domain name in such way, the Respondent intentionally creates a likelihood of confusion with the Complainant’s A313 trademark as to the source, sponsorship, affiliation, or

endorsement of the website to which Internet users are redirected. The Panel finds that such use constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Taking all facts of the case into consideration, 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 <a313krem.com> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: September 10, 2026