

ADMINISTRATIVE PANEL DECISION

HADAT COSMETICS LTD v. Adam Kowalski

Case No. D2026-3169

1. The Parties

The Complainant is HADAT COSMETICS LTD, Israel, internally represented.

The Respondent is Adam Kowalski, Poland.

2. The Domain Name and Registrar

The disputed domain name <hadat-cosmetics.info> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 18, 2026. On July 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 21, 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 (Namecheap / holder of the registration of the disputed domain name) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 27, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not amend the Complaint.

The Center verified that 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 August 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 31, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 1, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on September 4, 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 presents as an Israeli company which manufactures and supplies hair care and other cosmetics products.

Amongst other things, its products are offered for sale from the website at “www.hadat.com”. According to this website, the business has been operating since 2016. There is some evidence which suggests, however, that the Complainant itself was incorporated in 2021.

The Complainant’s products are also offered for sale from the website “www.hadat-cosmetics.hk”. While this website uses the trademarks also used on the Complainant’s website at “www.hadat.com”, it claims to be operated by Bold Innovations Limited. The precise relationship between the Complainant and this company is not explained. The Complaint also includes links to promotions by third parties on Instagram and a “Hadat Cosmetics Store” on “www.amazon.com”.

The Complaint includes evidence that the Complainant is the owner of registered trademarks for the figurative mark:



These registered trademarks include:

- (1) International Registration No 1636345, which was registered on October 8, 2021, and designated Estonia, European Union, Georgia, Israel, Lithuania, Turkmenistan, United States of America, Uzbekistan, Armenia, Azerbaijan, Belarus, Kyrgyzstan, Kazakhstan, Latvia, Moldova, Tajikistan, and Ukraine; and
- (2) European Union Trade Mark No 1636345, received from WIPO on February 23, 2023, with a registration date of October 8, 2021.

Each of these trademarks is registered in respect of relevant goods and services in International Classes 3 (including perfumery, cosmetics and hair lotions), 35, 41 and 44.

According to the Whols report, the disputed domain name was registered on April 3, 2026.

As of July 18, 2026, the disputed domain name resolved to a website which appeared to have options to present in Russian, Ukrainian, Polish, and English. The screenshot submitted with the Complaint presented the Russian language version only.

A partial image of the screenshot is included below:



A translation of this into English is “Scandal-hit cosmetics of the Russian-Israeli brand Hadat Cosmetics are being sold in Poland again through a Ukrainian representative”.

The website at the disputed domain name went on further to say: “Ukrainian journalists have published an investigation into the firm that produces cosmetics under the Hadat Cosmetics brand [...]”

At the time this decision is being prepared, the disputed domain name does not resolve to an active website from the Panel’s location.

On September 21, 2026, the Center received a communication from the email address that was displayed on the website at the disputed domain name indicating that the disputed domain name was used to gauge interest in the subject and that more will be published on a website at a different domain name. This communication does not affect the Panel’s findings under the elements.

5. Discussion and Findings

No response has been filed. The Complaint and Written Notice have been sent, however, to the Respondent at the electronic and physical coordinates confirmed as correct by the Registrar in accordance with paragraph 2(a) of the Rules. Bearing in mind the duty of the holder of a domain name to provide and keep up to date correct Whois details, therefore, the Panel finds that the Respondent has been given a fair opportunity to present their case.

When a respondent has defaulted, paragraph 14(a) of the Rules requires the Panel to proceed to a decision on the Complaint in the absence of exceptional circumstances. Accordingly, paragraph 15(a) of the Rules requires the Panel to decide the dispute on the basis of the statements and documents that have been submitted and any rules and principles of law deemed applicable.

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of the disputed domain name, the Complainant must demonstrate each of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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, therefore, 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.

In undertaking the comparison, it is usual to disregard the design elements of a trademark under the first element as such elements are generally incapable of representation in a domain name. Where the textual elements have been disclaimed in the registration or cannot fairly be described as an essential or important element of the trademark, however, different considerations may arise. See for example, [WIPO Overview 3.1](#), section 1.10. The figurative elements of the Complainant’s trademarks are not so dominating that the verbal element cannot be considered an essential or important part of the trademark in this case. Accordingly, it is appropriate to apply the usual rule.

Disregarding the generic Top-Level-Domain (gTLD) “.info” and a hyphen as well, the disputed domain name is identical to the Complainant’s registered trademark HADAT COSMETICS. [WIPO Overview 3.1](#), section 1.7.

Accordingly, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain name.

Paragraph 4(c) of the Policy provides that the following circumstances can be situations in which the Respondent has rights or legitimate interests in a disputed domain name:

- (i) before any notice to [the Respondent] of the dispute, [the Respondent’s] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or
- (ii) [the Respondent] (as an individual, business, or other organization) has been commonly known by the [disputed] domain name, even if [the Respondent] has acquired no trademark or service mark rights; or
- (iii) [the Respondent] is making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. 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.

The Respondent registered the disputed domain name after the Complainant began using the trademark and also after the Complainant had registered its trademark.

The Respondent is not affiliated with the Complainant and the Complainant has not otherwise authorised the Respondent to use the disputed domain name.

The disputed domain name is not derived from the Respondent’s name. Nor is there any suggestion of some other name by which the Respondent is commonly known from which the disputed domain name could be derived.

These factors are usually sufficient to establish a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name.

It may be inferred from the content of the website to which the disputed domain name resolved that the website purported to be some sort of criticism or public information warning. Such a use may qualify as a legitimate noncommercial or fair use within the scope of paragraph 4(c)(iii) of the Rules.

As the disputed domain name is identical to the central verbal component of the Complainant's name and registered trademark, however, the disputed domain name carries a very high risk of implied affiliation. [WIPO Overview 3.1](#), sections 2.5.1 and 2.6.2.

The Panel does not know, and has no means of ascertaining, whether the Complainant's brand's products in question being circulated in Poland were in some way fake or of Russian provenance and so circumventing the sanction regime. It is also a matter of some concern to the Panel that the Complainant submitted only the Russian language version of the website with the Complaint even though the Complainant itself contends that English is the language of the proceeding. Notably, however, the Respondent has not formally come forward to defend or explain their actions. Further, it appears that the website is no longer accessible.

In the absence of formal explanation by the Respondent and given the high risk of implied affiliation, therefore, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain name.

Accordingly, the Panel finds the Complainant has established the second requirement under the Policy also.

C. Registered and Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain name has been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g. *Group One Holdings Pte Ltd v. Steven Hafto*, WIPO Case No. [D2017-0183](#).

The apparent nature of the Respondent's website raises the potential argument that the disputed domain name has not been registered in bad faith because it was registered for use in connection with a public interest – warning the public about the presence of products on the market in the guise of the Complainant's branded products which were in breach of trading sanctions.

As already noted, however, the Respondent has not come forward attempting to justify their conduct on that basis. Moreover, for the reasons set out in section 5B above, the disputed domain name carries with it a very high risk of implied affiliation and consequently of undermining the integrity of the Complainant's trademark.

Given those high risks of implied affiliation and concomitant undermining of the Complainant's trademark, therefore, the Panel also finds that the disputed domain name was registered in bad faith. Its use in the manner described also constitutes subsequent use in bad faith. Accordingly, the Panel finds the Respondent has registered and used the disputed domain name in bad faith.

Therefore, the Complainant has established all three requirements under 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 <hadat-cosmetics.info> be transferred to the Complainant.

/Warwick A. Rothnie/

Warwick A. Rothnie

Sole Panelist

Date: September 23, 2026