

ADMINISTRATIVE PANEL DECISION

L'Oréal v. zhang jiang xiong, xiaoliu
Case No. D2026-3284

1. The Parties

The Complainant is L'Oréal, France, represented by Dreyfus & associés, France.

The Respondent is zhang jiang xiong, xiaoliu, China.

2. The Domain Name and Registrar

The disputed domain name <kerastase-de.shop> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on July 24, 2026. On July 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 27, 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 28, 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 28, 2026.

On July 28, 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 July 28, 2026, 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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 19, 2026.

The Center appointed Mengyuan Li 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.

4. Factual Background

The Complainant is a French industrial group specialized in the field of cosmetics that owns a portfolio of 37 brands and employs 86,000 employees in 150 jurisdictions.

The Complainant uses the KERASTASE trademark for its premium luxury haircare brand. The Complainant owns numerous trademark registrations for KERASTASE, namely:

- International Trademark KERASTASE, No. 283650, registered on May 15, 1964, in classes 1, 2, 3, 5, 9, 10, 11, 16, and 21, designating, among others, China;
- International Trademark KERASTASE, No. 1686528, registered on July 14, 2022, in classes 3, 9, 35, and 41, designating, among others, China; and
- European Union Trademark KERASTASE, No. 013148291, registered on December 29, 2014, in classes 3 and 44.

The Complainant also operates domain names incorporating its trademark, including <kerastase.fr>, registered on March 31, 2003.

The Respondent is reportedly based in China.

The disputed domain name was registered on June 17, 2026. The Complainant has provided evidence that the disputed domain name previously resolved to an online store titled "WIG & COMB", which purportedly offered wigs and combs for sale. The disputed domain name currently does not resolve to an active 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.

Notably, the Complainant contends that:

Firstly, the disputed domain name is identical or confusingly similar to the KERASTASE trademarks in which the Complainant has rights.

The KERASTASE trademarks have a strong reputation and are widely known internationally. Previous UDRP decisions already considered the KERASTASE trademarks to be "well-known" or "famous" in the field of hair care products.

The disputed domain name is composed of the trademark KERASTASE added with “de” as a suffix. The letters “de” represent the two-letter International Organization for Standardization (“ISO”) country code, as well as the country code Top-Level Domain (“ccTLD”) abbreviation corresponding to Germany. Therefore, the disputed domain name is understood as offering products associated with the Complainant’s affiliate in Germany. The disputed domain name is confusingly similar to the KERASTASE trademark as it reproduces the KERASTASE trademark in its entirety and adds the geographical abbreviation “de” and a hyphen.

The extension “.shop” is not to be taken into consideration when examining the identity or similarity between the Complainant’s trademarks and the disputed domain name.

Secondly, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Respondent has no prior rights or legitimate interest in the domain name. The registration of the trademarks KERASTASE preceded the registration of the disputed domain name for years. The Respondent is not commonly known by the name “Kerastase”, in any way affiliated with the Complainant, nor authorized or licensed to use the trademark KERASTASE, or to seek registration of any domain name incorporating said mark. The Respondent has not used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name resolved to an online store entitled “WIG & COMB”, purportedly providing wigs and hair related goods within or closely connected to the Complainant’s business sector. The Respondent exploits the reputation of the KERASTASE trademark to draw Internet users to its unrelated commercial website for its own financial gain. This use amounts to neither a bona fide offering of goods or services nor legitimate noncommercial or fair use.

Finally, the disputed domain name was registered and is being used in bad faith.

Given the well-known character of the KERASTASE trademarks, the Respondent obviously knew its existence when it registered the disputed domain name. Previous UDRP decisions already recognize that actual knowledge of the Complainant’s trademarks and activities at the time of registration of the disputed domain name may be considered an inference of bad faith.

By using the disputed domain name, the Respondent has intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the KERASTASE trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website and the products offered thereon.

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 for several reasons, including:

- Being a French entity, the Complainant is unable to communicate in Chinese. Conducting the proceeding in the Respondent's native language (i.e., Chinese) would place the Complainant at a significant disadvantage, both in terms of costs and substance, as it would be required to translate the Complaint and all supporting documents into Chinese. By contrast, English is a neutral language that is neither the native language of the Complainant nor that of the Respondent.
- The Respondent appears to have at least some knowledge of English, as the disputed domain name is registered using Latin characters and the website associated with the disputed domain name contains certain content in English.

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.

6.2. Substantive Issues

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 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, being "-de", 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 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.

Firstly, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. In the absence of any authorization or license from the Complainant to use its KERASTASE trademark, and being in no way affiliated with the Complainant, the Respondent nonetheless registered and used disputed domain name which incorporates the Complainant's trademark.

Secondly, there is no evidence to suggest that the Respondent has been commonly known by the disputed domain name.

Thirdly, the Complainant contends that the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services or making a legitimate noncommercial or fair use of it. The disputed domain name resolved to an online store entitled "WIG & COMB", which purportedly offered wigs and combs for sale. By exploiting the reputation of the KERASTASE trademark to attract Internet users to the Respondent's website for commercial gain, such use constitutes neither a bona fide offering of goods or services nor legitimate noncommercial or fair use.

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.

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 the Respondent has registered the disputed domain name in bad faith. The Complainant's KERASTASE mark predates the registration of the disputed domain name by decades and is internationally famous in the hair care products, including in China where the Respondent is located. Given the widespread availability of online search engines and trademark databases, it is inconceivable that the Respondent was unaware of the Complainant's KERASTASE mark when registering the disputed domain name, which reproduces the mark in its entirety. In addition, the addition of "-de" in the disputed domain name may be perceived by Internet users as referring to the Complainant's business in Germany, thereby increasing the likelihood of confusion between the Complainant's business and the disputed domain name.

The Panel also notes that the Respondent has used the disputed domain name in bad faith. The evidence shows that the disputed domain name resolved to an online store entitled "WIG & COMB", which purportedly offered wigs and combs for sale. Therefore, the Panel finds that the Respondent is using the disputed domain name in an intentional attempt to attract Internet users, for commercial gain, to its website by creating a likelihood of confusion with the KERASTASE mark as to the source, sponsorship, affiliation, or endorsement of its website. This amounts to registration and use of the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy.

The current non-use of the disputed domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademarks, the composition of the disputed domain name, the prior use of

the disputed domain name, and the lack of a response from the Respondent, and finds that in the circumstances of this case the passive holding of the disputed domain name does not change the Panel's finding of bad faith under the Policy.

Therefore, the Panel finds that the Respondent has registered and used the disputed domain name in bad faith.

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 <kerastase-de.shop> be transferred to the Complainant.

/Mengyuan Li/

Mengyuan Li

Sole Panelist

Date: September 8, 2026