

ADMINISTRATIVE PANEL DECISION

John Paul Mitchell Systems v. Zheng
Case No. D2026-3668

1. The Parties

The Complainant is John Paul Mitchell Systems, United States of America ("United States"), represented by Adelman Matz P.C., United States.

The Respondent is Zheng, China.

2. The Domain Name and Registrar

The disputed domain name <paulmitchells.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 14, 2026. On August 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 18, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on August 18, 2026, providing the additional registrant and contact information disclosed by the Registrar.

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 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 18, 2026.

The Center appointed Torsten Bettinger as the sole panelist in this matter on September 23, 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, John Paul Mitchell Systems (“JPMS”), is a United States company active in the professional hair care industry. The Complainant markets hair care products, styling products, and professional hair tools under the PAUL MITCHELL brand and operates its principal website at <paulmitchell.com>. The evidence shows that the Complainant has used the PAUL MITCHELL mark in commerce for decades and owns numerous trademark registrations worldwide.

The Complainant owns, among others, the following trademark registrations:

- United States Trademark Registration No. 1680913 for PAUL MITCHELL, registered on March 31, 1992, including for hair care preparations in Classes 3, 16, 18 and 25;
- United States Trademark Registration No. 1745839 for PAUL MITCHELL, registered on January 12, 1993, for hair brushes in Class 21; and
- Chinese Trademark Registration No. 17457131 for PAUL MITCHELL, registered on September 14, 2016, in Class 3.

The Complainant has registered and used the domain name <paulmitchell.com> for its official website since June 11, 1997.

The disputed domain name was registered on March 26, 2026.

The evidence submitted by the Complainant shows that the disputed domain name resolves to a commercial online store titled “John Paul Mitchell Systems”, prominently using the PAUL MITCHELL name and branding and offering hair care products bearing the PAUL MITCHELL mark. The website includes product photographs and product names corresponding to products offered on the Complainant’s official website, often at substantially discounted prices. The website does not disclose any relationship with, or lack of authorization from, the Complainant. The “About Us” page presents the operator as an online seller of beauty products, while the overall presentation of the site prominently trades on the Complainant’s PAUL MITCHELL brand.

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.

With regard to paragraph 4(a)(i) of the Policy, the Complainant contends that it owns extensive registered rights in the PAUL MITCHELL mark and that the disputed domain name is confusingly similar to that mark because it reproduces the mark in its entirety, adding the letter “s” in the end.

With regard to paragraph 4(a)(ii) of the Policy, the Complainant submits that it has not authorized the Respondent to use the PAUL MITCHELL mark, that the Respondent is not commonly known by the disputed domain name, and that the Respondent’s use of the disputed domain name for an online store presenting itself through the Complainant’s branding and product imagery does not constitute a bona fide offering of goods or services or a legitimate non-commercial or fair use.

With regard to paragraph 4(a)(iii) of the Policy, the Complainant contends that the Respondent registered the disputed domain name with knowledge of the Complainant and its well-established trademark rights and has used it intentionally to attract Internet users for commercial gain by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement. The Complainant further alleges that the products offered through the Respondent’s website are counterfeit.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy states that the Complainant must prove each of the following three elements:

- (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 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 the PAUL MITCHELL trademark for purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name incorporates the PAUL MITCHELL mark in its entirety, and merely adds the letter "s" at the end. The PAUL MITCHELL mark remains clearly recognizable in the disputed domain name. Such a minor variation does not prevent a finding of confusing similarity. [WIPO Overview 3.1](#), sections 1.7 and 1.9.

The generic Top-Level Domain ("gTLD") ".com" is viewed as a standard registration requirement and is disregarded under the first element confusing similarity analysis.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's PAUL MITCHELL trademark. 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 may result in the difficult task of proving a negative, requiring information that is often primarily within the knowledge or control of the respondent. Where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name, although the burden of proof remains on the complainant. [WIPO Overview 3.1](#), section 2.1.

The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use the PAUL MITCHELL mark. There is no evidence before the Panel that the Respondent is affiliated with the Complainant or has been commonly known by the disputed domain name.

The disputed domain name resolves to a commercial website that prominently uses the Complainant's PAUL MITCHELL mark and branding and offers products bearing that mark. The website does not accurately disclose the Respondent's relationship, or lack of relationship, with the Complainant and its overall presentation is apt to create the impression that the website is operated, sponsored, or authorized by the Complainant.

Even assuming that some or all of the goods offered through the Respondent's website were genuine, the Respondent's use would not qualify as a bona fide reseller or distributor use because the website does not accurately and prominently disclose the Respondent's lack of relationship with the trademark owner, and the disputed domain name itself carries a risk of implied affiliation. See [WIPO Overview 3.1](#), sections 2.5.1 and 2.8.1.

The Respondent has not submitted any response and has not come forward with any evidence demonstrating rights or legitimate interests in the disputed domain name.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy. The second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that paragraph 4(b) of the Policy sets out circumstances, in particular but without limitation, that shall be evidence of the registration and use of a domain name in bad faith.

The Complainant's PAUL MITCHELL trademark rights predate the registration of the disputed domain name by many years. In addition, the Complainant owns a registration for a PAUL MITCHELL-formative mark in China, where the Respondent is located.

The disputed domain name reproduces the Complainant's PAUL MITCHELL mark with only the addition of the letter "s". More significantly, the disputed domain name has been used for a commercial website titled "John Paul Mitchell Systems", prominently displaying the PAUL MITCHELL mark and offering products presented as PAUL MITCHELL products. The content and commercial purpose of the website leave no plausible doubt that the Respondent was aware of the Complainant and its trademark when registering the disputed domain name.

The evidence further shows that the Respondent uses the disputed domain name to attract Internet users to an online store by creating the impression that the website is connected with or authorized by the Complainant. The website uses the Complainant's branding, product names, and product imagery and offers goods for sale without any clear disclaimer of affiliation. The Panel finds that such use intentionally seeks to capitalize on confusion with the Complainant's trademark for commercial gain and falls within paragraph 4(b)(iv) of the Policy.

In light of these circumstances, it is unnecessary for the Panel to determine whether the products offered on the Respondent's website are in fact counterfeit. The misleading use of the Complainant's mark and branding for an unauthorized commercial website is sufficient to establish bad-faith registration and use.

Accordingly, the Panel finds that the disputed domain name has been registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy. The third element of the Policy has been established.

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 <paulmitchells.com> be transferred to the Complainant.

/Torsten Bettinger/

Torsten Bettinger

Sole Panelist

Date: October 7, 2026