

ADMINISTRATIVE PANEL DECISION

Huda Beauty Limited v. E-MARKETPALCE PTY LTD
Case No. DAU2025-0052

1. The Parties

The Complainant is Huda Beauty Limited, British Virgin Islands, United Kingdom, represented by Rouse Consultancy (Shanghai) Ltd., China.

The Respondent is E-MARKETPLACE PTY LTD, Australia, self-represented.

2. The Domain Name and Registrar

The disputed domain name <hudabeauty.au> 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 November 18, 2025. On November 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 19, 2025, 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. On November 20 and 25, 2025, the Respondent submitted informal communications to the Center.

The Center verified that the Complaint satisfied the formal requirements of the .au Dispute Resolution Policy (the “Policy”), the Rules for .au Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on November 28, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was December 18, 2025. The Respondent did not submit a formal response. Accordingly, the Center notified the Respondent’s default on December 23, 2025.

The Center appointed Robert Walters as the sole panelist in this matter on January 7, 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 Huda Beauty Limited, is a cosmetics entity launched in 2013 that, had evolved from a beauty blog which commenced in 2010. More specifically, Huda Beauty provides more than 100 cosmetic products both in store and online for sale around the world. It is made up of a divergent range of makeup products that include, but not limited to lip products, blush filter liquid, setting powder, faux filter, foundations and eye makeup. The award-winning beauty blogger Huda Kattan was listed among the 25 most influential people on the Internet in 2017, and the top creator in 2022 by Forbes. In 2024, Huda Kattan was recognised as the most powerful businesswomen by Forbes and America's richest self-made women in 2023. In 2025, the entity had been recognised as the world's most popular beauty brand by Cosmetify.

Centrally, the Complainant enjoys a significant level of popularity in Australia that is demonstrated by the extensive sales channels, product lines, a strong social media presence, and positive recognition within the local beauty community. This has been achieved by solidifying its online and offline footprint whereby its products are available through Sephora online and offline stores across Australia.

The Complainant had registered the following domain name <hudabeauty.com> on April 3, 2010.

On the other hand, the Respondent is E-MARKETPLACE PTY LTD. According to the Registrar, the disputed domain name was registered on November 6, 2025.

The Complainant offers its cosmetics products under HUDABEAUTY trademark and offers skincare products under the WISHFUL trademark. The Complainant contends distinctive HUDABEAUTY registered trademarks in a number of countries and regions, including Australia (1806380 registered November 2016, and 2525816 registered October 2024).

According to IP Australia, E-MARKETPLACE PTY LTD does not have a registered trademark for the word "hudabeauty" nor "hudabeauty.au".

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to the trade mark or service mark, contrary to the requirements of the Policy, paragraph, Policy, para. 4(a)(i), and the Rules, paragraphs 3(b)(viii), (b)(ix)(1).

Moreover, the Complainant also alleges that the Respondent has no rights or legitimate interests in respect of the disputed domain name, contrary to the requirements of the Policy, paragraph 4(a)(ii), and the Rules, paragraph 3(b)(ix).

In addition to the above, the Complainant further contends that the disputed domain name has been registered and subsequently used in bad faith, contrary to the requirements of the Policy, paragraphs 4(a)(iii) and 4(b), and the Rules, paragraph 3(b)(ix).

The Complainant Huda Beauty Limited, provides a list of its trademark pertaining specifically to the jurisdiction of Australia.

Mark	Number	Registered from	Classes
HUDABEAUTY	1806380	November 1, 2016	3, 9, 35, 41, 44
HUDABEAUTY	2525816	October 1, 2024	3, 9, 16, 18, 21, 25, 35, 41, 44

B. Respondent

On November 20 and 25, 2025, the Respondent wrote to the Center indicating that they did not wish to contest the matter and further providing the authorisation code to transfer the disputed domain name to the Complainant.

On November 26, 2025, the Complainant confirmed to the Center via email to continue with the auDRP proceeding.

On November 28, 2025, the Center wrote to the Respondent informing the Respondent that a Complaint was filed in accordance the .au Dispute Resolution Policy (auDRP) and satisfies the formal requirements of paragraph 4(a) of the auDRP Rules and paragraph 5 of the WIPO Supplemental Rules for auDRP. The Respondent was provided the opportunity to formally respond.

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The disputed domain name is confusingly similar to the trademarks of HUDABEAUTY. Significantly, the Complainant has established that it has rights in the registered HUDABEAUTY trademarks.

Past Panels have held that the inclusion of the use of a Top-Level Domain, for instance, "com.au", is considered inconsequential and is to be ignored; *Pickles Auctions Pty Ltd v. Complete Hire Pty Ltd* ACN 070 489 173, WIPO Case No. [DAU2012-0005](#). On that basis the Panel finds that the Top-Level Domain ".au" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark.

Significant too, a domain name that incorporates a trademark in its entirety will normally be considered identical or confusingly similar to the trademark. See *L'Oréal, Lancôme Parfums Et Beauté & Cie v. Jack Yang*, WIPO Case No. [D2011-1627](#); *RapidShare AG, Christian Schmid v. InvisibleRegistration.com, Domain Admin*, WIPO Case No. [D2010-1059](#); and *The Stanley Works and Stanley Logistics, Inc. v. Camp Creek Co., Inc*, WIPO Case No. [D2000-0113](#).¹

Accordingly, the Complainant has satisfied Paragraph 4(a)(i) of the Policy, and the Panel finds the Domain Name to be confusingly similar to that of HUDABEAUTY Mark.

¹ Given the similarities between the .auDRP and the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the Panel finds UDRP precedent generally to be relevant to this case (except to the extent of relevant differences between the policies, such as the absence of a conjunctive requirement for bad faith), including the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, [WIPO Overview 3.0](#).

B. Rights or Legitimate Interests

There is no evidence that the Respondent has any rights or legitimate interests in the disputed domain name. The evidence available that the disputed domain name was in fact registered by the Respondent on November 8, 2025.

The Respondent has not provided any evidence that demonstrates the disputed domain name, and subsequent website, is used for any bona fide offerings of goods or services.

Notably, the Complainant has not extended any rights to the Respondent to use the Complainant's trademark in a domain name. In addition, the Complainant confirms that the Respondent is not affiliated with Complainant in any way. The Complainant has not licensed or otherwise permitted the Respondent to use any of its trademarks or to apply for or use any domain name incorporating the trademark, and the word "hudabeauty" in the disputed domain name is not a name traders would legitimately choose unless seeking to create an impression of an association with the Complainant; *Telstra Corporation Ltd.v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

The disputed domain name had been offered for sale for the sum of USD 2,999, on or about November 14, 2025, which would be six days following registration on November 8, 2025. The offer of sale to the Complainant had been confirmed in email exchanges with the Respondent between November 6, to November 17, 2025.

Based on the evidence provided, the Panel accepts that the Respondent had a clear intention to not only register the disputed domain name, incorporating the Complainant's distinctive trademark, but also sell it to the Complainant for commercial gain.

The Respondent has not provided any evidence to demonstrate its rights or legitimate interests in the disputed domain name. Rather, the Respondent confirmed it would not contest the Complaint.

Based on the evidence provided, the Complainant has put forward a *prima facie* case that the Respondent lacks the requisite rights or legitimate interests in the disputed domain name, which the Respondent has not rebutted, see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 2.1.

Therefore, under these circumstances, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name, as required under the Policy, paragraph 4(a)(ii).

C. Registered or Subsequently Used in Bad Faith

Paragraph 4(a)(iii) of the Policy requires the Complainant to prove that the Respondent registered and used the disputed domain name in bad faith. Paragraph 4(b) of the Policy sets out five illustrative circumstances of the registration and use of a domain name in bad faith.

Bad faith registration is ordinarily determined when the respondent "knew or should have known" of the complainant's trademark rights who also had a worldwide reputation and presence online, and nevertheless, registered a domain name. See *The Gap, Inc. v. Deng Youqian*, WIPO Case No. [D2009-0113](#). *Hertz Systems Inc. v. Throne Ventures Pty. Ltd.*, WIPO Case No. [DAU2009-0013](#).

The further likelihood is that the Respondent registered the disputed domain name to profit from an implied connection with the Complainant by selling the disputed domain name to the Complainant. Notably, the disputed domain name reproduces the Complainant's trademark. Moreover, the registration of the identical disputed domain name is suggestive of opportunistic bad faith; see *Sanofi-aventis v. Nevis Domains LLC*, WIPO

Case No. [D2006-0303](#). In this regard, the disputed domain name is so obviously connected to the Complainant that use or registration by anyone other than Complainant suggests opportunistic bad faith; see *Veuve Cliquot Ponsardin Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#).

More importantly, the Panel finds it relevant that Respondent has not provided any evidence of contemplated good faith registration or use. The Respondent's bad faith is targeted at the Complainant's trademark. The Panel's reasoning is that the Respondent has elected not to file a formal response. Should the Respondent have been unaware of the Complainant and its mark, or taken steps to avoid registration of a domain name incorporating a third parties' trademark, when the disputed domain name was registered, it would have been a simple matter for the Respondent to have filed a Response stating that was the case. However, the Respondent has elected to remain silent, on all matters which are entirely within their knowledge. The Panel, therefore, is entitled to draw such inferences from that silence as it considers appropriate, including the inference that the Respondent knew of the Complainant's trademark; see, *Dreamstar Cash S.L. v Brad Klarkson*, WIPO Case No. [D2007-1943](#).

The Complainant has demonstrated that they have had an Australian registered trademark since 2016. Moreover, the Complainant has demonstrated that its HUDABEAUTY mark has obtained a substantial worldwide online presence. Most notably, HUDABEAUTY has been recognised and developed a reputation as a leader in the sale of cosmetic products and services. Therefore, it would be difficult not to come across the Complainant's website with a search over the Internet. Simply put, anyone that undertakes a basic search on an Internet search engine specifically using the word "hudabeauty" will demonstrate how the HUDABEAUTY trademark is exclusively and directly connected to the Complainant. On that basis alone, as the Complainant asserts that HUDABEAUTY is widely known, and has been for nearly a decade that, since the Respondent registered the disputed domain name years after the HUDABEAUTY trademark was used in commerce, it is difficult to believe that Respondent had not known of the Complainant or its trademark when registering the disputed domain name. The Complainant's worldwide reputation, and presence on the Internet, indicates that Respondent was or should have been aware of the trademark prior to registering the disputed domain name; see *Caesars World, Inc. v. Forum LLC*, WIPO Case No. [D2005-0517](#).

Accordingly, the Panel determines that the Respondent has registered and used the disputed domain name in bad faith in accordance with the Paragraph 4(a) and Paragraph 4(b).

7. Decision

For all the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <hudabeauty.au> is to be transferred to the Complainant.

/Robert Walters/
Robert Walters
Sole Panelist
Date: January 20, 2026