

ADMINISTRATIVE PANEL DECISION

CLARINS v. Idah Idah
Case No. DCO2025-0048

1. The Parties

The Complainant is CLARINS, France, represented by Tmark Conseils, France.

The Respondent is Idah Idah, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <clarinsusa.co> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 20, 2025. On June 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 25, 2025, 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 (IDENTITY UNDISCLOSED) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 26, 2025, 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 on June 27, 2025.

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”). However, it requested an amended Complaint to the Complainant as the first amended Complaint did not meet all the formal requirements.

The Complainant filed a second amended Complaint on June 27, 2025.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 21, 2025.

The Center appointed Francisco Castillo-Chacón as the sole panelist in this matter on July 24, 2025. 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 one of the major actors in the field of cosmetics and make-up products. It has been doing business in France for 70 years where it is well-known and is also well-established worldwide. To this extent, the Complainant owns many trademarks worldwide and relies notably upon the following CLARINS trademarks having effects in European Union's countries, United States of America ("USA"), Canada, United Kingdom, China, and Colombia. The Complainant filed for a trademark registration in France as early as 1991 and was granted the trademark Registration in Colombia in 1975.

The Complainant also contends that the name "CLARINS" constitutes the registered company name of the Complainant, and the domain name <clarins.com> was registered on March 16, 1997, and it is being used internationally since. Further the Complainant has a country specific site for the United States, which it registered on November 11, 1997, the site being "clarinsusa.com". Moreover, the Complainant is active in Colombia and operates the website "clarins.co" since 2014. All these dates clearly predate the registration of the disputed domain name.

The disputed domain name <clarinsusa.co> was registered on March 25, 2025, and redirects to an official website owned by the Complainant at the domain name <clarins.ca>.

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 mark CLARINS is well known in its industry and a worldwide leader in this field. The Complainant further contends that the trademark has long and extensive use, and that it is a key player in its industry. The disputed domain name is confusingly similar to the Complainant's mark.

In addition, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name since the Complainant has no relationship with the Respondent and the latter is not commonly known by the disputed domain name. The Respondent certainly had knowledge of the internationally famous CLARINS mark when the disputed domain name was registered given the distinctiveness and international reputation of the CLARINS mark, plus the fact that the disputed domain name redirects users to an official website owned by the Complainant. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making any legitimate noncommercial or fair use of it.

The Complainant states that the disputed domain name was registered and used in bad faith given that: (a) the Respondent was aware of the CLARINS mark; and (b) the Respondent controls how and where visitors will be redirected, so it becomes evident that eventually the Respondent will try to benefit from this wrong association.

B. Respondent

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

6. Discussion and Findings

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The Complainant is the owner of multiple international registrations for the trademark CLARINS.

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 3.0](#), section 1.7.

The disputed domain name consists of the CLARINS mark with the addition of the geographic term "usa". This does not prevent the disputed domain name from being confusingly similar to the Complainant's trademark. The Panel finds that the disputed domain name is confusingly similar to the Complainant's CLARINS mark. [WIPO Overview 3.0](#), 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 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 3.0](#), 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.

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:

- (i) circumstances indicating that the Respondent has registered or has acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name

registration to the Complainant who is the owner of the trademark or service mark or to a competitor of the Complainant, for valuable consideration in excess of its documented out-of-pocket costs directly related to the disputed domain name; or

(ii) the Respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding disputed domain name, provided that the Respondent has engaged in a pattern of such conduct; or

(iii) the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location.

The Panel finds that it is likely that the Respondent was aware of the Complainant's website at "www.clarinsusa.com", and its reputation in the CLARINS mark at the time the disputed domain name was registered. The Complainant is one of the largest companies in its field with worldwide operations.

This Panel believes that no good faith use can be inferred from registering a well-known trademark as a domain name, only to redirect clients to the official website of the actual trademark owner. On the contrary, multiple bad faith scenarios may arise from such an action, including the potential for stealing client information or eventually redirecting users to an unofficial site to sell either counterfeit goods or competing products. The registration of the disputed domain name was clearly made with awareness of the Complainant's CLARINS mark, and in the absence of rights or legitimate interests, constitutes registration 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 <clarinsusa.co> be transferred to the Complainant.

/Francisco Castillo-Chacón/

Francisco Castillo-Chacón

Sole Panelist

Date: August 6, 2025