

ADMINISTRATIVE PANEL DECISION

Deciem Beauty Group Inc. v. Muhammad Ummar Ashraf
Case No. DCO2026-0051

1. The Parties

The Complainant is Deciem Beauty Group Inc., Canada, represented by Gowling WLG (Canada) LLP, Canada.

The Respondent is Muhammad Ummar Ashraf, Pakistan, self-represented.

2. The Domain Name and Registrar

The disputed domain name <theordinaryus.co> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 25, 2026. On June 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 26, 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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 1, 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 amendment to the Complaint on July 2, 2026.

The Center verified that the Complaint together with the amendment to 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 July 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 26, 2026. The Respondent sent an email communication to the Center on July 20, 2026.

The Center appointed Pascal Böhner as the sole panelist in this matter on August 6, 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 global skincare and beauty company established in 2013, operating a range of brands including THE ORDINARY. The Complainant's THE ORDINARY products are sold in numerous markets worldwide and have generated in excess of USD 1 billion in revenue. The Complainant operates its principal website at "www.theordinary.com".

The Complainant is the owner of numerous trademark registrations worldwide for THE ORDINARY, including United States trademark registration No. 5203537, registered on May 16, 2017; European Union trademark registration No. 15761182, registered on December 8, 2016; and Canadian trademark registration No. TMA1014737 registered on February 7, 2019. The Complainant states that it owns over 400 trademark registrations comprising or containing THE ORDINARY worldwide.

The disputed domain name was registered on March 25, 2026. It resolved to a commercial website that prominently displayed the Complainant's THE ORDINARY trademark (including a stylized version in the banner), reproduced the Complainant's copyrighted product images, offered purported THE ORDINARY skincare products for sale, and referred to itself as "The Ordinary", without any disclaimer of a relationship with the Complainant.

The Registrar identified the underlying registrant as Muhammad Ummar Ashraf, of Lahore, Pakistan. In an email communication of July 20, 2026, the Respondent stated that he had not registered the disputed domain name, that it was not under his control or use, that his personal details may have been used without his authorization, that he claims no rights or interest in the disputed domain name, and that he consents to its transfer to the Complainant.

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 it is the owner of over 400 trademark registrations for THE ORDINARY worldwide and that the disputed domain name incorporates the THE ORDINARY trademark in its entirety. The addition of the term "us" does not diminish the confusing similarity but rather enhances it, as it suggests that the disputed domain name resolves to the Complainant's American website.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. There has never been any relationship between the parties; the Respondent is neither licensed nor otherwise authorized to use the THE ORDINARY trademark. The Respondent has engaged in the wholesale misappropriation of the Complainant's trademarks and copyrighted works and has falsely held itself out as "The Ordinary", which cannot constitute a bona fide offering of goods or services.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Respondent registered the disputed domain name to disrupt the business of the Complainant and to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to source, sponsorship, affiliation, or endorsement (paragraphs 4(b)(iii) and (iv) of the Policy). The Complainant submits that the Respondent had at least constructive, and given the imitation, actual knowledge of the Complainant's trademarks at the time of registration.

B. Respondent

The Respondent did not file a formal Response. In an email communication of July 20, 2026, however, the Respondent stated that he did not register the disputed domain name, that it is not under his possession, control, or use, and that he has no access to the disputed domain name or the associated website. The Respondent stated that his personal information may have been used without his knowledge or authorization. He further stated that he claims no rights or interest in the disputed domain name, does not intend to contest the Complaint, and consents to the transfer of the disputed domain name to the Complainant.

In response, the Complainant advised the Center on July 21, 2026, that it would continue with the proceedings, remaining unconvinced that the Respondent is unconnected to the disputed domain name, and invited the Panel to address the matter in its decision.

6. Discussion and Findings

Preliminary Issue I: Identity of the Respondent

The Registrar's verification disclosed the underlying registrant of the disputed domain name as Muhammad Ummar Ashraf, of Lahore, Pakistan, in place of the privacy service originally recorded in the public WhoIs. In his email communication of July 20, 2026, the disclosed registrant asserted that he did not register the disputed domain name and that his personal details may have been used without his knowledge or authorization.

For the purposes of these proceedings, the Panel treats the person disclosed by the Registrar as the registrant, namely Muhammad Ummar Ashraf, as the Respondent. The Respondent has provided no supporting evidence for the assertion that his identity was misappropriated, and the contact details disclosed by the Registrar were used by the Center to effect notification. The Panel notes the Respondent's assertion but, in the absence of any substantiation, proceeds on the basis of the registrant data provided by the Registrar. In any event, the disposition of the case is not affected by this assertion.

Preliminary Issue II: Respondent's Consent to Transfer

In his email communication of July 20, 2026, the Respondent stated that he claims no rights or interest in the disputed domain name and consented to its transfer to the Complainant. By communication of July 21, 2026, the Complainant advised the Center that it did not accept the consent and would continue with the proceedings, expressing a preference for a reasoned decision on the merits.

Where a respondent consents to the transfer remedy, many panels will order the requested remedy solely on the basis of such consent. However, a panel may in its discretion proceed to a substantive decision on the merits where appropriate, including where a complainant has expressed a preference for a recorded decision on the merits. [WIPO Overview 3.1](#), section 4.10. In the circumstances of this case, the Panel considers it appropriate to determine the case under the three elements of the Policy.

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 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. Although the addition of the term “us” may bear on assessment of the second and third elements, the Panel finds the addition of such term 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 applicable Top-Level Domain “.co” is disregarded under the first element as a standard registration requirement. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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.

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.

To the contrary, the Respondent has expressly disclaimed any rights or legitimate interests in the disputed domain name.

The disputed domain name resolved to a commercial website that prominently reproduced the Complainant’s THE ORDINARY trademark (including a stylized version in the banner), displayed the Complainant’s copyrighted product imagery, offered purported THE ORDINARY products for sale, and held itself out as “The Ordinary”, without any disclaimer of affiliation with the Complainant. Such use falsely suggests affiliation with, or endorsement by, the Complainant and cannot give rise to rights or legitimate interests.

Panels have held that the use of a domain name for illegitimate activity, here impersonation of the Complainant and passing off through a copycat website, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

The Complainant's THE ORDINARY trademark was registered and had acquired substantial reputation well before the registration of the disputed domain name on March 25, 2026. The composition of the disputed domain name, combining the Complainant's mark in its entirety with the geographic term "us", together with the content of the associated website, which reproduced the Complainant's trademark, stylized banner, and copyrighted imagery, demonstrates that the Respondent had the Complainant and its trademark in mind at the time of registration and deliberately targeted them.

In the present case, the Panel finds that by using the disputed domain name the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of that website, within the meaning of paragraph 4(b)(iv) of the Policy.

Furthermore, panels have held that the use of a domain name for illegitimate activity, here impersonation of the Complainant and passing off through a copycat website purporting to be an authorized outlet of the Complainant, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <theordinaryus.co> be transferred to the Complainant.

/Pascal Böhner/

Pascal Böhner

Sole Panelist

Date: August 25, 2026