

PANEL DECISION

Niche Beauty Lab SL v. BeatricWhited, Beatrice K Whited
Case No. DEU2026-0032

1. The Parties

The Complainant is Niche Beauty Lab SL, Spain, represented by Squire Patton Boggs LLP, Germany.

The Respondent is BeatricWhited, Beatrice K Whited, Spain.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <nichebeautylab.eu> is the European Registry for Internet Domains ("EURid" or the "Registry"). The Registrar of the disputed domain name is NameSilo LLC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 24, 2026. On August 25, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On August 27, 2026, the Registry 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on August 27, 2026 providing the registrant and contact information disclosed by the Registry, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on September 2, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the "ADR Rules") and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the "Supplemental Rules").

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 3, 2026. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was September 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 25, 2026.

The Center appointed Manuel Moreno-Torres as the sole panelist in this matter on September 30, 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 ADR Rules, Paragraph B(5).

4. Factual Background

The Complainant is a Spanish company doing business in the cosmetics field. The Complainant's registered name before the Commercial Registry is "Niche Beauty Lab SL" which holds NICHE BEAUTY LAB trademark before the Spanish Patent and Trademark Office under registration No. M3699766, registered on July 30, 2018.

The disputed domain name <nichebeautylab.eu> was registered on July 30, 2026, and redirects to the Complainant's official website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the ADR Rules for a transfer of the disputed domain name.

Notably, the Complainant contends that the Respondent has no business organization operating in the cosmetics area.

The Complainant also alleges that the disputed domain name was registered only to redirect users to the Complainant's official website in an attempt to take advantage of the reputation and business effort of the Complainant. Further, the Respondent has received no authorization or permission to redirect the disputed domain name, as is the case here.

The Complainant claims that the Respondent's postal address provided in the registration agreement does not exist.

B. Respondent

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

6. Discussion and Findings

According to art 4 (4) of the Regulation (EU) 2019/517 and paragraph B 11(d)(1) of its ADR rules the Complainant to succeed, it has to establish the following circumstances:

- (i) that the disputed domain name is identical or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law, and; either
- (ii) that the disputed domain name has been registered by the Respondent without rights or legitimate interest in the name; or
- (iii) that the disputed domain name has been registered or is being used in bad faith.

Furthermore, Article 22(10) of the Regulation provides that the failure of any of the parties involved in an ADR procedure to respond within the given deadlines or appear to a panel hearing may be considered as grounds to accept the claims of the counterparty.

Given the substantive similarities between the ADR Rules and the Uniform Domain Name Dispute Resolution Policy (“UDRP”), the Panel considers it appropriate, where relevant, to refer to the WIPO Overview of WIPO Panel Views on Selected UDRP Questions ([“WIPO Overview 3.1”](#)).

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

The Complainant has provided evidence establishing that it has trademark rights in the NICHE BEAUTY LAB trademark through use and registration. Further, it has also demonstrated that it has rights to the company name “Niche Beauty Lab, Sociedad Limitada (Sociedad Unipersonal)”. Therefore, the Complainant has standing to bring a complaint under paragraph B11(d)(1)(i) of the ADR Rules.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the Complainant’s rights for the purposes of the ADR Rules. [WIPO Overview 3.1](#), section 1.7.

It is also well established that the generic country-code Top-Level Domain (“ccTLD”), in this case “.eu”, is typically disregarded in the first element requirement. [WIPO Overview 3.1](#), section 1.11.1.

The Panel therefore finds that the Complainant has established the first element according to paragraph B11(d)(1)(i) of the ADR Rules.

B. Rights or Legitimate Interests

Paragraph B 11(e) of the ADR Rules 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 ADR 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 that 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 no circumstance in terms of paragraph B 11(e) of the ADR Rules to recognize rights or legitimate interests in favor of the Respondent.

Since the Respondent lacks authorization to redirect the disputed domain name to the Complainant’s official site, the Panel understands that the selection of the disputed domain name incorporating the Complainant’s NICHE BEAUTY LAB mark cannot be considered a bona fide offering and, therefore, that the Respondent has no rights or legitimate interests in the disputed domain name.

Further, in the present instance, the fact that the disputed domain name incorporates both the Complainant's trademark and company name poses a risk of impersonation which cannot be considered legitimate for the purposes of the ADR Rules.

The Panel finds that the Complainant has proven the second requirement as set out in paragraph B11(d)(1)(ii) of the ADR Rules.

C. Registered or Used in Bad Faith

According to paragraph B11(d) of the ADR Rules, the Complainant is required to demonstrate either the absence of rights or legitimate interests on the one hand, or bad faith on the other.

Notwithstanding the foregoing, panels have found that redirecting a disputed domain name to the Complainant's website is evidence to support a finding that a Respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark. See [WIPO Overview 3.1](#), section 3.1.4. This matches the circumstances of the case.

Likewise, the Panel finds that the Respondent knew or should have known about the Complainant because of the redirection to its official site carried out by the Respondent following the registration of the disputed domain name. That is to say, the Respondent targeted the Complainant and its trademark.

Additionally, the provision of false contact information is deemed to be bad faith.

Under these circumstances, the Complainant has established the third element, according to paragraph B11(d)(1)(iii) of the ADR Rules.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, the Panel orders that the disputed domain name, <nichebeautylab.eu>, be transferred to the Complainant¹.

/Manuel Moreno-Torres/

Manuel Moreno-Torres

Sole Panelist

Date: October 14, 2026

¹ (i) The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.

(ii) The Panel finds that the Complainant, Niche Beauty Lab SL, meets the general eligibility criteria for registration set out in Article 3 of Regulation (EU) 2019/517.