

Alternative Dispute Resolution Proceeding

Case No. DSE2026-0020

1. Petitioner

The Petitioner is HydraFacial LLC, United States of America, represented by Com Laude Limited, United Kingdom.

2. Domain Holder

The Domain Holder is Powerlite AB.

3. Domain Name and Procedural History

This Alternative Dispute Resolution proceeding relates to the domain name <hydrafacial.se>.

This Petition was filed under the Terms and Conditions of Registration for the top-level domain .se (the “.se Policy”) and the Instructions governing Alternative Dispute Resolution proceedings for domain names in the top-level domain .se (the “.se Rules”).

The WIPO Arbitration and Mediation Center (the “WIPO Center”) verified that the Petition satisfied the formal requirements of the .se Policy and the .se Rules. In accordance with section 13 of the .se Rules, the WIPO Center formally notified the Domain Holder of the Petition on July 8, 2026. The Domain Holder submitted a response on August 5, 2026.

The WIPO Center appointed Johan Sjöbeck as the sole arbitrator in this matter on August 17, 2026. The arbitrator has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the WIPO Center to ensure compliance with section 1 of the .se Rules.

4. Factual Background

The Petitioner is the owner of the following three trademark registrations, all of which are protected in Sweden:

HYDRAFACIAL MD, European Union Trade Mark Registration No. 004594685, registered on August 3, 2006, in class 10.

HYDRAFACIAL, International Registration No. 1247362, registered on March 31, 2015, in class 3, designating the European Union and therefore protected in Sweden.

HYDRAFACIAL, European Union Trade Mark Registration No. 016604852, filed on April 13, 2017 and registered on August 10, 2019, in class 10.

In addition, the Petitioner is the owner of a number of trademark registrations in other jurisdictions, including the following examples:

HYDRAFACIAL MD, Mexican Trademark Registration No. 742000, registered on November 30, 2005, in class 10.

HYDRAFACIAL, United States Trademark Registration No. 4317059, registered on April 9, 2013, with first use claimed as of August 12, 2005, in classes 10 and 44.

The disputed domain name <hydrafacial.se> was registered by a third party on October 21, 2010 and was subsequently acquired by the Domain Holder in 2015 from the third party's bankruptcy estate. Since its acquisition, the disputed domain name has redirected to the Domain Holder's own website, which offers services in direct competition with those of the Petitioner. At the time of the filing the disputed domain name resolves to a standard parking page.

5. Claim

The Petitioner requests that the disputed domain name shall be transferred to the Petitioner.

The Domain Holder has contested the Petitioner's request.

6. Parties' Contentions

A. Petitioner

The Petitioner, HydraFacial LLC, is a company headquartered in California, United States of America, specializing in advanced skincare technologies. The Petitioner's principal focus is the development and distribution of its hydradermabrasion¹ systems, namely the HydraFacial Treatment, which utilizes proprietary Vortex-Fusion technology to perform cleansing, exfoliation, extraction, and hydration within a single, non-invasive procedure. This approach is designed to accommodate a broad range of skin types and conditions. The Petitioner's main official webpage is located at the URL "www.hydrafacial.com".

The Petitioner employs over 600 people worldwide and has an international presence through its operations and partnerships in more than 90 countries across North America, Europe, the Middle East, Asia Pacific, and Latin America. The Petitioner works in partnership with dermatologists, aestheticians, and professional spas around the world. The Petitioner supplies a portfolio of devices and customizable treatment options intended for use by licensed skincare professionals. The Petitioner operates regional websites in several countries in Europe, the Middle East and Africa. The Petitioner operates several social media accounts, which combined have over 692,000 followers.

The Domain Holder in this administrative proceeding is Powerlite AB, a Swedish company that offers services and products in direct competition with the Petitioner. The disputed domain name was originally registered by a third party, PhotoNova, on October 21, 2010. The earliest screenshot captured on March 14, 2012, by the Internet Archive shows the disputed domain name resolving to a website containing information about the Petitioner and its products and services. In 2015 the Domain Holder acquired PhotoNova, and in 2016 the disputed domain name started redirecting to the Domain Holder's competing website at the URL "powerlite.com/sv/produkter/powerlite-maskiner". The disputed domain name continued to redirect to the Domain Holder's website until January 8, 2026, when the Petitioner sent a letter to the Domain Holder in an

attempt to resolve the issue amicably. The Petitioner followed up on its letter twice more, but no reply was received. However, the Domain Holder noticed that the disputed domain name stopped redirecting to the Domain Holder's website and instead resolved to the registrar's standard parking page. As such, at the time of this submission, the disputed domain name is therefore passively held.

The Petitioner avers that neither PhotoNova nor the Domain Holder are affiliated with the Petitioner. The disputed domain name is identical or similar to a right which is legally recognized in Sweden and to which the Petitioner can prove rights. The Petitioner is the owner of a large global portfolio of registered trademarks incorporating the term HYDRAFACIAL. The Petitioner notes that its earliest trademark valid in Sweden predates the registration of the disputed domain name by almost five years.

The Petitioner claims that the disputed domain name is identical to its HYDRAFACIAL trademark and confusingly similar to its HYDRAFACIAL MD trademark, differing only by the omission of the letters "MD". The <.se> suffix is required only for technical reasons and, as such, the Petitioner contends that the disputed domain name is identical or similar to the Petitioner's rights, which are legally recognized in Sweden.

Before the Petitioner contacted the Domain Holder, the disputed domain name redirected Internet users to the Domain Holder's website, which directly competes with the Petitioner. Such "bait-and-switch" use of the disputed domain name will be to the clear detriment of the Petitioner and its trademarks. As such, the Petitioner contends that the Domain Holder was utilizing the good reputation, market position or characteristic features of the Petitioner to attract traffic to its own website or to increase revenue in this manner. The Petitioner further avers that such use will be disruptive to the Petitioner's operations. The Petitioner avers that the disputed domain name is not being used or has been registered to be used in commercial or private operations that do not infringe on the Petitioner's rights. Furthermore, the Petitioner submits that the disputed domain name was registered after the creation of the Petitioner's trademark and the establishment of the rights on which the Petition is based.

Given that the disputed domain name is identical to the Petitioner's HYDRAFACIAL trademark, the Petitioner avers that the Domain Holder's registration of the disputed domain name prevents or makes it difficult for the Petitioner to reflect its registered trademark in a corresponding domain name in the Swedish ccTLD ".se". The Petitioner claims that the disputed domain name has been registered and used in bad faith.

Furthermore, the Petitioner avers that the Domain Holder has no rights or justified interest in the disputed domain name. The Petitioner has found no evidence that the Domain Holder owns any trademarks, or other rights, that are identical or similar to the disputed domain name. The Domain Holder is not a licensee of the Petitioner and has not received any permission or consent from the Petitioner to use its trademark in the disputed domain name or in any other manner. The Petitioner avers that the disputed domain name is not and has never been used as a generic term, since "HYDRAFACIAL" is a coined term and does not have a dictionary meaning in English or Swedish and can only refer to the Petitioner and its products and services. The Petitioner has conducted Google searches for the term "HYDRAFACIAL" and notes that all the results refer to the Petitioner and its products and services. Therefore, the Petitioner avers that the disputed domain name is not being used or has been registered to be used in any linguistic meaning that does not relate to the Petitioner.

The Petitioner contends that the disputed domain name has been used until recently to redirect Internet users to a competing website operated by the Domain Holder. The Domain Holder stopped only after being contacted by the Petitioner. The Petitioner avers that this serves as an admission of guilt, as the Domain Holder recognized that its use was abusive.

B. Domain Holder

The Domain Holder, Powerlite AB, contests the Petition in its entirety and requests that it be dismissed and that the disputed domain name remains registered to the Domain Holder. While the Domain Holder does not dispute that the disputed domain name is identical to the Petitioner's trademark, the Petitioner has failed to establish the second and third requirements.

The Domain Holder did not register the disputed domain name. It was originally registered by PhotoNova of Sweden AB ("PhotoNova") on October 21, 2010. At the time of registration, PhotoNova was an authorised international sales distributor of HYDRAFACIAL products under an international sales distributor agreement dated October 14, 2010 between Edge Systems Corporation ("Edge"), and PhotoNova. Accordingly, the disputed domain name was registered within the framework of an authorised commercial distributor relationship and for the legitimate purpose of marketing and supporting HYDRAFACIAL products in the Swedish market.

PhotoNova was declared bankrupt by the Gothenburg District Court on May 15, 2015. On June 8, 2015, the Domain Holder acquired PhotoNova's operating business from the bankruptcy estate under a formal purchase agreement. The acquisition included inventory, machinery, intellectual property, customer registers, supplier registers, product rights and domain names to the extent transferable by the relevant suppliers. The Domain Holder therefore became the holder of the disputed domain name solely because it was part of the acquired business. Hence, the Domain Holder neither selected nor registered the disputed domain name.

Following the acquisition from the bankruptcy estate, the disputed domain name redirected visitors to the Domain Holder's website. The purpose was to direct former customers of PhotoNova to the successor business. The Domain Holder never represented itself as the Petitioner or claimed to be affiliated with the Petitioner. The Domain Holder never sold products under the HYDRAFACIAL trademark. The Domain Holder's own products, including Powerlite IPL, Powerlite Skin Care System, RF, Peeler, Needle Pen and MASQ+ are different products based on different technologies. Although both companies operate within the professional aesthetics market, the Respondent did not use the disputed domain name to impersonate the Petitioner.

When contacted by the Petitioner in January 2026, the Domain Holder removed the redirect to its website. The disputed domain name has since resolved only to the registrar's standard parking page. The Domain Holder rejects the Petitioner's assertion that removal of the redirect constitutes an admission of guilt. It submits that the redirect was removed solely to avoid unnecessary conflict while assessing the Petitioner's allegations, and that such action cannot reasonably be regarded as evidence of bad faith.

The disputed domain name originated from an authorised distributor relationship established with the Petitioner's predecessor in title. The Respondent subsequently acquired ownership through a lawful purchase of PhotoNova's business from its bankruptcy estate. The Domain Holder did not register the disputed domain name for speculative purposes. The Domain Holder did not acquire the disputed domain name to sell it to the Petitioner. The Domain Holder has never attempted to sell the disputed domain name. The Domain Holder has never approached the Petitioner seeking payment for the domain name. The Petition repeatedly characterises the Domain Holder's conduct as "bad faith", but it does not explain how a domain name originally registered by an authorised distributor, and later acquired through a bankruptcy sale, can constitute bad-faith registration.

The Domain Holder has a clear and legitimate interest in retaining the disputed domain name. That interest derives from the lawful acquisition of PhotoNova's operating business, goodwill and customer relationships, intellectual property, business assets and domain names. The Domain Holder continued servicing of customers originating from the acquired business. Ownership of the disputed domain name therefore forms part of the commercial continuity of the acquired business. This constitutes a legitimate interest.

The Petitioner waited until 2026 before commencing these proceedings. While delay alone does not determine the outcome of an ADR proceeding, it is inconsistent with the Petitioner's allegation that the disputed domain name has continuously been registered or used in bad faith. The Petitioner has failed to establish the cumulative requirements necessary for transfer of the disputed domain name. In particular, the evidence demonstrates that the disputed domain name originated from an authorised distributor relationship and that the Domain Holder acquired the disputed domain name through a lawful purchase of PhotoNova's business from its bankruptcy estate. The Domain Holder has a legitimate interest in retaining the disputed domain name. The Domain Holder submits that neither the registration nor its subsequent ownership and use of the disputed domain name constitute registration or use in bad faith.

7. Discussion and Findings

A domain name may, in accordance with the .se Policy Paragraph 7.2, be deregistered or transferred to the party requesting dispute resolution proceedings if all of the following three conditions are fulfilled:

1. The disputed domain name is identical or similar to a name which is legally recognized in Sweden and to which the party requesting dispute resolution can prove its rights, and
2. The disputed domain name has been registered or used in bad faith, and
3. The Domain Holder has no right or justified interest in the disputed domain name.

All three conditions must be met in order for a petitioner to succeed in its action.

A. The domain name is identical or similar to a right which is legally recognized in Sweden and to which the Petitioner can prove its rights

According to the evidence submitted in the case, the Petitioner is the owner of the registered trademarks HYDRAFACIAL and HYDRAFACIAL MD, both of which are protected in Sweden. The disputed domain name <hydrafacial.se> incorporates the HYDRAFACIAL trademark in its entirety. It is established practice to disregard the ccTLD “.se” when comparing a domain name with a trademark.

In view of the above, the Arbitrator concludes that the disputed domain name <hydrafacial.se> is identical to the Petitioner’s HYDRAFACIAL trademark and similar to the HYDRAFACIAL MD trademark. Accordingly, the Petitioner has satisfied the first requirement under Paragraph 7.2 of the .se Policy.

B. The domain name has been registered or used in bad faith

The Petitioner has not licensed, approved or otherwise consented to the Domain Holder’s use of the disputed domain name <hydrafacial.se>, or to its use of the HYDRAFACIAL or HYDRAFACIAL MD trademarks in connection with the disputed domain name.

The Petitioner’s HYDRAFACIAL MD trademark predates the registration of the disputed domain name. The trademark was registered on August 3, 2006, whereas the disputed domain name was registered on October 21, 2010 by a third party, PhotoNova. On June 10, 2015, the Domain Holder became the holder of the disputed domain name following its purchase of PhotoNova’s business from the bankruptcy estate.

As evidenced, the Domain Holder has submitted a sales distributor agreement between Edge, a predecessor of the Petitioner, and PhotoNova, as well as a purchase agreement between the Domain Holder and the bankruptcy estate.

The purchase agreement provided for the transfer of intellectual property rights, including trademarks and domain names. Although the bankruptcy estate could transfer the domain name registration, it could not grant any continuing right to use the Petitioner’s trademarks that PhotoNova itself no longer held. Accordingly, the Domain Holder’s acquisition of the domain name registration did not give it any broader right to use the Petitioner’s trademarks than PhotoNova held under the sales distributor agreement.

The sales distributor agreement between PhotoNova and Edge, effective October 14, 2010, had a term of two years and expressly provided that Edge remained the sole and exclusive owner of its trademarks and trade names. PhotoNova was permitted to use such trademarks only to identify the source of the products and in advertising materials, subject to Edge’s prior approval, and was required to cease such use upon termination or expiry of the agreement. The agreement also entitled Edge to terminate it immediately in the event of PhotoNova’s bankruptcy and prohibited any transfer of rights under the agreement, whether voluntarily or by operation of law, without Edge’s prior written consent. There is no evidence that such consent was given.

In the absence of any evidence that the agreement was extended or that the Domain Holder was granted any independent right to use the Petitioner's trademarks, the Arbitrator finds that any contractual right to such use had expired before the Domain Holder acquired the disputed domain name. Although the domain name registration itself was transferred to the Domain Holder as part of the acquisition from the bankruptcy estate, that transfer could not include any trademark licence or contractual right of use that PhotoNova no longer held.

In light of the circumstances surrounding the original registration by PhotoNova, the record does not establish that the disputed domain name was registered in bad faith. The Arbitrator's assessment under this requirement is therefore based on the Domain Holder's subsequent use of the disputed domain name.

After acquiring the disputed domain name, the Domain Holder used it to redirect Internet users to its own commercial website, through which it offered products and services competing with those of the Petitioner. In view of the circumstances of the acquisition and the parties' competing businesses, it is reasonable to infer that the Domain Holder was aware of the Petitioner and its trademark. In any event, a simple trademark search would have revealed that the HYDRAFACIAL MD trademark had been protected in Sweden since 2006. Furthermore, despite the Petitioner's subsequent registrations of additional HYDRAFACIAL trademarks, the Domain Holder continued to use the disputed domain name to redirect Internet users to its competing website.

The Domain Holder's use of a domain name corresponding to the Petitioner's trademarks to redirect Internet users to its competing website was likely to create the impression of an association with the Petitioner and to divert users seeking the Petitioner or its products for the Domain Holder's commercial benefit.

Accordingly, based on the evidence and the circumstances of the case, the Arbitrator finds, on the balance of probabilities, that the Domain Holder knew, or in any event should have known, of the Petitioner and its trademark rights when using the disputed domain name in connection with its competing business. The Arbitrator further finds that the Domain Holder's use of the disputed domain name to attract and redirect Internet users to its competing website constitutes use in bad faith, within the meaning of the .se Policy.

The Arbitrator therefore concludes that the Petitioner has also satisfied the second requirement under Paragraph 7.2 of the .se Policy.

C. The Domain Holder has no right or justified interest in the domain name

The Petitioner maintains that the Domain Holder lacks any right or justified interest in the disputed domain name and that the Petitioner has not licensed or consented to the Domain Holder's use of the disputed domain name or its use of the Petitioner's registered trademarks in connection with the disputed domain name.

There is no evidence in the record demonstrating that the Domain Holder is the owner of a company name, trademark or any other right corresponding or similar to the disputed domain name, or that the Domain Holder is commonly known by the disputed domain name or any similar name.

Although the Domain Holder argues that it has a justified interest deriving from the acquisition of the disputed domain name from PhotoNova's bankruptcy estate, the evidence does not support that conclusion. PhotoNova's right to use the Petitioner's trademarks arose from the sales distributor agreement, under which Edge remained the sole and exclusive owner of the relevant trademark rights. PhotoNova's use was limited, subject to prior approval, and had to cease upon termination or expiry of the agreement. The agreement had a term of two years, and there is no evidence that it was extended or that PhotoNova was granted any independent right to the HYDRAFACIAL trademark or the disputed domain name. The agreement also prohibited the transfer of rights without prior written consent, and there is no evidence that such consent was given in connection with the Domain Holder's acquisition.

Accordingly, even if PhotoNova may have had a justified interest in the disputed domain name during the distribution relationship, any such interest had ceased before the Domain Holder acquired it. The acquisition from the bankruptcy estate therefore did not confer any independent right or justified interest in the disputed domain name.

Given that the disputed domain name corresponds to the Petitioner's trademarks, it carries a high risk of implied affiliation with the Petitioner, particularly in light of the fact that the parties are competitors. In the absence of any authorization or other basis for such use, this risk of misrepresentation further supports the conclusion that the Domain Holder lacks any right or justified interest in the disputed domain name.

Based on the above circumstances, the Arbitrator concludes, on the balance of probabilities, that the Petitioner has established that the Domain Holder has no right or justified interest in the disputed domain name pursuant to Paragraph 7.2 of the .se Policy. The Arbitrator therefore concludes that the Petitioner has satisfied the third requirement under Paragraph 7.2 of the .se Policy.

8. Decision

For the foregoing reasons, in accordance with Paragraph 7.2 of the .se Policy, the Arbitrator orders that the disputed domain name <hydrafacial.se> shall be transferred to the Petitioner.

9. Summary

The Arbitrator concludes that the disputed domain name <hydrafacial.se> is identical to the Petitioner's HYDRAFACIAL trademark and similar to the HYDRAFACIAL MD trademark and that the Petitioner has proved the first requirement of the .se Policy. Furthermore, the Arbitrator concludes that the Petitioner has proved that the disputed domain name has been used in bad faith in accordance with the second requirement of the .se Policy. Finally, the Arbitrator concludes that the Petitioner has established that the Domain Holder has no right or justified interest in the disputed domain name and has therefore proved the third requirement of the .se Policy.

/Johan Sjöbeck/

Johan Sjöbeck

Date: September 2, 2026