

## **ADMINISTRATIVE PANEL DECISION**

L'Oréal v. Ільїнов Володимир Іванович

Case No. DUA2026-0002

### **1. The Parties**

The Complainant is L'Oréal, France, represented by Dreyfus & associés, France.

The Respondent is Ільїнов Володимир Іванович, Ukraine.

### **2. The Domain Name and Registrar**

The disputed domain name <lorealshop.com.ua> is registered with NIC.UA LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on March 10, 2026. On March 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 13, 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 (Not published) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 13, 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 amended Complaint on March 13, 2026.

On March 13, 2026, the Center informed the parties in Ukrainian and English, that the language of the registration agreement for the disputed domain name is Ukrainian. On March 13, 2026, the Complainant confirmed its request that English be the language of the proceedings. The Respondent did not submit any comment on the Complainant's submission.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .UA Domain Name Dispute Resolution Policy (the ".UA Policy"), the Rules for .UA Domain Name Dispute Resolution Policy (the ".UA Rules"), and the WIPO Supplemental Rules for .UA Domain Name Dispute Resolution Policy (the "WIPO Supplemental Rules").

In accordance with the .UA Rules, paragraphs 2 and 4, the Center formally notified the Respondent in English and Ukrainian of the Complaint, and the proceedings commenced on March 20, 2026. In accordance with the .UA Rules, paragraph 5(a), the due date for Response was April 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 10, 2026.

The Center appointed Igor Alfiorov as the sole panelist in this matter on April 15, 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 .UA Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is L'Oréal, a French industrial group established in 1909 and one of the global leaders in the cosmetics and beauty sector. It manages a portfolio of 37 brands, employs approximately 88,000 people, and maintains a commercial presence in 150 countries. The Complainant has been present in Ukraine since 2004.

The Complainant holds numerous trademark registrations for L'ORÉAL worldwide, including:

- Ukrainian trademark L'ORÉAL, Registration No. 2698, registered on November 30, 1993;
- International trademark L'ORÉAL, Registration No. 1681541, registered on June 1, 2022, designating inter alia Ukraine.

The Complainant also owns several domain names reflecting its trademark, including <loreal.com>, registered on October 24, 1997, and <loreal.ua>, registered on April 29, 2014.

The disputed domain name <lorealshop.com.ua> was registered on January 26, 2026. At the time of filing of the Complaint, the disputed domain name resolved to a Ukrainian-language e-gambling website.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that the disputed domain name is confusingly similar to its well-known L'ORÉAL trademark. It argues that the disputed domain name entirely reproduces the mark and that the addition of the generic term "shop" does not prevent a finding of confusing similarity, but rather heightens it by suggesting an official retail outlet.

The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not affiliated with the Complainant, and has not been authorized to use the mark. Furthermore, using the disputed domain name to direct users to a gambling website unrelated to the Complainant's business does not constitute a bona fide offering of goods or services.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. Given the global and local fame of the L'ORÉAL mark, the Respondent must have been aware of the Complainant's rights. The use of the disputed domain name to divert Internet traffic to an e-gambling site for commercial gain demonstrates a clear intent to unfairly exploit the Complainant's reputation.

##### **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1. Preliminary Issue – Language of the Proceedings**

Paragraph 11(a) of the .UA Rules provides that “unless otherwise agreed by the Parties, the language of the administrative proceeding shall be the language of the Registration Agreement (which shall be in English, Russian or Ukrainian), subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceedings”.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English, noting its lack of knowledge of Ukrainian and the significant costs and delays associated with translation. The Complainant also pointed out that the disputed domain name uses Latin characters and that English is a standard language for international business.

The Respondent did not comment on the language of the proceedings.

Having considered all the matters above, the Panel finds that proceeding in English is fair and efficient. The Respondent appears capable of understanding English, and requiring translation would impose an undue burden on the Complainant without a corresponding benefit to the proceedings. Therefore, the Panel determines that the language of the proceedings shall be English.

### **6.2. Further Procedural Considerations – Location of the Respondent**

Under paragraph 10 of the .UA Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, while also ensuring that the administrative proceedings take place with due expedition.

The mailing address and location of the Respondent are stated to be in Ukraine, which is subject to an international conflict at the date of this Decision. As this situation may impact the delivery of case notifications and the Respondent’s ability to prepare and submit a Response, the Panel has considered, in accordance with its discretion under paragraph 10 of the .UA Rules, whether the proceedings should continue.

The record indicates that the Center sent the Notification of the Complaint to the Respondent’s email address provided by the Registrar, and there is no evidence to suggest that this communication was not successfully delivered.

Furthermore, the Panel observes that the disputed domain name was registered on January 26, 2026, nearly four years after the start of the international conflict. This timing indicates that the Respondent has access to the Internet and an ability to control the disputed domain name and the content of the associated website. Accordingly, the Panel concludes that the proceedings should continue and will issue its Decision based on the available record.

### **6.3 Substantive Issues**

#### **A. Identical or Confusingly Similar**

The Panel is satisfied that the Complainant holds rights in the L'ORÉAL trademark. The disputed domain name incorporates the mark in its entirety.

The addition of the term “shop” does not prevent a finding of confusing similarity, as the L'ORÉAL mark remains recognizable. The country-code Second-Level Domain “.com.ua” is viewed as a standard registration requirement and is disregarded for the purposes of the confusing similarity test.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights, and the requirement of paragraph 4(a)(i) of the .UA Policy is satisfied.

### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the .UA 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 is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a disputed 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.

In the present case, the Panel finds that the Complainant has successfully established a prima facie case. The Complainant has confirmed that the Respondent is not affiliated with L'Oréal in any way, nor has the Respondent been licensed or otherwise authorized to use the L'ORÉAL trademark or to register any domain name incorporating said mark. There is no evidence in the record to suggest that the Respondent is commonly known by the disputed domain name or the name “lorealshop”.

The Respondent is using the disputed domain name to host a gambling site entirely unrelated to the Complainant's cosmetics business. Such use, which is likely to unduly profit from the value of the Complainant's well-known mark to divert traffic, is not a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Respondent has not filed a response and has provided no evidence to rebut the Complainant's contentions or to demonstrate any bona fide offering of goods or services.

Accordingly, the Panel finds that the Complainant has established that the Respondent has no rights or legitimate interests in the disputed domain name, and the requirement of paragraph 4(a)(ii) of the .UA Policy is satisfied.

### **C. Registered or Used in Bad Faith**

Under paragraph 4(a)(iii) of the .UA Policy, the Complainant must establish that the disputed domain name was registered or is being used in bad faith.

The Complainant's L'ORÉAL trademark is internationally famous and has a long-standing presence in Ukraine. Given the mark's high level of recognition, it is inconceivable that the Respondent was unaware of the Complainant's rights at the time of registration. The choice of the disputed domain name, combining the famous L'ORÉAL mark in its entirety with the term “shop” demonstrates a clear and opportunistic intent to target the Complainant and trade on its established goodwill.

Furthermore, the actual use of the disputed domain name affirms this bad faith intent. The record shows that the domain name resolves to a Ukrainian-language gambling website, which is entirely unrelated to the Complainant's cosmetics business. This conduct falls within paragraph 4(b)(iv) of the .UA Policy, as by leveraging the Complainant's mark to divert traffic to an unrelated commercial platform, the Respondent has 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 the site.

Finally, the Respondent's failure to submit a response or offer any credible explanation for the choice of the domain name further reinforces the inference of bad faith.

Accordingly, the Panel concludes that the disputed domain name was registered and is being used in bad faith, the requirement of paragraph 4(a)(iii) of the .UA Policy has been established.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the .UA Policy and 15 of the .UA Rules, the Panel orders that the disputed domain name <lorealshop.com.ua> be transferred to the Complainant.

*/Igor Alfiorov/*

**Igor Alfiorov**

Sole Panelist

Date: April 29, 2026