Decision for dispute CAC-UDRP-107987

Case number	CAC-UDRP-107987
Time of filing	2025-09-23 13:32:41
Domain names	nuxecosmetic.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Laboratoire Nuxe

Complainant representative

Organization	ATOUTPI LAPLACE

Respondent

Name	Jose Lima

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the trade mark NUXE registered, inter alia, as European Union trademark n°8 774 531 on June 15, 2010 for cosmetics.

NUXE is also part of the name and trade name of the Complainant and included in the name of all its subsidiaries all around the world.

The Complainant is also the owner of several domain names under various extensions including:

- Nuxe.com (registered 1998), nuxe.fr, nuxe.eu, nuxe.ca, nuxe.us and nuxe.cn; and
- Nuxe-fr.com, frnuxe.com, nuxeshop.com, nuxemail.com, nuxetest.com, com, nuxeshop.com, nuxespa.com, nuxepartners.com, nuxebeauty.com amongst others combining the mark NUXE with a generic term.

The address of the Complainant's website accessible all around the world is: https://www.nuxe.com/ .

FACTUAL BACKGROUND

The Complainant is a French company established in 1964 specializing in the manufacture and trade of cosmetics as well as

personal care products and related services sold under the trademark NUXE.

The disputed domain name was registered on August 13, 2025 and has been used for a site impersonating the Complainant using the Complainant's trade mark NUXE as a masthead.

PARTIES CONTENTIONS

The Complainant's contentions can be summarized as follows:

The Complainant's mark NUXE is a distinctive invented word made up of the terms Nature and Luxury (Luxe in French).

The disputed domain name is confusingly similar to the Complainant's trade marks, domain names, trade names and company names NUXE as it fully incorporates Complainant’s well-known mark NUXE which is reproduced in its entirety without any alteration.

The word 'cosmetic' does not distinguish the disputed domain name from the Complainant's trade mark NUXE. On the contrary, this generic word heightens the risk of affiliation with the Complainant given that it is a word readily associated with the Complainant’s business activity. Nuxe products are cosmetics.

It is also well established that the top level of a domain name such as <.com> does not distinguish a domain name for the purpose of determining whether it is identical or confusingly similar to a complainant's mark under the UDRP Policy.

As a consequence, the disputed domain name is confusingly similar to the Complainant's earlier NUXE mark.

Respondent does not have any rights or legitimate interest in the disputed domain name and is not authorised by the Complainant.

The site attached to the disputed domain name is currently inactive, but was used for a site impersonating the Complainant wholly reproducing the complainant’s trademarks and offering counterfeit goods which infringe NUXE trade mark.The usage of the disputed domain name to impersonate the Complainant is likely to mislead Internet users into believing that the website attached to the disputed domain name is either operated by the Complainant or is authorized, licensed, or endorsed by it.

Such use is not for bona fide commercial purposes but rather an attempt to attract Internet users for commercial gain by creating a likelihood of confusion regarding the source, sponsorship, affiliation, or endorsement of the website in full knowledge of the rights of the Complainant.

The registration and use of the disputed domain name was made fraudulently, in bad faith and with the intent to infringe Nuxe’s earlier rights. The Respondent registered the disputed domain name with knowledge of, and intention to target, the Complainant.

Respondent

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be

inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

The disputed domain name is confusingly similar to the Complainant's earlier NUXE mark adding only the generic word 'cosmetic' and the gTLD .com which does not prevent said confusing similarity.

The Respondent is not commonly known by the disputed domain name and is not authorised by the Complainant.

The site attached to the disputed domain name impersonated the Complainant using its NUXE trade mark as a masthead. This is not a bona fide offering of goods or services or a legitimate non commercial fair use. It is registration and use in bad faith confusing Internet users for commercial gain and disrupting the Complainant's business.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **nuxecosmetic.com**: Transferred

PANELLISTS

Name	**Dawn Osborne**

DATE OF PANEL DECISION 2025-10-22

Publish the Decision