Decision for dispute CAC-UDRP-107984

Case number	CAC-UDRP-107984
Time of filing	2025-09-23 12:14:43
Domain names	thenuxe.store

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Laboratoire Nuxe

Complainant representative

Organization	ATOUTPI LAPLACE

Respondent

Organization	craft 9 studios

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's word mark NUXE has been registered as European Union trademark registration 8774531 filed in 2009, International Registration 1072247 filed in 2011, designating 59 countries, including USA (related US Serial Numbers No. 79095482, 79325034), Japan, South Korea, and Russia. It has also been registered in China, Mexico, Brazil, Argentina and Canada (IR 151150 dated 2011). In addition, it is registered in Pakistan, where the Respondent purports to reside, also since 2011.

FACTUAL BACKGROUND

The Disputed Domain Name thenuxe.store was created on April 2, 2025. It appears that it is registered by a company named Craft 9 studios in Pakistan. The Disputed Domain Name refers to an active website infringing the NUXE trademarks and offering competing cosmetic products of other cosmetics brands.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be

transferred to it.
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). Complainant is the owner of rights in the trademark NUXE as detailed above. The Disputed Domain Name adds nothing but the word "the" and the descriptive TLD .store, neither of which does anything to help Respondent avoid a finding of confusing similarity.

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). Complainant states that it has not given any authorization to anyone to make any use of, or to apply for registration of, the Disputed Domain Name. Complainant argues that Respondent has no legitimate interest in the registration and use of the Disputed Domain Name because such use and registration were made with the clear intent to breach Complainant's rights in the NUXE marks. Respondent has not responded to the Complaint and thus has not provided any evidence or argument to suggest otherwise. Therefore, Complainant has met its burden on the element 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). Complainant argues that Respondent must have been aware of Complainant's trademark rights when registering and using the Disputed Domain Name. The Panel agrees that this is evident from the infringing, competitive retail website resolving from the Disputed Domain Name. The website is misleading and seeks to impersonate the Complainant and its trademarks. 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.

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

By registering and using the Disputed Domain Name, the Respondent intentionally attempted to attract internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark and business regarding the source, sponsorship, affiliation, or endorsement of the Respondent's website.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **thenuxe.store**: Transferred

PANELLISTS

Name	**Mike Rodenbaugh**

DATE OF PANEL DECISION 2025-11-04

Publish the Decision