Decision for dispute CAC-UDRP-108522

Case number	CAC-UDRP-108522
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Domain names	nunixe.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Laboratoire Nuxe

Complainant representative

Organization	ATOUTPI LAPLACE

Respondent

Organization	asd sda

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 several trademark registrations for the sign “NUXE” in various countries all around the world, which were registered years before creation of the disputed domain name, such as but not limited to:

Mark (as referred to)	Office / territory	Application / registration No.	Status	Classes (at least)	Filing date (MM-DD-YYYY)
NUXE (first French registration comprising NUXE + logo)	France (FR)	94518763	Registered	3, 5, 25	05-02-1994
NUXE (EU trademark)	EUIPO (EM)	008774531	Registered	3, 44	12-22-2009
NUXE (international registration)	WIPO (WO)	1072247	Registered	3, 44	02-14-2011

NUXE (Canada)	Canada (CA)	1515150	Registered	3, 44	02-14-2011
NUXE PARIS + logo (French)	France (FR)	97667052	Registered	3, 5, 16, 25, 28, 42, 45	07-10-1997
NUXE PARIS + logo (international)	WIPO (WO)	684940	Registered	3, 25, 42	12-24-1997

The Complainant is also the owner of several domain names under various extensions, such as but not limited to:

Domain name	Extension	Creation / reservation date (MM-DD-YYYY)	Expiry date (MM-DD-YYYY)
nuxe.com	.com	02-27-1998	02-26-2027
nuxe.fr	.fr	06-25-2008 (registered since 12-28-1998)	03-04-2027
nuxe.eu	.eu	06-08-2006	05-31-2026
nuxe.ca	.ca	03-02-2012	03-02-2027
nuxe.us	.us	02-01-2008	01-31-2027
nuxebeauty.com	.com	02-13-2021	02-13-2027
frnuxe.com	.com	05-01-2023	05-01-2026
groupenuxe.com	.com	02-17-2021	02-17-2027
nuxeshop.com	.com	05-25-2022	05-25-2026
nuxemail.com	.com	06-03-2024	06-03-2026
nuxetest.com	.com	11-28-2023	11-28-2026
nuxespa.com	.com	07-03-2020	07-03-2026
nuxepartners.com	.com	04-27-2010	04-27-2026

Its website located at www.nuxe.com is accessible all around the world.

FACTUAL BACKGROUND

The Complainant is a French company created in 1964 specialising in manufacture and trade of cosmetics as well as personal care products and related services sold under its trademark “NUXE”.

It sells its cosmetics all around the world and provides spa services in various countries.

The disputed domain name, <nunixe.com> was registered on December 17, 2025.

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 that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights within the meaning of paragraph 4(a)(i) of the Policy.

The Complainant has established rights in the “NUXE” trademark through registrations in multiple jurisdictions as already set out. The Complainant asserts the word “NUXE” is a creatively coined and distinctive term derived from the words “Nature” and “Luxury” (“Luxe” in French).

The disputed domain name incorporates the Complainant’s trademark in its entirety, with the letters “NI” inserted between “NU” and “XE”.

Where the relevant trademark is recognisable in the disputed domain name, the addition of other terms, whether descriptive, geographical, pejorative, meaningless or otherwise, does not avoid a finding of confusing similarity under the first element. See WIPO Overview 3.0, section 1.8.

The Panel considers, as a general proposition, that the practice of adding terms into a recognised and well-known trademark for the purposes of registering a domain name constitutes typosquatting. The Panel refers to Alexa Internet and Others v duan xiangwang (2013) CAC 100614 where the panel found that <amegazon.com> was confusingly similar to AMAZON because it incorporated the mark in its entirety and added two letters “eg” with no meaning in context, and that the deliberate misspelling did not create a distinct mark.

The same reasoning applies here. The insertion of “NI” into the invented and highly distinctive “NUXE” trademark does not materially alter its overall impression, and Internet users are likely to perceive <nunixe.com> as a mistyped or slightly modified version of one of the Complainant’s “NUXE” based domain names.

That impression is also reinforced by the way in which the disputed domain name has been used. According to the Complainant, the website at <nunixe.com> reproduced the appearance and structure of its official website, used photographs of genuine “NUXE” trademarked products offered at very low prices, and referred directly to the “NUXE” trademarks.

In these circumstances, the Panel considers that Internet users encountering the disputed domain name, particularly in connection with “NUXE” trademarked branded goods, would naturally assume that it is operated by, or otherwise associated with, the Complainant.

The addition of the gTLD “.com” to the disputed domain name also does not add any distinctiveness to the disputed domain name and will be disregarded for the purposes of considering this ground. See WIPO Overview 3.0, section 1.11.1.

The Panel, therefore, finds that the disputed domain name is confusingly similar to a trademark 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.

A complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests, after which the burden shifts to the respondent to demonstrate such rights or legitimate interests in the domain name. If the respondent fails to discharge this burden, paragraph 4(a)(ii) of the Policy is satisfied.

There is no evidence that the Respondent holds any trademark rights in or is commonly known by the disputed domain name. The disputed domain name was also registered well after the Complainant’s rights in the “NUXE” trademark were established.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name for several reasons, which the Panel accepts.

- It is the sole owner of rights in the creative denomination “NUXE” and holds multiple trademark registrations worldwide covering all classes of the Nice Classification.
- The Complainant has not authorised, licensed or permitted the respondent to register or use the disputed domain name <nunixe.com> or to use any “NUXE” trademark
- The Respondent is not known by the disputed domain name and has acquired no trademark rights in it, and no one has approached the Complainant seeking permission to register or use the disputed domain name.
- The Respondent has no legitimate interest because the disputed domain name was chosen to breach the Complainant’s trademark rights and constitutes typosquatting.
- It relies on evidence that <nunixe.com> resolves to a copycat site that substantially reproduces the appearance and structure of the official Complainant’s website, uses “NUXE” trademarks and presents itself as if it were the Complainant’s official website, thereby misleading users into believing it is operated by or affiliated with the Complainant.

The Respondent has been given an opportunity in this proceeding to present a case for rights or legitimate interests but has failed to do so and has, therefore, not rebutted the Complainant’s prima facie case.

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

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that 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.

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances which, if present, constitute evidence of registration and use of a domain name in bad faith, including where a respondent has intentionally attempted to attract, for commercial gain, Internet users to its online location by creating a likelihood of confusion with the complainant’s mark as to source, sponsorship, affiliation, or endorsement.

The evidence shows that “NUXE” trademark is distinctive and has an established reputation for cosmetics goods. The disputed domain name reproduces the “NUXE” trademark in full, with only the letters “NI” inserted in between the letters “NU” and “XE”, which the Panel has already found to be a deliberate misspelling chosen with the Complainant in mind, and amounts to typosquatting.

Accordingly, there is strong evidence of bad faith registration and use.

The disputed domain name resolved to an online shop which reproduced the Complainant’s trademark ‘NUXE”, get-up, images from its official website, and offered the Complainant’s trademarked branded cosmetics.

The evidence shows that the Respondent would have had actual knowledge of the Complainant’s rights in the “NUXE” and NUXE PARIS” trademarks when it registered the disputed domain name. The Panel finds such conduct is intended to mislead users into believing that they are dealing with the Complainant or with an authorised reseller. Use of a domain name in this way, to impersonate the trademark owner and to sell goods branded with the Complainant’s trademark, falls squarely within paragraph 4(a)(iii) of the Policy.

Further, the evidence also shows that searches for <nunixe.com> in common search engines return results that predominantly relate to the Complainant and its official website. The Respondent’s choice of a registrant name “ASD SDA” is also curious as it seems to the Panel that it is intended to mask the true identity of the Respondent. Such purported use seeks to impersonate the Complainant and its trademarks, and accordingly the Panel finds that 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 disputed domain name website.

The Respondent has not filed any response in this proceeding and has therefore not rebutted the Complainant’s contentions on bad faith registration and use.

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

PROCEDURAL FACTORS

Notification of proceedings to the Respondent

On April 16, 2026, the CAC by its non-standard communication stated as follows (omitting irrelevant parts):

“Please be aware that the CAC was not able to send the written notice to the Respondent as the address provided by the Registrar in Registrar verification does not exist. The postal service provider was not able to deliver a written notice to such an address.

No other address for correspondence was found on the disputed domain name.

As far as the e-mail notice is concerned, we received a confirmation that the e-mail notice sent to < postmaster@nunixe.com> was returned back non-delivered as the e-mail address had permanent fatal errors. The e-mail notice was also sent to <dariusshalanda3@gmail.com>, but we never received any proof of delivery or notification of non-delivery.

No further e-mail address could be found on the disputed site.

The Respondent never accessed the online platform."

Given the reasonable measures employed by CAC as set out in the above non-standard communication, the Panel is satisfied that all procedural requirements under the UDRP were met and that there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

The Complainant owns an extensive portfolio of trademark registrations for the mark "NUXE" in numerous jurisdictions, and uses the "NUXE" trademark to designate its goods and services.

The Respondent registered the disputed domain name after the Complainant had established its rights in the "NUXE" trademark.

The Complainant challenges the registration of the disputed domain name under paragraph 4(a) of the Uniform Domain Name Dispute Resolution Policy, seeking transfer of the disputed domain name.

The Respondent has failed to file any administratively compliant response and has therefore not contested the Complainant's factual and legal contentions.

For the reasons articulated in the Panel's findings above, the Panel is satisfied that:

- The disputed domain name is confusingly similar to the Complainant's "NUXE" trademark.
- The Respondent has no rights or legitimate interests in respect of the disputed domain name.
- The disputed domain name has been registered and is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **nunixe.com**: Transferred

PANELLISTS

Name	**William Lye OAM KC**

DATE OF PANEL DECISION 2026-04-26

Publish the Decision