

Decision for dispute CAC-UDRP-108852

Case number	CAC-UDRP-108852
Time of filing	2026-07-23 09:50:49
Domain names	NUXEPARIS-FR.COM, FR-NUXE.COM , nuxe-ventesprivess.com, NUXE-VENTES-PRIVEES-FRANCE.COM, ventes-privees-nuxe.com, vente-nuxe.com, nuxe-france-ventes-privees.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)
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Complainant

Organization	Laboratoire Nuxe
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Complainant representative

Organization	ATOUTPI LAPLACE
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Respondents

Organization	NUXE PARIS
Organization	NUXE PARIS
Name	Fabien Pascal
Organization	NUXE PARIS
Organization	NUXE PARIS
Name	Mickael Zanni

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 names.

IDENTIFICATION OF RIGHTS

The Complainant owns numerous trademark registrations comprising the word “NUXE”, including EUTM no. 8774531 “NUXE” (word), which was registered on 15 June 2010, and has since been renewed. The trademark is registered for various goods in Class 3 and various services in Class 44 of the Nice Classification.

The disputed domain names were registered on the following dates:

- 14 June 2026 for <nuxeparis-fr.com>
- 10 June 2026 for <fr-nuxe.com>
- 11 June 2026 for <nuxe-ventes-privees-france.com>
- 20 June 2026 for <ventes-privees-nuxe.com>
- 23 June 2026 for <vente-nuxe.com>
- 13 June 2026 for <nuxe-france-ventes-privees.com> and
- 3 July 2026 for <nuxe-ventesprivess.com>.

Therefore, the Complainant’s trademark registration cited above predates the registration of all disputed domain names.

FACTUAL BACKGROUND

The Complainant is a French company founded in 1964 that specializes in manufacturing and trading cosmetics and personal care products, as well as related services, all of which are sold under the “Nuxe” trademark. According to the Complainant, it created the word “Nuxe” by blending the words “Nature” and “Luxe” (meaning “luxury” in French).

The disputed domain names

- <nuxeparis-fr.com>
- <nuxe-ventes-privees-france.com>
- <ventes-privees-nuxe.com>
- <vente-nuxe.com>
- <nuxe-france-ventes-privees.com>

feature an online shop with an identical design that displays the Complainant’s “Nuxe” logo and allegedly offers the Complainant’s products at significantly reduced prices (“Jusqu’à -50%”, French for “Up to -50%”).

The disputed domain name <fr-nuxe.com> displays a waiting page (“opening soon – be the first to know when we launch”, displaying the Complainant’s “Nuxe” logo and asking for the visitor’s e-mail address).

The disputed domain name <nuxe-ventesprivess.com> displays an error page (“This store is unavailable”).

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain names 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 names are 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 names (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 names have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The original Complaint of 20 July 2026 concerned the disputed domain names

- <nuxeparis-fr.com>
- <fr-nuxe.com>
- <nuxe-ventes-privees-france.com>
- <ventes-privees-nuxe.com> and
- <vente-nuxe.com>.

On 21 July 2026, the Complainant amended its Complaint and added

- <nuxe-france-ventes-privees.com> and
- <nuxe-ventesprivess.com>

as additional disputed domain names to the proceeding. The CAC accepted the amendment, with which the Panel agrees, particularly given that only a single day passed between the original Complaint and its subsequent amendment.

The case file records that the CAC originally tried to notify the Respondent(s) by e-mail to their relevant e-mail addresses. All such e-mails were returned with the following error message: "Message is too big, maximum 20971520 bytes". Therefore, the e-mails were returned because the messages were too large, rather than due to permanent fatal errors in the e-mail addresses themselves. Given these circumstances, the Panel was not satisfied that the notification arrangements afforded the Respondent(s) a fair opportunity to respond. Pursuant to paragraphs 2(a), 10(a) - (c) and 15(b) of the UDRP Rules, the Panel ordered (i) a renewed notification of the Respondent(s) with reduced e-mail attachment size and (ii) an exceptional extension of the procedural timetable. The CAC proceeded accordingly.

The Complainant requested consolidation of Complaints against different respondents with alleged common control but different names, addresses and e-mail addresses. Due to the additional complexity this would introduce to the proceeding, the Panel determined that it would be appropriate for the Complainant to pay the Additional UDRP Fee of €400 (cf. VAUDE Sport GmbH & Co KG v. zhang qiang and others, CAC-UDRP-107154; LyondellBasell Industries Holdings B.V. v. Vivek plastic LLC and others, CAC-UDRP-106694). The Complainant paid this Additional Fee in due time.

When discussing the Complainant's request for consolidation, I will use the following numbers to refer to the various disputed domain names:

1. <nuxeparis-fr.com>
2. <fr-nuxe.com>
3. <nuxe-ventes-privees-france.com>
4. <ventes-privees-nuxe.com>
5. <vente-nuxe.com>
6. <nuxe-france-ventes-privees.com>
7. <nuxe-ventesprivess.com>

The Panel accepts the Complainant's request for consolidation based on the following:

1. All disputed domain names have a similar structure (as further discussed in the section "Principal Reasons for the Decision" below) and were registered with the same Registrar within a period of little more than three weeks (10 June through 3 July 2026).
2. The Whois data for disputed domain names nos. 1, 2, 4, 5, and 7 mention different individual names, but always the organization name "Nuxe Paris" with the same street address, registrant telephone number, and registrant email address.
3. The disputed domain name no. 2 displays a waiting page ("opening soon – be the first to know when we launch", displaying the Complainant's "Nuxe" logo and asking for the visitor's email address). The disputed domain name no. 7 displays an error page ("This store is unavailable"). All other disputed domain names feature an online shop with an identical design that displays the Complainant's "Nuxe" logo and allegedly offers the Complainant's products at significantly reduced prices ("Jusqu'à -50%", French for "Up to -50%").

The Panel accepts b) as sufficient evidence that the disputed domain names nos. 1, 2, 4, 5, and 7 are under common control. The Panel further accepts c) as sufficient evidence that the disputed domain names nos. 1, 3, 4, 5, and 6 (i.e., all except nos. 2 and 7) are under common control. Taken together, this provides sufficient evidence that all disputed domain names are under common control. As no Respondent has objected to consolidation, the Panel also considers it to be fair and equitable to all parties.

In the light of this, the Panel is satisfied that all procedural requirements of the UDRP have been met, and that there are no other reasons why it would be inappropriate to issue a decision.

The disputed domain names are confusingly similar to the Complainant’s distinctive trademark “NUXE”. Adding relevant geographical terms such as “paris” or “fr” (for “France”) and descriptive phrases such as “vente” (meaning “sale” in French), “ventes-privees” (meaning “private sale” in French) or a typo thereof (“ventesprivess” instead of “ventesprivees”) even increases the overall impression that the disputed domain name is connected to the Complainant’s trademark “NUXE”.

The Panel also finds that the Complainant successfully submitted prima facie evidence that the Respondent has made no use of, or demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services, nor is the Respondent making a legitimate non-commercial or fair use of the disputed domain names, nor is the Respondent commonly known under the disputed domain names. This prima facie evidence was not challenged by the Respondent.

It is not clear whether or not the products being offered for sale on the Respondent’s website are genuine “NUXE” products, i.e., whether the Respondent is a legitimate reseller or distributor of the Complainant’s own products. It is possible that resellers, distributors, or service providers use domain names like the disputed domain name for a bona fide offering of goods and services (within the meaning of paragraph 4(c)(i) of the Policy) and thus have a legitimate interest in such domain name. However, under the well-established “Oki Data test” (see Oki Data Americas, Inc. v. ASD, Inc., WIPO Case No. D2001-0903, <okidataparts.com>; see section 2.8 of the WIPO Jurisprudential Overview 3.1 for more details), the following cumulative requirements must be met in such cases:

- (i) the Respondent must actually be offering the goods or services at issue;
- (ii) the Respondent must use the site to sell only the trademarked goods or services;
- (iii) the site must accurately and prominently disclose the registrant’s relationship with the trademark holder; and
- (iv) the Respondent must not try to “corner the market” in domain names that reflect the trademark.

The Respondent does not meet requirement (iii) and therefore fails the Oki Data test.

Given the Respondent’s prominent use of the Complainant’s “NUXE” name and logo on its waiting page (for <fr-nuxe.com>) and online shopping page with the implementation started but not completed for <nuxe-ventesprivess.com> according to the error page “This store is unavailable”, and implementation completed and the shop operating for all other disputed domain names, it is evident that the Respondent had the Complainant’s trademark in mind when registering the disputed domain names.

In the absence of a Response, the Panel infers that by using the disputed domain names, the Respondent has intentionally attempted to attract, for commercial gain, internet users to his website by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of this website and the Respondent’s services offered on it (within the meaning of paragraph 4(b)(iv) of the Policy).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. NUXEPARIS-FR.COM: Transferred
- 2. FR-NUXE.COM : Transferred
- 3. nuxe-ventesprivess.com: Transferred
- 4. NUXE-VENTES-PRIVEES-FRANCE.COM: Transferred
- 5. ventes-privees-nuxe.com: Transferred
- 6. vente-nuxe.com: Transferred
- 7. nuxe-france-ventes-privees.com: Transferred

PANELLISTS

Name	Dr. Thomas Schafft
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DATE OF PANEL DECISION 2026-10-14

Publish the Decision