

Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2026-00011

Also in PDF C2026-0011

1. The Complainant

The Complainant is L'OREAL, having its office at 14 rue Royale 75008 Paris, France. The Complainant has initiated the complaint via their authorized representative, Dreyfus & associés, having their office at 78, avenue Raymond Poincaré 75116 Paris France.

2. The Domain Name and Respondent

The domain name upon which the Complaint is based upon is <cerave-pakistan.com.pk>, is hereinafter referred to as the Disputed Domain Name [DDN].

PKNIC has informed DNDRC that the DDN is registered by Israr Ul Haq with the contact name Naeem Waqas, with their address at H 69 C Block Ahmed housing scheme, Lahore and that the email address provided at the time of registration of the DDN is naeem.waqasn@gmail.com.

3. Procedural History

DNDRC was informed of the Complaint against the Respondent in accordance with the PKNIC - Internet Domain Registration Policy upon receiving notification from the Complainant on 9 March 2026. An administrative review of the Complaint was conducted and completed on 18 March 2026, following which the Complainant was notified of the compliance review's completion and the subsequent procedural requirements on the same day.

Upon the Complainant's fulfillment of the procedural requirements on 19 March 2026, DNDRC formally requested the Respondent's registration details from PKNIC on 24 March 2026. PKNIC provided the requested details on 25 March 2026.

DNDRC issued a formal notification of the dispute to the Respondent on 25 March 2026, enclosing a copy of the Complaint and a Response Form, informing the Respondent that failure to submit a Response within 10 days would result in the dispute proceeding ex parte. The Respondent submitted the Response Form on 5 April 2026.

The Complaint along with all relevant material was referred to the appointed arbitrator for review and decision on 13 April 2026. The arbitrator completed the review and issued a decision on 29 April 2026. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 29 April 2026.

Applying Paragraph 4(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the *Rules*), DNDRC appointed Mr. Ardavan D. Solan as the sole Arbitrator who has verified that the Complaint satisfies the formal requirements of the Policy and the Rules.

Factual Background

4. Parties Contentions

(a) Complainant

The Complainant's brief contentions are reproduced below:

The Complainant

Complainant, L'Oréal, is a French industrial group specialized in the field of cosmetics and beauty and is the first cosmetics group worldwide.

*Created in 1909 by a French chemist by the same name, L'Oréal is today one of the world's largest groups in the cosmetics business. It has a portfolio of 36 brands, employs 86,000 employees, and is present in 150 countries (**Annex 3**).*

*L'Oréal is richly endowed with a portfolio of international brands that is unique in the world and that covers all the lines of cosmetics: hair care, colouring, skin care, make-up and perfume. Complainant's brands are managed within the group by divisions that each have expertise in their own distribution channel. This organization is one of L'Oréal's major strengths. It makes it possible to respond to every consumer's expectation according to their habits and lifestyle but also to adapt to local distribution conditions, anywhere in the world (**Annex 3**).*

*L'Oreal announced the signing of a definitive agreement with Valeant to acquire the skincare brands CeraVe, AcneFree and Ambi for a cash purchase price of 1.3 billion US dollars. CeraVe was founded in 2005 and offers a range of advanced skincare products, specifically cleansers, moisturizers, sunscreens, healing ointments and a dedicated baby line. The CeraVe story began in 2005 after experts noticed that many skin conditions such as acne, eczema, psoriasis and dry skin all had one thing in common: a compromised skin barrier. Developed with dermatologists, CeraVe offers a complete line of skincare products that contain three essential ceramides enhanced with a revolutionary delivery system to help restore the skin's natural protective barrier (**Annex 3**).*

*CeraVe, makes high-quality cleansing and moisturizing products accessible to a wide number of consumers around the world. According to testimonials and clinical studies these products have made a significant impact on the quality of consumers' daily lives. Thanks to the partnership with dermatologists, CeraVe enables everyone to fully live the comfort of healthy skin (**Annex 3**).*

*Developed with dermatologists, CeraVe's mission is to restore and maintain skin barrier for all through efficacy, safety, compliance and accessibility. The skincare products contain a blend of three essential ceramides (ceramides 1, 3, and 6-II), fatty acids and hyaluronic acid to restore skin barrier function, and sustain long-term moisturization with just one use. CeraVe is the *No. 1 dermatologist recommended moisturizer brand in the United States and now available in over 40 countries worldwide including in Pakistan (**Annex 3**).*

Complainant's efforts to resolve this matter amicably

Complainant became aware of Respondent's registration of the domain name , which reproduces Complainant's trademark CERAVE in its entirety, and associates it with the geographical term "Pakistan" intersected by a hyphen, not reducing the risk of any confusion. On the contrary, the composition of the domain name and the addition of the extension ".coom.pk" can mislead Internet users into believing the disputed domain name is endorsed by Complainant or that it will direct them to the official website promoting and selling Complainant's products intended for the Pakistani market.

*When detected the domain name directed Internet users to a fraudulent website that reproduces Complainant's trademark and its visuals mimicking its official website, offering cosmetic products under the Complainant's trademark for sale with a discount, which are likely to be counterfeit goods. Additionally, Internet users may purchase these goods by registering sensitive data on the website, such as their name, address and banking information, which clearly demonstrate a high risk of phishing (**Annex 1**).*

Before starting the present proceeding, Complainant made some efforts to resolve this matter amicably.

*In order to secure the situation, Complainant sent notifications to the hosting provider, requesting the deactivation of the infringing website. Following extensive communication, the hosting company refused to comply with Complainant's request (**Annex 6**).*

Therefore, as no amicable settlement could be found, despite Complainant's best efforts, and considering Respondent's persistent registration of domains targeting Complainant and setting-up of fraudulent sites, Complainant had no other choice but to initiate an DNDRC procedure against Respondent based on the infringing nature of the domain name and the website it resolves to, impersonation and fraudulent practices in order to obtain the transfer of the disputed domain name and to eradicate any additional risk of illegal and infringing use of the disputed domain name.

Therefore, the Complainant seeks the following remedy:

The Complainant requests the Administrative Panel appointed in this administrative proceeding that the domain name <cerave-pakistan.com.pk> be transferred to the Complainant.

(b) Respondent

The Respondent has made the following submissions.

*The Respondent **completely denies** the Complaint filed by L'Oréal. The domain name < Cerave-Pakistan.pk > was **registered lawfully** and is **being used in good faith**.*

*The Complainant's allegations of bad faith registration, misleading content, and phishing are **baseless, misleading, and strongly denied**.*

The Respondent asserts that:

- *There is no intent to confuse or deceive consumers.*
- *The website is a legitimate business targeting Pakistani consumers.*
- *The domain name is distinct from Complainant's registered domains and does not falsely represent affiliation.*

*The Complaint is an **unfounded attempt to monopolize descriptive domain names and suppress fair competition in Pakistan.***

*Therefore, the Respondent **respectfully requests** that the DNDRC Panel **dismiss the Complaint in its entirety and reject any transfer request.***

*This response is respectfully submitted by **THEORDINARYS (SMC-PRIVATE) LIMITED**, a company duly registered with the **Securities and Exchange Commission of Pakistan (SECP)** under registration number **0254212 (Annexure 1)**. The domain name **cerave-Pakistan.com.pk** was registered and used in **good faith**, with no intention to mislead, misrepresent, or infringe upon the Complainant's trademark rights.*

Therefore, the Respondent seeks the following remedy

The Respondent respectfully requests that the Honourable Panel at DNDRC:

- 1. Dismiss the Complaint in its entirety on the grounds that the domain name cerave-Pakistan.com.pk was registered and used in good faith and does not infringe upon the Complainant's rights under applicable Pakistani law or the PKNIC Dispute Resolution Policy.*
- 2. Permit the Respondent to retain ownership and continued use of the domain name cerave Pakistan.com.pk, as it is lawfully operated in accordance with Pakistan's trademark laws and domain regulations.*
- 3. The Respondent submits that the Complaint is an overreach and an abuse of process, Respondent is a legally registered Pakistani business operating in good faith, investing in marketing and serving local skincare consumers. The Complainant seeks to monopolize a generic domain name ("cerave Pakistan.com.pk "). This is a clear attempt to suppress fair competition and harm a lawful local business. The Complaint should be dismissed as unfounded and recognized as a bad faith attempt to seize a domain without legitimate claim.*

5. Jurisdiction

The Panel's jurisdiction over this dispute between the Complainant and the Respondent is established by virtue of the Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules.

The Respondent applied for and was granted registration of the DN on the basis of these

regulations, and has submitted to, the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules and correspondingly to the arbitral jurisdiction of the DNDRC and its arbitration decisions.

6. Discussion and Findings

The decision of the dispute shall be addressed with respect to the following aspects:

- I. Identical or confusing similarity with a trademark or service in which the Complainant has rights (a UDRP criteria).
- II. Legitimate interest in the domain name (a UDRP criteria).
- III. Registration and use of the domain name in bad faith (a UDRP criteria).

I. Identical or confusing similarity to a trademark or service mark in which the Complainant has rights

The Complainant has made the following submissions:

Complainant and its trademark CERAVE enjoy a worldwide reputation. Complainant owns numerous CERAVE trademark registrations around the world.

Complainant is in particular the owner of the following CERAVE Trademark applications and registrations (Annex 4):

- *Pakistani Trademark application CERAVE No. 600258, dated January 22, 2021, covering goods in class 3;*
- *European Trademark CERAVE No. 016162752, dated December 14, 2016, covering goods in class 3;*
- *International Trademark Registration CERAVE No. 1365989 dated June 15, 2017, designating inter alia Kazakhstan, Singapore, Vietnam and covering goods in class 3;*

In addition, Complainant operates, among others, the following domain name reflecting its trademark in order to promote its services (Annex 5):

- *<cerave.fr> registered on July 19, 2017.*

The disputed domain name <cerave-pakistan.com.pk> is virtually identical to Complainant's prior trademarks CERAVE.

Indeed, the disputed domain name reproduces in its entirety Complainant's trademark CERAVE. In many WIPO and DNDRC decisions, Panels considered that the incorporation of a well-known trademark in its entirety may be sufficient to establish that the domain name is identical or confusingly similar to a complainant's trademark (WIPO Case No. D2023-5082, L'Oréal v. 陈龙 (chenlong), DNDRC Case No. C2022-0009, L'Oréal v. Irfan Shaukat and DNDRC Case No. C2024-0018, L'Oréal v. Wajid Ali).

Additionally, in many WIPO decisions, it is well established that "Where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark" (WIPO Case No. D2011-1627, L'Oréal, Lancôme Parfums et Beauté & Cie v. Jack Yang, WIPO Case No. D2010-1059, Rapidshare AG, Christian Schmid v. InvisibleRegistration.com, Domain Admin and WIPO Case No. D2000 0113, The Stanley Works and Stanley Logistics, Inc. v. Camp Creek Co., Inc.). See section 1.7 of the WIPO Jurisprudential Overview 3.0.

Moreover, many other Panels have consistently determined that a domain name which consists of a trademark combined with a geographical term is still confusing and does not provide additional specification or sufficient distinction from Complainant or its marks (WIPO Case No. D2008-1640, L'Oréal, Laboratoire Garnier & Compagnie v. Australian Internet Investments Pty Ltd, WIPO Case No. D2007-1552, L'Oréal v. Liao Quanyong; DNDRC Case No. C2018-0009, eBay Inc v. Muhammad Akram).

Additionally, Panels have come to the conclusion that hyphenation in domain names is "insufficient to distinguish the Respondent's domain names from the Complainant's mark because the dominant portion of each domain name is the Complainant's trademark". Hence, paragraph 4(a)(i) of the Policy is satisfied (WIPO Case No. D2006-0768, Kabushiki Kaisha Toshiba dba Toshiba Corporation v. WUFACAI and WIPO Case No. D2012-2001, TREDNET, Direct Distribution International Ltd ("DDI") v. WhoisGuard Namecheap / BODYPOWER).

*Complainant has used the trademark CERAVE in connection with specific cosmetic products around the world (**Annexes 3 and 4**), including in Pakistan. Consequently, the public has learnt to perceive the goods offered under this trademark as being those of Complainant. Therefore, the public would reasonably assume that the disputed domain name would be owned by Complainant or at least assume that it is endorsed or in other way related to Complainant.*

The extension “.com.pk” or any other gTLD or ccTLD is not to be taken into consideration when examining the identity or similarity between Complainant’s trademarks and the disputed domain name. Indeed, it is well established that the addition of the TLD suffix does not affect the likelihood of confusion merely because it is necessary for the registration of the domain name itself (WIPO Case No. DTV2011-0003, IndiaMART InterMESH Limited v. Personal, Manoj Nair/WhoisGuard and WIPO Case No. D2011-0775, L’Oréal v. Guowei Hai Gui).

Accordingly, by registering said domain name, Respondent has created a likelihood of confusion with Complainant’s trademark. It is likely that the domain name could mislead Internet users into thinking that it is, in some way, associated with Complainant.

For all of the above-mentioned reasons, the domain name in dispute is confusingly similar to the trademark CERAVE in which the Complainant has rights, and therefore the condition of Paragraph 4(a)(i) is fulfilled.

The Respondent has made the following submissions

II. No Intention to Mislead or Misrepresent Affiliation

*Our website never claimed to be the official site of CeraVe or L’Oréal. We never used misleading phrases like “authorized distributor” or “official store.” Disclaimers were included, and we openly identified ourselves as an **independent third-party reseller** of imported skincare products.*

*Using a combination of a brand name with a geographical term (e.g., “brandnamepakistan.pk”) is a common industry practice intended to communicate market availability — not brand ownership. All products sold were **100% genuine** and sourced from reliable international distributors. There was **no misrepresentation or counterfeiting** involved.*

As evidenced by Annex 4, the Complainant has proven that they have registered trademark in multiple jurisdictions, including in Pakistan since 2021. The Complainant also owns and operates websites in connection to its “CERAVE” trademark, resulting in the Complainant being commonly known by the CERAVE brand name.

A plain review of the DDN reveals that the Complainant's trademark has been incorporated fully into it, with the simple addition of the term(s) "pakistan" and ".com.pk" the latter of which is a ccTLD.

Hence, to determine a finding of confusing similarity between the DDN and the mark, the Panel refers to Section 1.7 of WIPO Overview 3.0, which states that the test determine confusing similarity between the DDN and the trademark requires a side-by-side comparison of both, considering whether the textual elements of the trademark are recognizable in the DDN. Further clarifying that where a domain name incorporates the entirety or a dominant feature of the trademark, would be considered confusingly similar to the mark, for the purposes of the UDRP. Applying the above test, the Panel finds that the entirety of the "CERAVE" mark has been incorporated into the DDN, qualifying an initial finding of confusing similarity between the DDN and the trademark. As such, the finding of a dominant presence of the mark, with the DDN results in a finding of confusing similarity between the DDN and the mark continues to hold, the Panel must further examine, whether the additional suffix(s) can diminish such a finding, hence we shall consider the term; "pakistan" since the suffix of ".com.pk" is necessary for registering domain names in specific jurisdictions and will be addressed at the end.

According to Section 1.8 of the WIPO Overview 3.0, the inclusion of generic terms like "pakistan" are considered as "geographical" "meaningless" or "descriptive" and of a nature that cannot diminish a finding of confusing similarity after it is found that the entire trademark has been incorporated into the domain name. Even though it is considered to be common industry practice and indicative of a geographical domicile that the business, yet that still cannot negate the protection offered to a registered trademark holder such as the Complainant.

Furthermore, in line with Section 1.11.1 of the WIPO Overview 3.0, the Panel agrees that the country-code top-level domain (ccTLD) ".com.pk" is a technical requirement and is disregarded when assessing confusing similarity under the UDRP.

Due to the reasons above, the Panel finds the DDN to be confusingly similar to the Complainant's trademark.

II. Legitimate interests in a domain name

As per paragraph 4(c), the UDRP requires the Respondent's claim to be of legitimate interest and shall be:

“proved based on all evidence presented” that “shall demonstrate” the Respondent’s “rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii).”

Paragraph 4(c) states that:

“(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

The Complainant has made the following submissions:

Respondent is neither affiliated with Complainant in any way nor has it been authorized by Complainant to use and register its trademark, or to seek registration of any domain name incorporating said trademark. Furthermore, Respondent cannot claim prior rights or legitimate interest in the domain name, as the CERAVE trademarks precede the registration of the disputed domain name for years (Annexes 1 and 4).

*Respondent is not commonly known by the disputed domain name or the name “CERAVE”, in accordance with paragraph 4(c)(ii) of the Policy. There is simply no evidence that Respondent may be commonly known by the name CERAVE (**Annex 1**).*

The domain name is virtually identical to the Complainant’s CERAVE trademark that Respondent cannot reasonably pretend it was intending to develop a legitimate activity through the disputed domain name. Panels have found that “domain names identical to a Complainant’s trademark carry a high risk of implied affiliation”. The adjunction of the geographical term “Pakistan” and the extension “.pk” increases the risk of confusion since Internet users are likely to believe that said domain name will direct them to the official website providing information on Complainant’s products intended for the Pakistani market (See section 2.5.1 of the WIPO Jurisprudential Overview 3.0).

Moreover, Respondent cannot assert that, before any notice of this dispute, it was using, or had made demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services, in accordance with paragraph 4(c)(i) of the Policy. On the contrary, the disputed domain name, which entirely incorporates Complainant's trademark, resolves towards a website that reproduces Complainant's trademark and visuals of the official website, offering alleged CERAVE products for sale. Internet users may purchase these goods by registering sensitive data such as their name, address and banking information. The possibility to collect such data demonstrate a high risk of phishing (**Annexes 1 and 3**). Consequently, Respondent fails to show any intention of non-commercial or fair use of the disputed domain name. It is most likely to be believed that Respondent has no legitimate interest or rights in the said domain name.

Respondent has never been given the authorization from Complainant for developing such a website which imitates Complainant's official website by reproducing its visuals, logo and structure, and that will inevitably lead Internet users into wrongly believing this is an official website intended for the Pakistani market. Such imitation of Complainant's websites cannot provide Respondent with rights or legitimate interests over the domain name (WIPO Case No. D2010-0746, Birkenstock Orthopädie GmbH & Co KG v. Chen Yanbing).

Respondent is thus not accurately disclosing its relationship with the trademark by falsely suggesting it is the trademark owner and its website is an official website, which is contrary to the Policy (WIPO Case No. D2001-0903, Oki Data Americas, Inc. v. ASD, Inc).

In previous decisions, Panels found that in the absence of any license or permission from the Complainant to use such widely-known trademarks, no actual or contemplated bona fide or legitimate use of the domain name could reasonably be claimed (WIPO Case No. D2010-0138, LEGO Juris A/S v. DomainPark Ltd, David Smith, Above.com Domain Privacy, Transure Enterprise Ltd, Host master).

Respondent also fails to show any intention of non-commercial or fair use of the disputed domain name. It is most likely to be believed that Respondent has no legitimate interest or rights in the said domain name, as they are using the domain name with intent for commercial gain to misleadingly divert consumers from Complainant's official website.

Finally, given Complainant's goodwill and renown worldwide, and the nature of the disputed domain name, which is virtually identical to Complainant's trademark, it is not possible to conceive a plausible circumstance in which Respondent could legitimately use the disputed

domain name, as it would invariably result in misleading diversion and taking unfair advantage of Complainant's rights.

For all of the above-cited reasons, it is undoubtedly established that Respondent has no rights or legitimate interests in respect to the domain name in dispute under Paragraph 4(a)(ii) of the Policy.

The Respondent has made the following submissions.

III. Trademark Law, Fair Use, and Local Registration

*Under **Pakistan's Trade Marks Ordinance, 2001**, infringement occurs only where a registered mark is used deceptively or in a way that causes confusion. At the time of domain creation and use, "CeraVe" had **not been declared a well-known mark** in Pakistan under **Section 85**, nor was it visible as a registered trademark in the IPO database.*

*Moreover, **resale of genuine products is allowed under Pakistani law**, provided it does not mislead consumers — which we ensured by maintaining transparency and disclaimers.*

*While the Complainant holds a registered trademark in the name "**CeraVe**", our trademark application was filed under a distinct brand name — "**CeraVe Pakistan**" (**Annexure 2**). This application was **accepted without objection** by IPO Pakistan. As per IPO guidelines, **we are permitted to use the applied-for mark with the "TM" symbol**, confirming that our actions were taken within the legal framework and in good faith.*

IV. Legitimate Interest in the Domain Name

*In accordance with **PKNIC's Domain Dispute Policy**, a registrant has legitimate rights to a domain if:*

- *The domain was registered for a bona fide business purpose;*
- *The registrant is operating transparently and legally;*
- *The domain is not being used for cybersquatting or misleading gain.*

These criteria are fully met:

1. *We are a SECP-registered company operating a skincare business (**Annexure 1**);*
2. *We sold **only authentic, original products**;*
3. *We disclosed our identity and never attempted to sell the domain;*
4. *We filed for a local trademark in good faith (**Annexure 2**);*

The general UDRP approach of adjudging a major portion of the elements would necessitate the Complainant to prove that the Respondent lacks any legitimate interest in the DDN. However, that would give rise to an inevitable phenomena, and the impossible task of the Complainant having to; “prove a negative”, requiring information that is usually in the possession of the Respondent. Hence, the Panel would have to first deduce whether the Complainant has established a *prima facie* case that the Respondent lacks any legitimate interest or is failing to use the DDN for commercial fair uses. Once the Complainant has demonstrated rights over, and has legitimate interests in the DDN, and that the Respondent lacks the same, would result in the burden of proof, shifting onto the Respondent to provide evidence, to claim on the contrary. If the respondent fails to come forward with such relevant evidence, the Complainant is deemed to have satisfied the second element (See WIPO Overview 3.0 Section 2.1).

As a result of being in the market for more than a century, the Complainant has garnered significant renown and goodwill under the L’Oreal brand and the CERAVE trademark which is associated with it as well, due to decades of operating in the market, and a registered trademark existing in Pakistan, since 2021. The same cannot be said for the Respondent, as the evidence given as Annexure 1 does not suffice as sufficient evidence.

The Panel notes that the Respondent has a validly incorporated business under the Securities and Exchange Commission of Pakistan (SECP), but that still does not demonstrate that the Respondent was commonly known by the DDN or otherwise had rights in the trademark "CERAVE." Specifically, when the name of the Respondent’s company, mentioned on the SECP registration certificate is; “THEORDINARYS (SMC-PRIVATE) LIMITED”, which cannot be considered as being affiliated with or commonly known by the DDN, further disproving any claims of legitimate interest by the Respondent.

In addition to this, based on the information provided by the Complainant, the website which the DDN leads to, displays the logo associated with the Complainant’s mark entirely, as well as a design and color scheme which is widely used by Complainant in the trademark. While the Respondent contends that the website includes a disclaimer stating that; “*we openly identified ourselves as an **independent third-party reseller** of imported skincare products*”, there was no such disclaimer found in the Annexures, clarifying a lack of relationship between the Claimant and the Respondent. Coupled with the fact, that prior Panels have even disregarded the incorporation of similar disclaimers if they were not clear and prominently displayed. (see *Thor Tech Inc. v. Eric Kline, WIPO Case No. D2023-4275*).

The Respondent also further contends to have been; offering genuine trademarked goods, they disclosed their identity, not attempting to sell the domain name and they had filed for a local trademark in good faith. To address the first two points, the Panel refers to *Ok! Data Americas,*

Inc. v. ASD, Inc., WIPO Case No. D2001-0903, which provides widely accepted guidelines to determine whether the reseller has a legitimate interest in the DDN. For that the, Respondent must;

- (i) Actually offer the trademarked goods or services;
- (ii) Use the site to sell only the trademarked goods;
- (iii) Clearly disclose its relationship with the trademark owner; and
- (iv) Avoid attempting to corner the market in domain names.

The Panel, notes that the Respondent does not satisfy the second and third criterion since there is no evidence provided to the Panel, clarifying that the Respondent was only selling the trademarked products and also have failed in sufficiently disclosing their identity since there is no disclaimer provided in any of the Annexures provided by the Respondent, clarifying its relationship with the Complainant. Lastly, the receipt of an application for registration of a trademark, in Annexure 2, by the Respondent does not suffice to serve as evidence of good faith, or that the Respondent is the rightful owner of the CERAVE trademark, unlike Annex 4, given by the Complainant evidencing ownership rights over the same.

In summation, the Panel holds the Respondent's actions above as having the intent to mislead internet users to believe that the website is run by the Complainant, or that it is affiliated with the registered trademark. This negates the condition that the Respondent was *making a legitimate noncommercial or fair use of the domain name* (see WIPO Overview 3.0 Section 2.5.2).

Considering all the above arguments, the Panel therefore deduces that the Respondent does not have any legitimate interest in the DDN.

III. Registration and use in bad faith

The Complainant has made the following submissions:

Paragraph 4(a) (iii) of the Policy requires Complainant to prove that Respondent registered and used the disputed domain name in bad faith.

1) Registration in bad faith

Bad faith can be found where Respondent "knew or should have known" of Complainant's trademark rights and, nevertheless registered a domain name in which it had no rights or legitimate interest (WIPO Case No. D2009-0320, Research In Motion Limited v. Privacy Locked LLC/Nat Collicot; WIPO Case No. D2009 0113, The Gap, Inc. v. Deng Youqian).

It is implausible that Respondent was unaware of Complainant when it registered the disputed domain name.

Firstly, Complainant is well-known throughout the world (Annexes 3 and 4). In this regard, many panels have previously acknowledged Complainant's reputation worldwide, making it unlikely that Respondent was not aware of Complainant's rights in said trademark (WIPO Case No. D2014-1172, L'Oréal SA v. Yoyo.email, Giovanni Laporta, WIPO Case No. D2016-1721, Lancôme Parfums Beauté et compagnie and L'Oréal v. Din Mont and Yunleng Mercyk, WIPO Case No. D2021-1636, L'Oréal v. Privacy Service Provided by Withheld for Privacy ehf/ KHALID Ajan).

Secondly, the composition of the domain name , which entirely reproduces Complainant's trademark CERAVE, which is a highly distinctive mark, confirms that the Respondent was aware of Complainant and its trademark and its official domain name . It clearly demonstrates that Respondent registered the disputed domain name based on the attractiveness of the Complainant's trademark to divert internet traffic to its fake website. Prior panels have held that bad faith can be found where a domain name is so obviously connected with a well-known trademark that its very use by someone with no connection to the trademark suggests opportunistic bad faith (WIPO Case No. D2013-0091, LEGO Juris A/S v. store24hour; WIPO Case No. D2008-0226, Lancôme Parfums et Beauté & Cie, L'Oréal v. 10 Selling; WIPO Case No. D2006-0464, Caixa D'Estalvis I Pensions de Barcelona ("La Caixa") v. Eric Adam). Given the reputation of the CERAVE trademark, registration in bad faith can be inferred.

Thirdly, Complainant's CERAVE trademark registrations significantly predate the registration date of the disputed domain name (Annexes 1 and 4). In this regard, previous Panels have established that knowledge of Complainant's intellectual property rights, including trademarks, at the time of registration of the disputed domain name proves bad faith registration (WIPO Case No. D2008-0287, Alstom v. Domain Investments LLC, WIPO Case No. D2007-0077, NBC Universal Inc. v. Szk.com).

Under Section 2 of the ICANN Policy, it is established that when someone registers a domain name, he represents and warrants to the registrar that, to his knowledge, the registration of the domain name will not infringe the rights of any third party. It means that it was Registrant's duty to verify that the registration of the disputed domain name would not infringe the rights of any third party before registering said domain name (WIPO Case No. D2009-0901, Compagnie Gervais Danone contre Gueorgui Dimitrov / NETART; WIPO Case No. D2002 0806, Carolina Herrera, Ltd. v. Alberto Rincon Garcia; WIPO Case No. D2000 1397, Nike, Inc. v. B.B. de Boer).

A quick “CERAVE” trademark search would have revealed to Respondent the existence of Complainant and its trademark. Respondent’s failure to do so is a contributory factor to its bad faith (WIPO Case No. D2008-0226, Lancôme Parfums et Beauté & Cie, L’Oréal v. 10 Selling).

*Even supposing that Respondent was not aware of the possibility of searching trademarks online before registering a domain name, a simple search via Google or any other search engine using the keyword “CERAVE” demonstrates that all first results relate to Complainant’s products or news (**Annex 7**).*

In this day and age of the Internet and advancement in information technology, the reputation of brands and trademarks transcends national borders. Taking into account the worldwide reputation of Complainant and its trademark, as well as the high level of notoriety of Complainant, it is hard to believe that Respondent was unaware of the existence of Complainant and its trademark at the time of registration of the disputed domain name. It is most likely to be believed that Respondent registered the domain name based on the notoriety and attractiveness of the Complainant’s trademark to divert internet traffic to its fraudulent website.

In addition, the Respondent is not a first-time offender. He is currently involved in another UDRP proceeding and is known to have been named as a respondent in the DNDRC Case No. 2025-0019, in which the panel has examined similar conduct involving the registration and use of a domain name reproducing the CERAVE trademark without authorization. This pattern of repeated registrations targeting a well-known trademark further supports a finding that the disputed domain name was registered and is being used in bad faith.

Finally, Complainant submits that given Complainant’s goodwill and renown, and the nature of the disputed domain name, Respondent could simply not have chosen the domain name for any reason other than to deliberately cause confusion amongst Internet users as to its source in order to take unfair advantage of Complainant’s goodwill and reputation, which clearly constitutes bad faith.

Hence, in view of the above-mentioned circumstances, it is inconceivable that Respondent did not have Complainant’s trademark in mind at the time of registration of the disputed domain name.

Consequently, it is established that Respondent registered the disputed domain name in bad faith.

2) Use in bad faith

Previous Panels have considered that in the absence of any license or permission from Complainant to use such widely known trademark, no actual or contemplated bona fide or legitimate use of the domain name could reasonably be claimed (WIPO Case No. D2000-0055, Guerlain S.A. v. Peikang, WIPO Case N° D2008-0281, Alstom, Bouygues v. Webmaster).

It is submitted that Respondent is using the disputed domain name to intentionally attract Internet users to their website by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation or endorsement of the services offered on the Respondent's website, in accordance with paragraph 4(b)(iv) of the Policy.

The disputed domain name is virtually identical, or at least confusingly similar to Complainant's trademark CERAVE, and previous Panels have ruled that "a likelihood of confusion is presumed, and such confusion will inevitably result in the diversion of Internet traffic from Complainant's site to Respondent's site" (WIPO Case No. D2012-1765, MasterCard International Incorporated ("MasterCard") v. Wavepass AS; WIPO Case No. D2006-1095, Edmunds.com, Inc. v. Triple E Holdings Limited).

*As mentioned above, the disputed domain name resolves towards a fraudulent website that extensively copies elements from Complainant's official website, including the unauthorized use of its trademark, logo, and overall visual identity. The website presents itself as an official store distributing CeraVe products for Pakistan offering free shipping on all orders, along with a significant discount of 60%. It emulates Complainant's official website and contains a presentation of CeraVe and information on its products. Respondent did everything to make his website look official and therefore created a strong likelihood of confusion for CERAVE consumers who could believe that is the official website offering authentic products online intended for the Pakistani market. Additionally, Internet users may purchase these unauthorized goods by registering sensitive data on the website, such as their name, address and banking information. The possibility to collect such data demonstrate a high risk of phishing (**Annex 1**).*

Additionally, the website falsely presents itself as an official platform by displaying the copyright notice © CeraVe Pakistan, which misleadingly implies ownership or authorization from Complainant. Furthermore, the contact email listed as info@www.cerave-pakistan.com.pk reinforces this false representation, deceiving users into believing they are

*interacting with an official channel. These elements collectively contribute to a deceptive and unauthorized duplication of Complainant's identity (**Annex 1**).*

Due to the misleading nature of the website, it is likely to believe the products being sold are counterfeit goods. Respondent replicates visual elements of the official website and does not accurately disclose the relationship with the owner of the trademark under which the cosmetics products are being sold. The prices of the products offered for sale on the infringing website do not align with the prices of the same products offered on Complainant's official site <https://www.cerave.fr/>. In fact, the initial prices on the fraudulent website, prior to the offered discounts, are quite higher than the original products.

In light of this knowledge, Respondent has thus intentionally attempted to attract Internet users to the its website for commercial gain by creating likelihood of confusion with the Complainant's mark as to the affiliation or endorsement of either the Respondent or its website in accordance with Paragraph 4(b)(iv) of the Policy, and engaged in a potential phishing scheme in order to steal sensitive data from Internet users.

Similarly, reproducing famous trademarks in a domain name which resolves to a fraudulent website offering cosmetic products for sale under the name of Complainant, which have not been provided by Complainant nor by any official provider of official CERAVE products, and are most likely to be counterfeit goods cannot be regarded as fair use or use in good faith.

All aforementioned circumstances confirm that the disputed domain name is used in bad faith.

Consequently, it is established that the Respondent both registered and used the disputed domain name in bad faith in accordance with Paragraph 4(a)(iii) of the Policy.

The Respondent has made the following submissions.

I. Good Faith Business Conduct and Domain Registration

*Our company operates transparently and in full compliance with Pakistani laws. The domain Cerave Pakistan.com.pk was registered in good faith to offer Pakistani consumers access to authentic skincare products, including CeraVe, which are globally available. The name reflects the nature of the products offered and the geographical market we serve. At the time of domain registration, there was **no publicly available record** of a trademark for "CeraVe" in IPO Pakistan's online system. Based on this, we reasonably believed there was no barrier under local law to using the domain. Our company identity, contact details, and operations were always publicly visible and lawful (**Annexure 1**).*

*After being notified through our hosting provider about L'Oréal's concerns, we filed a **trademark application** for "**CeraVe Pakistan**", under Application No. **796579**, dated **10/02/2025 (Annexure 2)**. This step was taken as a proactive legal measure to regularize our business — not in bad faith.*

VII. Final Statement

*In light of the above facts and supporting documents, we respectfully request the Honourable Panel at DNDRC to **dismiss the Complaint** and allow us to retain and continue using the domain **cerave-Pakistan.pk**.*

*We have operated **within the bounds of Pakistani law**, acted in **good faith**, and demonstrated a clear intent to **resolve any issues responsibly**. Our trademark application was accepted **without opposition**, and we have **voluntarily adjusted** our business conduct to meet fair use standards.*

*We are committed to **transparency, compliance, and ethical business practices** and are open to implementing any additional disclaimers or suggestions DNDRC may advise*

The Complainant asserts that the Respondent has registered and is using the DDN in bad faith, citing the unauthorized use of its trademark and related goods. On the other hand, the Respondent states that the information was not available in the relevant authority's online database, at the time of registration and that the DDN is being used in good faith to sell genuine products.

In today's highly publicized and transparent world, where information regarding ownership of trademarks is widely available on search engines, coupled with the fact that the Complainant's CERA VE brand, owning the trademark has significant popularity and renowned globally, overturns the Respondent's contention above. Since such information is simply a search away, the Respondent cannot credibly claim to be unaware, to have been unaware of the Complainant's mark. Hence, the Respondent, "*knew or should have known*", that registration would be identical or confusingly similar to an already existing mark, which is indicative of a registration in bad faith. (See WIPO Overview 3.0 Section 3.2.2).

As far as the contention regarding the lack of information of the Complainant being registered in Pakistan in the public registry at the time, the Complainant has attached evidence in Annex 4, clearly displaying a valid registration in the jurisdiction of Pakistan, directly refuting the Respondent's claim.

The Panel further incurs paragraph 4(b)(iv) of the Policy believing that the intention of creating a website that mimics the Complainant's trademark, incorporating it fully, and acting to; *offer Pakistani consumers access to authentic skincare products, including CeraVe*, is only indicative of an effort to instill confidence amongst internet users and convince them that the Respondent is somehow affiliated with the Complainant and is selling authorized products with full knowledge of the Complainant. All of which points towards the Respondent's intent to unduly benefit from the Complainant's goodwill, and is indicative of bad faith, as established in (*WIPO Case No. D2012-1765, MasterCard International Incorporated ("MasterCard") v. Wavepass AS*; and *WIPO Case No. D2006-1095, Edmunds.com, Inc. v. Triple E Holdings Limited*).

Furthermore, the Respondent's use of the DDN to sell the Complainant's trademarked goods without disclosure, and disrupting the Complainant's business by using it as a medium to impersonate the Complainant, for commercial gain and to divert internet traffic as well as potential customers of the Complainant, towards the DDN, is further evidence of Bad faith. (see *GEA Group Aktiengesellschaft v. J.D., WIPO Case No. D2014-0357*).

Lastly, the Panel also considers that this is a recurring proceeding being held against the same Respondent. In a previous DNDRC Case No. 2025-0019, the Panel reviewed similar conduct of the Respondent of registering and using a domain name, reproducing the CERAVE without authorization to be constitutive of bad faith. This case, of a repeated registration targeting a well-known trademark, in and of itself, provides a conclusive finding of the DDN having been registered and used in bad faith.

Accordingly, the Panel concludes that the Respondent both; registered, and is using the DDN in bad faith.

7. Decision

Upon reviewing the contentions and supporting evidence submitted by both Parties, the Panel finds that the Complainant has successfully established all elements required under the PKNIC - Internet Domain Registration Policy and the UDRP. The Panel recognizes that the "CERAVE" mark is registered to the Complainant and the Respondent has no legitimate rights over it. Therefore, the continuous use of the DDN pertaining to the Complainant's registered trademark could result in hinderance in exercise of the rights of the Complainant in the trademark and could also jeopardize the reputation of the Complainant by amounting to confusion regarding the ownership of the DDN.

Taking all the above discussions into consideration, the Panel concludes and decides that:

1. The DDN is confusingly similar to the registered trademark of the Complainant;

2. The Respondent has no legitimate interest in the DDN, and;
3. The DDN was registered and is being used in bad faith.

Pursuant to Section 4 of the Policy, the Panel, therefore, recommends that PKNIC transfer the registration of the DDN <cerave-pakistan.com.pk> to the Complainant, as prayed, within 48 hours of receipt of this decision either by email or through its publication on the official website where it will be uploaded, www.dndrc.com/cases_resolved/, whichever is earlier. The Complainant shall also be at liberty to contact PKNIC for implementation of this decision.

Arbitrator: Ardavan D. Solan

Sole Panelist

Date: 29 April 2026