

Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2026-0014

Also in PDF C2026-0014

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 <ceravepakistan.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 3 April 2026. An administrative review of the Complaint was conducted and completed on 5 April 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 16 April 2026, DNDRC formally requested the Respondent's registration details from PKNIC on 16 April 2026. PKNIC provided the requested details on 19 April 2026.

DNDRC issued a formal notification of the dispute to the Respondent on 20 April 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 Complaint along with all relevant material was referred to the appointed arbitrator for review and decision on 11 May 2026. The arbitrator completed the review and issued a decision on 12 June 2026. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 12 June 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 <ceravepakistan.com.pk>, which reproduces Complainant's trademark CERA VE in its entirety, and associates it with the geographical term "Pakistan" not reducing the risk of any confusion. On the contrary, the composition of the domain name and the addition of the extension ".com.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, in addition to an active email server (**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. The hosting company complied with our request. However, the registrant re-configured the fraudulent site further to its deactivation (**Annexes 1 and 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 <ceravepakistan.com.pk> be transferred to the Complainant.

(b) Respondent

The Respondent did not make a submission.

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 <ceravepakistan.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).

*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 CERA VE in which the Complainant has rights, and therefore the condition of Paragraph 4(a)(i) is fulfilled..

The Respondent did not make a submission

The Complainant has proven that they have registered the "CERA VE" trademark in multiple jurisdictions, including in Pakistan since 2021. The Complainant also owns and operates a domain name in connection to its "CERA VE" trademark, by the name of; "cerave.fr" resulting in the Complainant being commonly known by the CERA VE brand and already in control of a domain name, associated with it, as shown in Annex 4.

A plain review of the DDN reveals that it incorporates the entirety of the Complainant's trademark, with the simple addition of the term(s) "pakistan" and ".com.pk", the latter of which is a country code Top-Level Domain (ccTLD).

To deduce confusing similarity between the DDN and the Complainant's trademark, the Panel refers to the test provided in Section 1.7 of the WIPO Overview 3.0; which states that; in order to determine confusing similarity between the DDN and a trademark, a side-by-side comparison of both, is required, considering whether the textual elements of the trademark are recognizable in the DDN. It further clarifies that where a domain name incorporates the entirety or a dominant feature of the trademark, the DDN 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 "CERA VE" mark has been incorporated into the DDN, qualifying an initial finding of confusing similarity between the DDN and the trademark. As such, where the finding of a dominant presence of the mark, with the DDN results in a finding of confusing similarity between the two, the Panel must further examine whether the additional suffix(s) can diminish such a finding. Hence we shall consider the term; "pakistan" for this evaluation, since the suffix of ".com.pk" is a ccTLD and 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" can be considered as a "geographical" "meaningless" or "descriptive" addition to the DDN, 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.

Lastly, 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 similar UDRP Proceedings.

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 <ceravepakistan.com.pk> 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 “.com.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.

*Furthermore, an email server has been configured on most disputed domain name, and thus, there might be a risk that Respondent is engaged in a phishing scheme (**Annex 1**). So, the disputed domain name is not used in any type of legitimate business or services.*

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 did not make a submission.

As iterated in Section 2.1 of the WIPO Overview 3.0; the overall burden of proof in UDRP proceedings, usually rests on the Complainant to prove that the Respondent lacks rights in the DDN. But if the same is mandated upon the Complainant to prove that the Respondent lacks any legitimate interest in the DDN, such a burden of proof would give rise to the phenomena of the Complainant having to; "prove a negative", since it would require information that is usually within possession or control of the Respondent. Hence, the Panel shall 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, and consequently shift the burden of proof on the latter to prove the same if the Complainant's rights have been substantiated and a case of the Respondent lacking the same, has been made. 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).

It has been established that the Complainant has been in the market for more than a century, operating through the L’Oreal brand, hence the Complainant has garnered significant reputation and goodwill for its business, as well as for its CERAVE trademark which has been associated with it since acquiring it in 2017. Hence, the Complainant has proven that it has been owning and been associated with the brand and the trademark for more than half a decade as of now. Due to a lack of response, the Respondent has not provided any evidence to this regard or that it had similar rights or having prior use of the DDN (WIPO Overview 3.0 Section 2.2) and (see *WIPO Case No. D2010-0746, Birkenstock Orthopädie GmbH & Co KG v. Chen Yanbing*).

In addition to this, based on the information provided by the Complainant, the website which the DDN leads to, displays the logo and trademark associated with the Complainant’s mark entirely, as well as a design and color scheme of the “CERAVE” brand. Secondly, the website, as shown in Annex 1 provided by the Complainant has no “unambiguous evidence” that the website, is “noncommercial in nature” leading the Panel to believe that the DDN was registered in order to unfairly profit from the Complainant’s reputation, by creating ambiguity regarding its source or sponsorship (See WIPO Overview 3.0 Section 2.5.3).

Hence, in summation, the Panel holds the Respondent’s actions above, as having the intent to mislead internet users or attracting traffic toward the DDN, by making them perceive that the website is run by the Complainant, or is associated with them. This negates the assumption that the Respondent was *making a legitimate noncommercial or fair use of the domain name* (see WIPO Overview 3.0 Section 2.5.2) and (see *WIPO Case No. D2013-0091, LEGO Juris A/S v. store24hour*).

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

I. 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 <ceravepakistan.com.pk>, 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 <cerave.fr>. 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 <ceravepakistan.com.pk> based on the notoriety and attractiveness of the Complainant’s trademark to divert internet traffic to its fraudulent website.

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 <ceravepakistan.com.pk> 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 <ceravepakistan.com.pk> is virtually identical, or at least confusingly similar to Complainant's trademark CERA VE, 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 up to 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 CERA VE consumers who could believe that <ceravepakistan.com.pk> 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**).*

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.

*Notably, one of the Complainant's customers fell victim to the Respondent's fraudulent scheme. The customer placed an order on the website available at <https://ceravepakistan.com.pk/>, which falsely claimed to be the official CERA VE store in Pakistan. Relying on this misrepresentation, the customer purchased products purported to be genuine CERA VE goods. However, the products received were counterfeit, including a fake CERA VE cleanser, and were moreover expired, thereby posing potential health and safety risks (**Annex 6**).*

The Respondent's bad faith is further and unequivocally demonstrated by the express content displayed on the website associated with the disputed domain name. The website prominently features the following notice: "We are only Original CeraVe Pakistan. Be aware of fake websites scamming customers with fake products."

This statement is manifestly false and deliberately misleading. By presenting itself as the "only Original CeraVe Pakistan", the Respondent falsely claims exclusivity and official status, while simultaneously attempting to discredit any legitimate or authorized channels of the Complainant. Such wording is plainly intended to reinforce consumer trust through deception, and to pre-empt suspicion by portraying the Respondent as a protector against fraud, when in fact the website itself is the source of counterfeit products.

The use of the disputed domain names to impersonate an official national presence of the Complainant, combined with the sale of counterfeit and expired products, constitutes compelling evidence of bad-faith registration and use. The Respondent's actions are aimed at unfairly capitalizing on the Complainant's trademark, disrupting its legitimate business, and misleading consumers, which fully satisfies the bad-faith requirement under the DNDRC Policy.

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 CERA VE products, and are most likely to be counterfeit goods cannot be regarded as fair use or use in good faith.

*Moreover, an email server has been configured on most disputed domain names and thus, there might be a higher risk that Respondent is engaged in a phishing scheme (**Annex 1**). Therefore, the use of an email address with the disputed domain names presents a significant risk where Respondent could aim at stealing valuable information such as credit cards from Complainant's clients or employees. Such risk has been recognized by prior Panel (WIPO Case No. D2017-1225, *Accor SA v. Domain Admin, C/O ID#10760, Privacy Protection Service INC d/b/a PrivacyProtect.org / Yogesh Bhardwaj*).*

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 did not make a submission.

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, displayed for sale on the DDN's website.

The Panel holds that the Respondent “*knew or should have known*” that the Complainant had a pre-existing trademark of “CERAVE” and registering the DDN would result in it being identical or confusingly similar to the Complainant's mark. This, coupled with the fact that it is highly unlikely for the Respondent to have known of the Complainant's ownership of the trademark as well as the Complainant's official website linked with the “CERAVE” trademark, which could also be found easily, on search engines, exhibits the fact that the Respondent did not take necessary steps to prevent the circumstance, above, negating any presumption of good faith in behalf of the Respondent, while registering the DDN. (See WIPO Overview 3.0 Section 3.2.2).

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 “CERAVE” products for sale as shown in Annex 1, that can either be trademarked or counterfeit, is a subsequent indicator of bad faith.

Furthermore, the text given on the lowermost portion of the DDN's website, only solidifies the claims made above, since it states that; “*We are only Original CeraVe Pakistan. Be aware of fake websites scamming customers with fake products*”. Such inferences not only, are evidently held as false or misleading, but are also 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 and affiliation of the Complainant. All of which, points

towards the Respondent's intent to unduly benefit from the Complainant's reputation, and is a further inference of the DDN's usage in 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*).

Concurrently, the DDN clearly incorporates the Complainant's brand, logo and colour scheme in order to offer the trademarked goods for sale and in order to appear closely similar to the Complainant's own website. This would create confusion amongst internet users as to the source, sponsorship, affiliation, or endorsement of the DDN with the Complainant. Such circumstances, further point at, the DDN being used in bad faith by the Respondent (see WIPO Overview 3.0 Section 3.1).

Lastly, the Panel notes that the Respondent's website may also require payment information to be entered by potential customers that would buy products from the DDN's website, creating further possibility that such data could be misused by the Respondent or collected for phishing purposes; such circumstances are further conducive and conciliatory, to the finding that the DDN was being used in bad faith (See WIPO Overview 3.0 Section 3.4)

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 the Complainant, 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 hindrance 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 <ceravepakistan.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: 12 June 2026