



**URS | DETERMINATION**  
(URS Procedure 9, URS Rules 13)

**URS DISPUTE NO. 4E78E66F**

Determination DEFAULT

**I. PARTIES**

Complainant: Elemis USA, Inc. (United States)  
Complainant's authorized representative: IP Twins (France)

Respondent: Contact Privacy Inc. Customer 0176424183 (Canada)

**II. THE DOMAIN NAME, REGISTRY OPERATOR AND REGISTRAR**

Domain Name: elemisus.shop  
Registry Operator: GMO Registry, Inc.  
Registrar: Tucows Domains Inc.

**III. PROCEDURAL HISTORY**

Complaint submitted: 22 October 2025  
Lock of the domain name: 23 October 2025  
Notice of Complaint: 23 October 2025  
Default Date: 7 November 2025  
Notice of Default: 10 November 2025  
Panel Appointed: 12 November 2025  
Default Determination issued: 13 November 2025

**IV. EXAMINER**

Examiner's Name: Bart Van Besien

The Examiner certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as the Examiner in this administrative proceeding.

**V. RELIEF SOUGHT**

The Complainant requests that the domain name be suspended for the balance of the registration period.

The Respondent has not submitted a Response.

**VI. STANDARD OF REVIEW**

Clear and convincing evidence.

**VII. DISCUSSIONS AND FINDINGS**

**A. Complainant:** The Complainant asserts the following: The Complainant is a cosmetics company and part of the L'Occitane group of companies. ELEMIS products are being sold in more than 20 countries worldwide, generating a turnaround of 86m USD in 2022. The Complainant owns numerous trademarks in the term ELEMIS, including the two registered trademarks referred to below as the

“ELEMIS Trademarks”, predating the registration of the disputed domain name. These trademarks are used worldwide through the Complainant’s website elemis.com.

**B. Respondent:** The Respondent did not file an administrative compliant (or any) Response and, thus, did not refute the claims of the Complainant.

**C. Procedural findings:**

Having reviewed the communications records, the Examiner finds that MFSD has discharged its responsibility under the URS Procedure paragraphs 3 and 4 and URS Rules paragraph 4.

In accordance with URS Rules Paragraph 9(d), in absence of a Response, the language of the Determination shall be English.

**D. Findings of fact:**

The disputed domain name was registered on 25 October 2025.

The Complainant has proved that it is the owner of the following registered trademarks (hereafter individually or collectively referred to as the “ELEMIS Trademark” or the “ELEMIS Trademarks”):

- International trademark ELEMIS No. 778031 (figurative trademark) registered on 26 March 2002, duly renewed and covering goods in international class 03;
- European trademark ELEMIS No. 014747133 (word trademark) registered on 16 March 2016 and covering goods in international classes 01, 05, and 30.

**E. Reasoning:**

Even though the Respondent has defaulted, URS Procedure 1.2.6 requires the Complainant to make a prima facie case, proven by clear and convincing evidence, for each of the following three elements to obtain an order that a domain name should be suspended:

**1. The domain name(s) is(are) identical or confusingly similar to a word mark**

URS 1.2.6.1 (i) covers the domain name at issue. The Complainant has submitted evidence that it holds at least one registered word trademark, namely European Union trademark ELEMIS No. 014747133.

The Complainant has submitted evidence of actual use of its ELEMIS Trademark (through screenshots of its website at uk.elemis.com).

The applicable Top-Level Domain (“TLD”) “.shop” is viewed as a standard registration requirement and is as such disregarded under the first element confusing similarity test.

The disputed domain name consists of the Complainant’s ELEMIS Trademark (word element “ELEMIS”, taken in its entirety) with the addition of the term “US”, referring to the US or United States. This term does not neutralize the confusing similarity between the Complainant’s ELEMIS Trademark and the disputed domain name. Rather, it enhances the confusing similarity since the term “US” refers to the country where the Complainant is based.

The Examiner finds that the disputed domain name is confusingly similar to the ELEMIS Trademarks (in particular, the European Union word trademark) of the Complainant and, therefore, the Complainant has met the first requirement of paragraph 1.2.6 of the URS Procedure.

**2. Respondent has no rights or legitimate interests to the domain name(s)**



The Complainant claims that the Respondent has no rights or legitimate interest in respect of the disputed domain name. According to the Complainant, the Respondent has not been authorized by the Complainant to register or use a domain name incorporating the ELEMIS Trademark; there is no contractual or business relationships between the Complainant and the Respondent; the Respondent has no prior trademark rights or legitimate interests in the disputed domain name. The domain is not used in connection with a bona fide offering of goods or services: it currently resolves to an error page and used to resolve to a website reproducing Complainant's trademarks and impersonating Complainant.

The Respondent has not submitted a Response to the Complaint and, thus, has failed to invoke any of the circumstances, which could demonstrate any rights or legitimate interests in the disputed domain name.

The Examiner notes that there is no evidence of any rights or legitimate interests of the Respondent in the disputed domain name. There is no evidence of any similar or identical trademarks owned by the Respondent. There is no indication of any authorization to use the Complainant's ELEMIS Trademarks. There is no indication that the Respondent is otherwise related to the Complainant's business. There is no evidence of the Respondent has been commonly known, as an individual, business or other organization, as "ELEMIS" or "ELEMISUS".

For all of the above reasons, the Examiner determines that, the Complainant has satisfied the second requirement of paragraph 1.2.6 of the URS Procedure and the Respondent does not have legitimate rights or interests to the domain name.

### **3. The domain name(s) was(were) registered and is(are) being used in bad faith**

The Complainant claims that the disputed domain name is being used in bad faith, since the Respondent has intentionally intended to attract consumers by using the ELEMIS Trademark in the disputed domain name.

The Complainant claims that the Respondent knew, or should have known, of the existence of the Complainant when registering the domain. The Complainant emphasizes that the disputed domain name reproduces the Complainants' ELEMIS trademark and used to resolve to a page impersonating the Complainant.

The Examiner notes that, in general terms, there are no circumstances known to the Examiner that refute the Complainant's claims of bad faith registration or bad faith use.

From the evidence submitted by the Complainant, it is clear that the Respondent did use the registered ELEMIS Trademarks on its website (i.e., the website available through the disputed domain name), together with pictures of products of the Complainant or of products competing with the Complainant's products bearing logo's containing the word ELEMIS.

The Examiner finds that the Respondent must have had constructive knowledge of the Complainant's registered ELEMIS Trademarks at the time of registration and use of the disputed domain name. This knowledge indicates the Respondent's bad faith use and registration.

The Examiner concludes that the Respondent has intentionally attempted to attract for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's registered ELEMIS Trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or of the products offered for sale on the Respondent's website. This is evidence of bad faith use and registration, in accordance with the paragraph 1.2.6.3 of the URS Procedure.

### **4. Abusive Complaint**

The Complaint was neither abusive nor contained material falsehoods.

## **VIII. DETERMINATION**

A. Demonstration of URS elements

Demonstrated

B. Complaint and remedy

Complaint: Accepts

Domain Name: elemisus.shop

Suspends for the balance of the registration period

C. Abuse of proceedings

Finding of abuse of proceedings: Not finds

D. Publication

Publication: Publish the Determination

## **SIGNATURE**

Name: Bart

Surname: Van Besien

Date: 13 November 2025