

## ADMINISTRATIVE PANEL DECISION

Victoria Beckham v. Sophia Edwards, Isabelle Wall, Phoebe Patel,  
Jacob Hyde, Amelia Abbott, and Tom Parker  
Case No. D2024-0507

### 1. The Parties

The Complainant is Victoria Beckham, United Kingdom, represented by Demys Limited, United Kingdom.

The Respondents are Sophia Edwards, Isabelle Wall, Phoebe Patel, Jacob Hyde, Amelia Abbott, and Tom Parker, Italy.

### 2. The Disputed Domain Names and Registrar

The disputed domain names <victoriabeckhambeautyargentina.com>, <victoriabeckhambeautyau.com>, <victoriabeckhambeautybelgie.com>, <victoriabeckhambeautybelgique.com>, <victoriabeckhambeautybrasil.com>, <victoriabeckhambeautybulgaria.com>, <victoriabeckhambeautycanada.com>, <victoriabeckhambeautychile.com>, <victoriabeckhambeautycolombia.com>, <victoriabeckhambeautycz.com>, <victoriabeckhambeautydanmark.com>, <victoriabeckhambeautyde.com>, <victoriabeckhambeautyeeesti.com>, <victoriabeckhambeautyesperana.com>, <victoriabeckhambeautyfrance.com>, <victoriabeckhambeautygreece.com>, <victoriabeckhambeautyhr.com>, <victoriabeckhambeautyhrvatska.com>, <victoriabeckhambeautyireland.com>, <victoriabeckhambeautyisrael.com>, <victoriabeckhambeautyitalia.com>, <victoriabeckhambeautyjapan.com>, <victoriabeckhambeautykuwait.com>, <victoriabeckhambeautylatvija.com>, <victoriabeckhambeautylithuania.com>, <victoriabeckhambeautymexico.com>, <victoriabeckhambeautynl.com>, <victoriabeckhambeautynorge.com>, <victoriabeckhambeautynz.com>, <victoriabeckhambeautyosterreich.com>, <victoriabeckhambeautyperu.com>, <victoriabeckhambeautypolska.com>, <victoriabeckhambeautyportugal.com>, <victoriabeckhambeautyromania.com>, <victoriabeckhambeautyschweiz.com>, <victoriabeckhambeautysk.com>, <victoriabeckhambeautyslovenija.com>, <victoriabeckhambeautysrbija.com>, <victoriabeckhambeautysuisse.com>, <victoriabeckhambeautysuomi.com>, <victoriabeckhambeautysverige.com>, <victoriabeckhambeautyturkiye.com>, <victoriabeckhambeautyuae.com>, <victoriabeckhambeautyuk.com>, <victoriabeckhambeautyuruguay.com>, and <victoriabeckhambeautyza.com> are registered with Alibaba.com Singapore E-Commerce Private Limited (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 31, 2024. On February 2, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 5, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted) and contact information in the Complaint.

The Center sent an email communication to the Complainant on February 5, 2024, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants, or, alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that the disputed domain names are under common control. The Complainant filed an amended Complaint on February 7, 2024.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondents of the Complaint, and the proceedings commenced on February 12, 2024. In accordance with the Rules, paragraph 5, the due date for Response was March 3, 2024. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on March 4, 2024.

The Center appointed Marilena Comanescu as the sole panelist in this matter on March 22, 2024. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

### 4. Factual Background

The Complainant, Victoria Beckham, is a British singer, fashion designer, television personality and a member of the Most Excellent Order of the British Empire.

In the 1990s, the Complainant was a member of the girl group Spice Girls, which became the best-selling female group of all time. The Complainant has starred in many documentaries and reality shows and, in 2008, the Complainant has launched her own fashion label, being named the Designer Brand of the Year in the United Kingdom in 2011.

Currently, the Complainant’s eponymous fashion and beauty products are carried in 230 stores in 50 countries worldwide, with dedicated personalized spaces in key department stores.

The Complainant owns worldwide trademark registrations for the mark VICTORIA BECKHAM, such as the following:

- European Union trademark registration number 002543320 for the words VICTORIA BECKHAM, filed on January 21, 2002, and registered on January 22, 2007, covering goods and services in International classes 9 and 41; and
- International trademark registration number 1163611A for the words VICTORIA BECKHAM, registered on June 14, 2012, covering goods in International classes 9, 18 and 25.

The Complainant owns over domain names consisting of or comprising VICTORIA BECKHAM, including the domain names <victoriabeckham.com> and <victoriabeckhambeauty.com>.

All the disputed domain names were registered on November 22, 2023.

At the time of filing the Complaint all the disputed domain names resolved to online shops, with almost identical content that only vary by the language used, copying the look and feel of the Complainant's official website at "www.victoriabeckhambeauty.com". Such websites also prominently displayed the Complainant's logo, mark, and copyright-protected images and product descriptions of the Complainant's goods; and did not provide any disclaimer that would accurately disclose the Respondents' lack of relationship with the Complainant.

## **5. Parties' Contentions**

### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainant contends that its VICTORIA BECKHAM trademark is highly distinctive and well known; the disputed domain names are confusingly similar to the Complainant's mark, as they are made up of the VICTORIA BECKHAM name and mark, the word "beauty" and a number of country names, either in English or the respective native language, or commonly used country codes. Such composition suggests that the websites under the disputed domain names are the Complainant's official websites in those countries, or are at least affiliated with or endorsed by the Complainant; that the Respondent has no rights or legitimate interests in the disputed domain names; and that the Respondent registered and is using the disputed domain names in bad faith to redirect Internet users to commercial websites, offering for sale prima facie counterfeit VICTORIA BECKHAM branded products, because products are sold at prices that are significantly lower than retail pricing; and the earliest VICTORIA BECKHAM mark predates the registration of the disputed domain names by approximately 16 years.

### **B. Respondents**

The Respondents did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **6.1 Procedural Issue: Consolidation of Multiple Respondents**

The amended Complaint was filed in relation to nominally different disputed domain name registrants. The Complainant alleges that the disputed domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names (i) were all registered on the same day; (ii) were created in a similar manner, starting with the Complainant's trademark VICTORIA BECKHAM, followed by the dictionary term "beauty" and, further by a geographical descriptor; (iii) are all used in the same manner, for online shops, with almost identical content, that copy the look and feel of the Complainant's website; and (iv) were registered with the same Registrar and use the same nameserver provider.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

## 6.2 Substantive Issues

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

### A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within each of the disputed domain names. Accordingly, each of the disputed domain names is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms here, such as "beauty", "argentina", "au" (potentially the country code for Australia), "belgie" ("Belgium" in Dutch), "belgique" ("Belgium" in French), "brasil" ("Brazil" in Portuguese), "bulgaria", "canada", "chile", "colombia", "cz" (potentially the country code for the Czech Republic), "danmark" ("Denmark" in Danish, "de" (potentially the country code for Germany), "eesti" ("Estonia" in Estonian), "espana" ("Spain" in Spanish), "france", "greece", "hr" (potentially the country code for Croatia), "hrvatska" ("Croatia" in Croatian, "ireland", "israel", "italia" ("Italy" in Italian), "japan", "kuwait", "latvija" ("Latvia" in Latvian), "lithuania", "mexico", "nl" (potentially the country code for Netherlands (Kingdom of the)), "norge" ("Norway" in Norwegian), "nz" (potentially the country code for New Zealand), "osterreich" ("Austria" in German), "peru", "polska" ("Poland" in Polish), "portugal", "romania", "schweiz" ("Switzerland" in German), "sk" (potentially the country code for Slovakia), "slovenija" ("Slovenia" in Slovenian), "srbija" ("Serbia" in Serbian), "suisse" ("Switzerland" in French), "suomi" ("Finland" in Finnish), "sverige" ("Sweden" in Swedish), "turkiye", "uae" (potentially the country code for the United Arab Emirates), "uk" (potentially the country code for the United Kingdom), "uruguay", and "za" (potentially the country code for South Africa), may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

According to the evidence provided in the Complaint, the Respondent has used the disputed domain names in connection with commercial websites promoting and offering for sale, most likely counterfeit goods branded with the Complainant’s trademark, displaying the Complainant’s trademark and copyrighted images, without any accurate and prominent disclaimer regarding the relationship between the Respondent and the Complainant. Panels have held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Further, the composition of the disputed domain names, which combines the Complainant’s trademark with a dictionary term referring to the Complainant’s products, and various geographical terms, suggests an affiliation with the Complainant. UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1.

The Panel finds the second element of the Policy has been established.

## **C. Registered and Used in Bad Faith**

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel finds that the disputed domain names were registered in bad faith, with knowledge of the Complainant and its trademark particularly because of their significant number, composition and date of registration. Furthermore, the use of the disputed domain names enforces such finding.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt “to attract, for commercial gain, Internet users to [the respondent’s] website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of [the

respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Given that the disputed domain names incorporate the Complainant's trademark with an additional term "beauty" related to the Complainant's industry and various geographical terms, and the websites operated under the disputed domain names display the Complainant's trademark and product images and descriptions, and copy the look and feel of the Complainant's official website, with no disclaimer and no information about the entity operating the websites under the disputed domain names, indeed in this Panel's view, the Respondent has intended to attract Internet users accessing the websites corresponding to the disputed domain names who may be misled into believing that such websites are held, controlled by, or somehow affiliated with or related to the Complainant, for the Respondent's commercial gain.

Paragraph 4(b)(ii) of the Policy provides another circumstance of bad faith registration and use when the respondent registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct. The Panel finds that registering for the 46 disputed domain names incorporating the Complainant's trademark, constitutes a pattern of abusive conduct of bad faith.

The Panel finds the third element of the Policy has been established.

## 7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <victoriabeckhambeautyargentina.com>, <victoriabeckhambeautyau.com>, <victoriabeckhambeautybelgie.com>, <victoriabeckhambeautybelgique.com>, <victoriabeckhambeautybrasil.com>, <victoriabeckhambeautybulgaria.com>, <victoriabeckhambeautycanada.com>, <victoriabeckhambeautychile.com>, <victoriabeckhambeautycolombia.com>, <victoriabeckhambeautycz.com>, <victoriabeckhambeautydanmark.com>, <victoriabeckhambeautyde.com>, <victoriabeckhambeautyeeesti.com>, <victoriabeckhambeautyesperana.com>, <victoriabeckhambeautyfrance.com>, <victoriabeckhambeautygreece.com>, <victoriabeckhambeautyhr.com>, <victoriabeckhambeautyhrvatska.com>, <victoriabeckhambeautyireland.com>, <victoriabeckhambeautyisrael.com>, <victoriabeckhambeautyitalia.com>, <victoriabeckhambeautyjapan.com>, <victoriabeckhambeautykuwait.com>, <victoriabeckhambeautylatvija.com>, <victoriabeckhambeautylithuania.com>, <victoriabeckhambeautymexico.com>, <victoriabeckhambeautynl.com>, <victoriabeckhambeautynorge.com>, <victoriabeckhambeautynz.com>, <victoriabeckhambeautyosterreich.com>, <victoriabeckhambeautyperu.com>, <victoriabeckhambeautypolska.com>, <victoriabeckhambeautyportugal.com>, <victoriabeckhambeautyromania.com>, <victoriabeckhambeautyschweiz.com>, <victoriabeckhambeautysk.com>, <victoriabeckhambeautyslovenija.com>, <victoriabeckhambeautysrbija.com>, <victoriabeckhambeautysuisse.com>, <victoriabeckhambeautysuomi.com>, <victoriabeckhambeautysverige.com>, <victoriabeckhambeautyturkiye.com>, <victoriabeckhambeautyuae.com>, <victoriabeckhambeautyuk.com>, <victoriabeckhambeautyuruguay.com> and <victoriabeckhambeautyza.com> be transferred to the Complainant.

*/Marilena Comanescu/*

**Marilena Comanescu**

Sole Panelist

Date: April 5, 2024