



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	27055-CDRP	Decision date: June 24, 2026
Domain Name:	essentialparfums.ca	
Panel:	Steven Levy	
Complainant:	Essential Parfums S.A.S.	
Registrant:	Andriy Azarov	

1. OVERVIEW

This matter concerns a registered domain, <insert> (the “Domain Name”).

This matter is a proceeding under the Canadian Dispute Resolution Policy (“CDRP”) and the Canadian Dispute Resolution Rules (“Rules”) of the Canadian Internet Registry Authority (“CIRA”). The Canadian International Internet Dispute Resolution Centre (“CIIDRC”) is a recognized service provider to the CIRA Domain Name Dispute Resolution Policy (the “Policy”) of the Canadian Internet Registration Authority (“CIRA”).

2. PROCEDURAL HISTORY

The procedural history of this case is as follows:

On April 22, 2026, counsel for the Complainant filed a Complaint pursuant to the CDRP and the Resolution Rules. The required commencement fee was paid on May 7, 2026. The complaint was in administrative compliance with CIRA’s requirements under Rule 3.2.

On May 7, 2026, CIRA was notified of this proceeding and on the same day, CIRA transmitted by email to CIIDRC its verification response informing that the registrant of the Disputed Domain Name is Andriy Azarov (the “Registrant”). CIRA also confirmed that the disputed domain name was placed on a Registrar LOCK and that the Domain Name has a Registration Date of 2025-12-23 (the “Registration Date”).

Pursuant to Resolution Rule 4.4, CIIDRC notified the Registrant of this administrative proceeding and forwarded a Notice of Complaint along with the Complaint to the Registrant on May 12, 2026.

The deadline for submitting a Response was set for June 1, 2026.

The Complainant in this administrative proceeding has elected for a Panel consisting of a single member.

On June 7, 2026, Dido Azarov requested that the Panel accept the late Response. A late Response was filed on June 15th.

On June 17, 2026, counsel for the Complainant filed the Complainant's Reply (additional submission).

On June 22, 2026, CIIDRC appointed Steven M. Levy as a single-member Panel in this matter and Mr. Levy duly completed the statement of impartiality and independence as required under Paragraph 7 of the Resolution Rules.

3. FACTS

The Complainant has been engaged in the creation, manufacture and worldwide distribution of luxury perfumes and related products since the company's founding in 2017. It operates three flagship boutiques in France and sells its products through 1200 authorized points of sale across over 80 countries, including Canada. The Complainant enjoys a strong digital presence, with over 81,800 followers on Instagram and approximately 227,000 visits over six months on its official website essentialparfums.com. Its activities have been widely covered in the press, including in articles by Scenrique, Parfum Exquis, Premium Beauty News and The Fragrance Foundation France.

On October 13, 2017, the Complainant filed a French base trademark for the mark "E ESSENTIAL PARFUMS PARIS" in a logo form. On February 5, 2018, the mark was registered as an international trademark under the Madrid Protocol (WIPO Reg. No. 1405282). On December 22, 2023, the Complainant designated Canada under the same international registration, extending protection to over 50 countries. The trademark was ultimately registered in Canada on January 20, 2026 as Reg. No. TMA1382369.

The disputed domain name was registered on December 23, 2025. It initially resolved to a website offering for sale the Complainant's products. On January 30, 2026 the Registrant sent an email to the Complainant inquiring about the possibility of becoming an authorized retail partner in Canada. The Complainant responded seeking additional information and the parties engaged in a brief further exchange of emails, the last of which was a message from the Registrant sent on February 9, 2026.

On April 10, 2026, the Complainant's counsel sent a cease-and-desist letter to the Registrant demanding removal of the essentialparfums.ca website and transfer of the domain name to the Complainant. Subsequent

to this letter, the Registrant changed the website content stating that it is now a “Niche Fragrance Journal – Independent Canadian Fragrance Editorial” and “an independent editorial coverage of niche and artisan perfumery - reviews, brand profiles, comparisons, and education from outside the commercial mainstream”. The new site has pages providing information about various perfume producers including one dedicated to the Complainant.

4. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant submits that the essentialparfums.ca domain name is confusingly similar to its E ESSENTIAL PARFUMS PARIS trademark, in which it has both registered and common law rights in Canada, as the domain name incorporates the most distinctive textual elements of the trademark, adding only the “.ca” TLD.

Further, the Registrant registered and is using the disputed domain name in bad faith where it had prior knowledge of the Complainant’s trademark and it hosted a website that displayed the Complainant’s trademark and logo, incorporated many photographs of the Complainant’s products, and offered the products for sale while creating confusion as to the source of the website. It further contacted the Complainant seeking to become an authorized distributor of its products only after it had registered the disputed domain name and it did not disclose its ownership of the domain name in its correspondence with the Complainant.

Finally, the Registrant has no rights or legitimate interests in the disputed domain name where it owns no relevant trademark rights, it is not commonly known by the domain name, and the above-mentioned website activity is not in good faith nor a *bona fide* offering of goods or services.

- **Registrant**

The Registrant acknowledges that the former commercial presentation of the essentialparfums.ca website may have created concerns about possible affiliation. However, it has offered the resale of genuine products, as permitted under general principles of Canadian trademark law, by purchasing them through distributors and suppliers in the United States and Canada and the website identified that the business was operated by Only Blooms Import Inc. The Registrant registered the domain name because it was available and because the Registrant expected that the parties might enter into a direct commercial relationship. The Registrant approached the Complainant to start buying products directly and to discuss a formal retail or distribution relationship in Canada. After receipt of the Complainant’s cease-and-desist correspondence, the Registrant immediately stopped using the domain name to sell Essential Parfums products and changed the website into a perfume and fragrance blog with editorial, informational, review, and comparison content. This current use falls within the type of non-commercial review, commentary, and informational use contemplated by paragraph 3.4(d) of the Policy. Finally, the Complaint relies on a Canadian semi-figurative trademark registration for “E

ESSENTIAL PARFUMS PARIS”, not a separate Canadian trade name registration in the exact form of the disputed domain name.

- **Complainant’s Additional Submission**

Despite the “About Us” and “Terms of service” pages on the Registrant’s initial website making mention of Only Blooms Import Inc., the site created initial interest confusion as it did not accurately and prominently disclose the Registrant’s relationship, or absence of relationship, with the Complainant and the site presented itself as the Complainant’s official Canadian presence. Further, the Registrant’s conversion of its site, after having received the cease-and-desist letter, does not establish a legitimate interest.

- **Remedy Sought**

The Complainant requests the Domain Name be transferred to it.

5. DISCUSSION AND FINDINGS

5.1 Eligibility

The Complainant is an eligible complainant under paragraph 1.4 of the CDRP as it owns a subsisting Canada Trademark Registration.

5.2 Requirements

In accordance with Paragraph 4.1 of the CDRP, the onus is on the Complainant to prove that:

- (a) the Domain Name is Confusingly Similar to a trademark or service mark in which the Complainant had rights prior to the date of registration of the Domain Name and continues to have such Rights:
and
- (b) the Registrant registered the Domain Name in bad faith.

and the Complainant must provide some evidence that:

- (c) the Registrant has no legitimate interest in the Domain Name.

The Panel will consider each of these requirements in turn. In doing so, it may rely on decisions under the Uniform Dispute Resolution Policy (UDRP) as many of the concepts applied are very similar to those applicable under the CDRP.

5.3 Analysis

5.3.1 Whether the Domain Name is Confusingly Similar to a Mark in which the Complainant has Rights

The first requirement of Paragraph 4.1(a) is that a complainant demonstrate its ownership of trademark or service mark rights prior to the date on which the Registrant acquired the disputed domain name. Producing into evidence a registration certificate from a national trademark authority has been held sufficient to satisfy this threshold requirement. *Sunspace Modular Enclosures Inc v. KB Sunspaces*, 15868-UDRP (CIIDRC Oct. 1, 2021) (“It is well established that a trademark will be accepted for this purpose if it has been registered with a recognized national or international authority.”) Complainant has submitted screenshots from both the World Intellectual Property Organisation (WIPO) Madrid database and the Canadian Intellectual Property Office (CIPO) website reflecting its ownership of registrations for the trademark E ESSENTIAL PARFUMS PARIS in a design format. In *Sunova Credit Union v. John Wimbush*, 13036-URDP (CIIDRC Dec. 16, 2020), the Panel adopted the view that “assessment of confusing similarity involves comparing the (alpha-numeric) domain name and the textual components of the relevant mark and that design or figurative/stylized elements which are incapable of representation in domain names are largely disregarded.” As the textual element “Essential Parfums” is highly prominent and clearly visible in the Complainant’s composite trademark registration, the Panel is satisfied that Complainant has rights in its asserted trademark. Further, while the Complainant’s Canadian trademark did not achieve registration until January 30, 2026, which is after the Registrant acquired the disputed domain name, it was applied for in 2023 and, in any event, the Complainant’s International (Madrid) Registration at WIPO is dated 2018 which is prior to the essentialparfums.ca registration date.

Next, it is argued that Respondent’s <essentialparfums.ca> domain name is identical or confusingly similar to Complainant’s trademark. Under Paragraph 3.3, it is important to note that, the Panel is to only consider whether a domain name so resembles the asserted trademark in appearance sound, or suggested ideas in determining whether that domain name is confusingly similar to the trademark. Adding a TLD, is typically insufficient to differentiate a disputed domain name from the asserted mark. *See In Loxone Electronics GmbH v. Heinz Kreutz*, 15909-CDRP (CIIDRC Sep. 18, 2021) (confusing similarity found where “the disputed domain name reproduces the trademark in its totality, namely, ‘LOXONE’”). The essentialparfums.ca domain name incorporates the most distinctive elements from the Complainant’s mark (i.e., “ESSENTIAL PARFUMS”) and adds only the “.ca” TLD. The fact that the essentialparfums.ca domain name differs from the Complainant’s own essentialparfums.com domain name by two characters in the TLD further enhances confusion. Upon consideration of the evidence presented, the Panel finds that Respondent’s domain name is confusingly similar to Complainant’s trademark under Paragraph 3.3 and, thus, under Paragraph 4.1(a) of the CDRP.

5.3.2 Whether the Registrant registered the Domain Name in Bad Faith

Paragraph 4.1(b) of the CDRP is satisfied when a Complainant demonstrates, by a balance of probabilities,

that the Registrant registered the disputed domain name in bad faith. The Policy provides four frequently occurring examples of bad faith scenarios in Paragraph 3.5 but these are not exclusive and other situations may still qualify. Of the listed examples, the one most applicable to the current situation is contained in Paragraph 3.5(d) which provides as follows:

(d) the Registrant has intentionally attempted to attract, for commercial gain, Internet users to the Registrant's website or other on-line location, by creating a likelihood of confusion with the Complainant's Mark as to the source, sponsorship, affiliation, or endorsement of the Registrant's website or location or of a product or service on the Registrant's website or location.

Prior Panels have held that hosting a website which falsely conveys the impression, to users, that it is the official site of a Complainant or of an authorized proxy, satisfies the standard of bad faith registration. See e.g., *Shopify Inc. v. Shahzaib Khan/ OSSOLS Private Limited*, 23070-UDRP (CIIDRC May 29, 2024) (bad faith found where and where "the Respondent's website has a similar look and feel to the Complainant's website" and offers the same goods or services). Here, the initial website to which the disputed domain name resolved displays the Complainant's E ESSENTIAL PARFUMS PARIS logo on each page, appears to copy many product images from the Complainant's own website, and offers these products for sale. The overall look and feel of the site echoes that of the Complainant's site in both color and layout and there is no immediate indication that the site is that of an unauthorized distributor rather than the Complainant itself.

Most telling, however, is the timing of events and the Registrant's correspondence with the Complainant. The Registrant's initial email, dated January 30, 2026, inquires after "the possibility of becoming an authorized retail partner in Canada." A response from the Complainant a couple of days later mentions that "[w]e are very selective if the partners we would like to expand with" and asks for "further information" including "a company profile + internet site" and also asks "[h]ow many points of sale do you have?". On February 5, 2026, the Registrant replied with "Website: <https://onlyblooms.ca>" and "[w]e are currently operating an online boutique." A few days later, the Complainant states "I visited your website and came across our brand." The correspondence continues for a few more days but terminates with the Registrant's February 9, 2026 email following up with the Complainant "regarding sourcing and distribution." In its Response, the Registrant argues that:

The correspondence demonstrates a legitimate attempt to purchase directly and potentially become an authorized retail partner in Canada. The Complainant's sales assistant requested business information and stated that the request would be reviewed, rather than rejecting the request or demanding that Only Blooms cease selling products.

The Panel views the situation differently. First, as the Complainant correctly points out, "the Registrant never disclosed to the Complainant that it had already registered the disputed domain name and was operating a commercial website under the name "Essential Parfums Canada" reproducing the Complainant's trademark, logo and overall set-up." This implies that the Registrant was not only withholding important information from

the Complainant, but was actively misleading it by limiting its disclosure to its company's onlyblooms.ca site as its "online boutique" in response to the Complainant's explicit query regarding its "internet site" and "point of sale". Second, the timing of events, in which the Registrant first obtained a domain name that mimics the address of Complainant's official website and subsequently made an inquiry about a potential business relationship between the parties, bears the distinct scent of a plan to eventually use the disputed domain name as leverage in such discussions. When all of the circumstances of this case are considered, the Panel concludes that they tip the scales decidedly towards a finding that the Registrant knew of the Complainant and its trademark and that it acted with intent to target the same in bad faith when it registered the disputed domain name.

Finally, the Registrant's alteration of its website after receiving the Complainant's cease-and-desist letter and being placed on notice of the present dispute does not cleanse the bad faith nature of its registration. *MOKVEZA LTD v. Olga Kotliarova*, UDRP-108483 (CAC Mar. 27, 2026) ("Panels have consistently held that the removal or deactivation of a website after notice of a dispute does not cure prior bad faith use.")

5.3.3 Whether there is Some Evidence that the Registrant has No Legitimate Interest in the Domain Name

Paragraph 4.1(c) of the CDRP states that "[t]o succeed in the Proceeding, the Complainant must prove, on a balance of probabilities, that "the Registrant has no legitimate interest in the domain name as described in paragraph 3.4." Paragraph 3.4 provides seven examples of scenarios, any one of which, if supported by evidence, could lead to the conclusion that the Registrant has a legitimate interest in the Domain Name. It is to be noted that in paragraphs 3.4(a), (b), (c), and (d), there is a requirement that the Registrant used the Domain Name "in good faith", *Indeed, Inc. v. Julie Derouin*, DCA-1899-CIRA (CIRA August 28, 2017), but the Panel has, in the previous section, already determined this to not be the case here. In support of its claim that Respondent has no legitimate interest in the disputed domain name, Complainant asserts that "[t]he Registrant has never held any trademark registration, nor acquired any common law rights, in the name 'Essential Parfums' and [Complainant] has never authorized, licensed, or otherwise permitted the Registrant to use the mark in any manner." It continues to assert that "'Essential Parfums' is not a descriptive expression in either English or French, nor is it understood in Canada to be the generic name of any wares, services, or business" and, in support, it cites the Registrant's own actions in using the Complainant's logo and making inquiries about becoming an authorized dealer as recognition that the phrase has significant value as and functions as a trademark. Next, there is no indication that the Complainant's mark is a term that is "understood in Canada to be the generic name" of any "wares, services or business". The Complainant further points out that the domain name is not the "legal name of the Registrant" and that the Registrant is not commonly identified by the disputed domain name as it claims to only operate under the name "Only Blooms Import Inc." and the Whois record for the domain name identifies the Registrant as Andriy Azarov. It appropriately cites to *Madonna Ciccone v. Dan Parisi*, D2000-0847 (WIPO Oct. 12, 2000) for the proposition that a Registrant's improper use of a trademark cannot bootstrap it into a claim that it is commonly identified by that mark. There is also no

indication that “the domain name was the geographic name of the location of the Registrant’s non-commercial activity or place of business.”

Finally, the Complainant claims that the Registrant’s original website “was a near-complete replica of the Complainant’s official website at essentialparfums.com” as it displayed the Complainant’s trademark logo and many images of its products which appear identical to those on its official website. In its Response, the Registrant “acknowledges that the former commercial presentation of the website may have created concerns about possible affiliation” but counters that it is “a genuine retailer” offering “genuine goods” for sale. It “refers to the principles discussed in *Okidata Americas, Inc. v. ASD, Inc.*, WIPO Case No. D2001-0903, which recognizes that a reseller of genuine branded goods may, in appropriate circumstances, have a legitimate interest in a domain name used in connection with a bona fide offering of those goods” and that this “confirms that genuine resale activity is relevant and should not be treated as equivalent to classic cybersquatting.”

While the evidence in this case does not suggest that the Respondent has engaged in classic cybersquatting (e.g., fraud, counterfeiting, misdirection to gambling or pornography, etc.), its actions fall short of the standard for distributors as set out in the *Okidata* test or even the more holistic approach proposed in *Dashing Joys Limited and Imiracle (Shenzhen) Technology Co., Ltd v. Mohammad Zafar*, UDRP-107605 (CAC July 16, 2025) (the “lostmarydirect.com” case). To satisfy the *Okidata* test, a Registrant claiming to be a distributor of the Complainant’s goods or services:

- i. must actually be offering the goods or services at issue;
- ii. must use the site to sell only the trademarked goods or services, otherwise it could be using the trademark to bait Internet users and then switch them to other goods or services;
- iii. must accurately disclose the relationship between the registrant and the trademark owner; and
- iv. must not try to corner the market in all domain names, thus depriving the owner of the trademark from reflecting its own mark in a domain name.

Id.

The third element of the *Okidata* test has been the subject of significant discussion and, rather than require a formal and prominent disclaimer of relationship, some Panels have taken the more holistic approach suggested in the lostmary.com decision and considered whether the overall impression of a respondent’s website content conveys the message that it is not affiliated with the trademark owner for the promoted goods or services. Here, as noted, the first version of Registrant’s website displayed the Complainant’s trademark logo at the top, images of its products (many of which appear to have been copied from the Complainant’s own site), used similar colors and layout, and identified itself as “Essential Parfums Canada” along with use of the email address “wecare@essentialparfums.ca”. From the evidence presented, a potential customer visiting the site would not find any indication that the site is not operated by the Complainant unless they clicked on the “About Us” or “Terms of service” links to find the phrase “Essential Parfums Canada is operated by OnlyBlooms Import Inc.” While correctly identifying the Registrant as operator of the site, the language is not prominent on the

home page of the site and is somewhat vague as it does not clearly state that the Registrant has no relationship with the Complainant. It is also noted that the essentialparfums.ca domain name differs from the Complainant's official essentialparfums.com web address by two letters leading to initial interest confusion as to its origin. From this, the Panel finds that the Registrant's site does not meet either the *Oki Data* or *lostmary.com* standards for fair use of a trademark by a distributor but, rather, creates the impression that it is an official website of the Complainant.

Finally, the Registrant's alteration of its website to appear as a "non-commercial review, commentary, and informational" page, after being placed on notice of the present dispute by the Complainant's cease-and-desist letter, does not cure its earlier actions and create a legitimate noncommercial or fair use of the disputed domain name under paragraph 3.4(d) of the CDRP.

Based on the evidence and information before it, the Panel finds that the Complainant has made a *prima facie* showing that the Registrant lacks rights or legitimate interests in the disputed domain name under Paragraph 4.1(c) of the CDRP which has not been adequately rebutted by the Registrant.

6. DECISION and ORDER

For the above reasons, in accordance with Paragraph 4 of the CDRP, Paragraph 12 of the Resolution Rules, the Panel orders that the disputed domain name be transferred to the Complainant.

Made as of June 24, 2026

SIGNATURE OF PANEL



