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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

NANNETTE MCKEE, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BYOMA US, INC. and DOES 1 through 10, inclusive,

Defendants.

Case No. 26STCV15678

CLASS ACTION COMPLAINT

1. VIOLATION OF CALIFORNIA FALSE ADVERTISING LAW, BUSINESS AND PROFESSIONS CODE § 17500, et. seq.
2. VIOLATION OF CALIFORNIA UNFAIR COMPETITION LAW, BUSINESS AND PROFESSIONS CODE § 17200, et seq.
3. VIOLATION OF CALIFORNIA CONSUMERS LEGAL REMEDIES ACT, CIVIL CODE § 1750, et seq.

Plaintiff Nannette Mckee ("Plaintiff"), individually and on behalf of all other similarly situated purchasers (the "Class" and "Class Members"), brings this class action lawsuit against BYOMA US, Inc. ("Defendant"), and alleges as follows:

I. NATURE OF THE ACTION

1. Plaintiff brings this consumer protection action against Defendant for its false, misleading, and deceptive marketing and sale of skincare products, which are branded, labeled, and advertised as "oil-free" and/or "alcohol-free."

2. The challenged marketing conveys the net impression that Defendant's Products are specially formulated to be free of oil and/or alcohol in any form—an expectation rooted in the plain meaning of the marketed terms "oil-free" and "alcohol-free."

3. In reality, however, Defendant's Products contain ingredients that are oils, alcohols, or derivatives thereof, which is inconsistent with how consumers understand the plain meaning of the terms "oil-free and "alcohol-free." These ingredients are not readily identifiable by consumers, who lack specialized knowledge of chemistry or cosmetic science, and instead reasonably rely on Defendant's representations.

4. By making and reinforcing the challenged marketing, Defendant has induced consumers, including Plaintiff, to purchase the Products and to pay a price premium for products they reasonably believed were "oil-free" and/or "alcohol-free." Plaintiff and other consumers would not have purchased the Products, or would have paid less for them, had they known Defendant's products were not free of oils or alcohols. As a result, Defendant's conduct has caused economic injury to Plaintiff and the proposed Class and has conferred upon Defendant an unfair competitive advantage.

5. Accordingly, Plaintiff brings this action on behalf of herself and all others similarly situated to seek relief under California's Consumers Legal Remedies Act, Cal. Civ. Code § 1750, et seq.; Unfair Competition Law, Cal. Bus. & Prof. Code § 17200, et seq.; and False Advertising Law, Cal. Bus. & Prof. Code § 17500, et seq.

II. THE PRODUCTS AT ISSUE

6. The products at issue are the following products as identified by product name on the front label of each product:

(1) BYOMA Moisturizing Gel-Cream

(2) BYOMA Creamy Jelly Cleanser

(3) BYOMA Hydrating Serum

(4) BYOMA Balancing Face Mist

(5) BYOMA Phyto-Mucin Glow Serum

(6) BYOMA Barrier Repair Eye Cream

(7) BYOMA Barrier+ Repair Treatment

(8) BYOMA Brightening Body Lotion

(9) BYOMA Brightening Serum

(10) BYOMA Brightening Toner

(11) BYOMA Clarifying Serum

(12) BYOMA De-Puff + Brighten Eye Gel

(13) BYOMA Hydrating Body Lotion

(14) BYOMA Hydrating Body Wash

(15) BYOMA Hydrating Milky Toner

(16) BYOMA Hydrating Recovery Oil

(17) BYOMA Melting Balm Cleanser

(18) BYOMA Milky Moisture Cleanser

(19) BYOMA Milky Oil Cleanser

(20) BYOMA Moisturizing Rich Cream

(21) BYOMA Nourishing Body Oil

(22) BYOMA Sensitive Retinol Oil

(23) BYOMA Sensitive Skin Body Lotion

(24) BYOMA Sensitive Skin Body Wash

(25) BYOMA Smoothing Body Polish

(26) BYOMA Smoothing Body Serum

(27) BYOMA Ultralight Face Fluid SPF 30

(28) BYOMA Ultralight Face Fluid SPF 50

(collectively, the "Products").

7. During the Class Period—defined herein as the four (4) years preceding the filing of this Complaint—Defendant, through an extensive, uniform, and nationwide marketing campaign, marketed as being "oil-free" and/or "alcohol-free."

8. The Products are offered for sale through various channels, including directly on BYOMA's website, and through third party retail outlets and internet websites.

III. THE CHALLENGED MARKETING AND ADVERTISING

A. The Products and the "Oil-Free" Representations

9. Defendant prominently represents that the Products are "Oil-Free" on product labels, packaging, and on Defendant's website. On the product webpages and related marketing materials, Defendant reinforces the "Oil-Free" representation alongside claims such as "light weight oil-free moisturizer." These representations are uniform, standardized, and directed to all consumers in California. These "oil-free" representations are herein collectively referred to as the "Oil-Free Claims."

10. The Oil-Free Claims for each of the Products are set forth in the attached Exhibit 2 hereto, incorporated herein by reference. True and correct images of the packaging, labels and website pages containing the Oil-Free Claims are attached hereto as Exhibit 1, incorporated herein by reference.

B. The Products Contain Oils and Oil-Derived Ingredients

11. Contrary to Defendant's "Oil-Free" representations, the Products contain multiple ingredients that are chemically classified as oils or oil-derived substances, including the following:

(1) The BYOMA Moisturizing Gel-Cream contains, inter alia:

1. Caprylic/Capric Triglyceride
2. Pentaerythrityl Tetraethylhexanoate
3. Oleic Acid
4. Cetearyl Alcohol

(2) The BYOMA Hydrating Serum contains, inter alia:

1. Squalane
2. Glyceryl Oleate
3. Caprylic/Capric Triglyceride
4. Cholesterol
5. Oleic Acid
6. Polyglyceryl-4 Oleate
7. Hydrogenated Rapeseed Alcohol

(3) BYOMA Balancing Face Mist contains, inter alia:

1. Caprylic/Capric Triglyceride
2. Oleic Acid

(4) BYOMA Brightening Serum contains, inter alia:

1. Caprylic/Capric Triglyceride
2. Cholesterol
3. Squalane
4. Tocopherol
5. Oleic Acid
6. Polyglyceryl-10 Laurate

12. The ingredients in the Products that are chemically classified as oils or oil-derived substances are identified in Exhibit 2, attached hereto and incorporated herein by reference.

13. These ingredients are hydrophobic, lipid-based, or oil-derived substances commonly understood within cosmetic science to be oils or oil-like emollients.

14. The inclusion of these ingredients directly contradicts the Products' Oil-Free Claims.

C. The Products and the "Alcohol-Free" Representations

15. Defendant prominently and repeatedly represents that the Products are "Alcohol-Free" on product labels, packaging, and on Defendant's website. These representations are uniform in substance and presentation and are referred to herein collectively as the "Alcohol-Free Claims."

16. These representations are uniform, standardized, and directed to all consumers in California. These "oil-free" representations are herein collectively referred to as the "Oil-Free Claims."

17. The Alcohol-Free Claims for each of the Products are set forth in the attached Exhibit 2 hereto, incorporated herein by reference. True and correct images of the packaging, labels and website pages containing the Alcohol-Free Claims are attached hereto as Exhibit 1, incorporated herein by reference.

D. The Products Contain Alcohols and Alcohol-Derived Ingredients

18. Contrary to Defendant's "Alcohol-Free" representations, the Products contain multiple ingredients that are chemically classified as alcohols or alcohol-derived substances, including the following:

(1) The BYOMA Moisturizing Gel-Cream contains, inter alia:

1. Glycerin
2. Polyglyceryl-3 Methylglucose Distearate
3. Cetearyl Alcohol
4. 1,2-Hexanediol
5. Tromethamine
6. Hydroxyacetophenone

(2) The BYOMA Creamy Jelly Cleanser contains, inter alia:

1. Propylene Glycol
2. Glycerin
3. Phenoxyethanol
4. Lactic Acid
5. Cocamide Methyl MEA
6. Decyl Glucoside

(3) The BYOMA Hydrating Serum contains, inter alia:

1. Glycerin
2. Butylene Glycol
3. Ethylhexylglycerin
4. Tocopherol
5. Dipropylene Glycol
6. Polyglyceryl-4 Oleate
7. Caprylyl Glycol
8. Hydrogenated Rapeseed Alcohol
9. Lactic Acid

(4) BYOMA Balancing Face Mist contains, inter alia:

1. Butylene Glycol
2. Propanediol
3. 1,2-Hexanediol
4. Glycerin
5. Sorbitol
6. Panthenol
7. Phytosphingosine

(5) The BYOMA Phyto-Mucin Glow Serum contains, inter alia:

1. Methylpropanediol
2. 1,2-Hexanediol
3. Glycerin
4. Propanediol
5. Butylene Glycol

6. Propylene Glycol
7. Glycereth-25 PCA Isostearate
8. Sodium Lactate
9. Caprylyl Glycol
10. Ethylhexylglycerin

(6) The BYOMA Barrier Repair Eye Cream contains, inter alia:

1. Glycerin
2. Propanediol
3. Ethylhexylglycerin
4. Dipropylene Glycol
5. Butylene Glycol
6. Stearyl Alcohol
7. Cetearyl Alcohol
8. Glycereth-26
9. 1,2-Hexanediol

(7) The BYOMA Barrier^{+} Repair Treatment contains, inter alia:

1. Behenyl Alcohol
2. Ethylhexylglycerin
3. Glycerin
4. Butylene Glycol
5. Dipropylene Glycol
6. Butylene Glycol Dicaprylate/Dicaprate
7. Arachidyl Alcohol
8. Caprylyl Glycol
9. 1,2-Hexanediol
10. C14-22 Alcohols
11. Cetearyl Alcohol

(8) The BYOMA Brightening Body Lotion contains, inter alia:

1. Cetearyl Alcohol
2. Geraniol
3. Linalool
4. Glycerin
5. Diglycerin
6. Phenoxyethanol
7. Benzyl Alcohol
8. Caprylyl Glycol
9. Ethylhexylglycerin

(9) The BYOMA Brightening Serum contains, inter alia:

1. Methylpropanediol
2. 1,2-Hexanediol
3. Ethylhexylglycerin
4. Glycerin
5. Caprylyl Glycol

(10) The BYOMA Brightening Toner contains, inter alia:

1. Dipropylene Glycol
2. 1,2-Hexanediol
3. Sodium Lactate
4. Glycerin
5. Diglycerin
6. Ethylhexylglycerin

(11) The BYOMA Clarifying Serum contains, inter alia:

1. Glycerin
2. 1,2-Hexanediol
3. Glyceryl Caprylate
4. Ethylhexylglycerin
5. Caprylyl Glycol

(12) The BYOMA De-Puff + Brighten Eye Gel contains, inter alia:

1. Dipropylene Glycol
2. Butylene Glycol
3. 1,2-Hexanediol
4. Glycerin
5. Ethylhexylglycerin
6. Caprylyl Glycol

(13) The BYOMA Hydrating Body Lotion contains, inter alia:

1. Cetyl Alcohol
2. Geraniol
3. Linalool
4. Glycerin
5. Phenoxyethanol
6. Benzyl Alcohol
7. Ethylhexylglycerin
8. Caprylyl Glycol
9. 1,2-Hexanediol

(14) The BYOMA Hydrating Body Wash contains, inter alia:

1. Glycerin
2. Anhydroxylitol
3. Xylitol
4. Propanediol
5. 1,2-Hexanediol
6. Caprylyl Glycol
7. Phenoxyethanol

(15) The BYOMA Hydrating Milky Toner contains, inter alia:

1. Cetyl Alcohol
2. Geraniol
3. Linalool
4. Glycerin

5. Phenoxyethanol
6. Benzyl Alcohol
7. Ethylhexylglycerin
8. Caprylyl Glycol
9. 1,2-Hexanediol

(16) The BYOMA Hydrating Recovery Oil contains, inter alia:

1. Dipropylene Glycol
2. Caprylyl Glycol
3. Ethylhexylglycerin

(17) The BYOMA Melting Balm Cleanser contains, inter alia:

1. 1,2-Hexanediol
2. Tocopheryl Acetate

(18) The BYOMA Milky Moisture Cleanser contains, inter alia:

1. Tocopherol
2. Cetyl Alcohol
3. Cetearyl Alcohol
4. Arachidyl Alcohol
5. Panthenol
6. Glycerin
7. Caprylyl Glycol
8. Ethylhexylglycerin
9. Dipropylene Glycol
10. 1,2-Hexanediol
11. Butylene Glycol

(19) The BYOMA Milky Oil Cleanser contains, inter alia:

1. Ethylhexylglycerin

(20) The BYOMA Moisturizing Rich Cream contains, inter alia:

1. Glycerin
2. Caprylyl Glycol
3. Ethylhexylglycerin
4. Cetearyl Alcohol
5. Dipropylene Glycol

(21) The BYOMA Nourishing Body Oil contains, inter alia:

1. Geraniol
2. Linalool

(22) The BYOMA Sensitive Retinol Oil contains, inter alia:

1. Dimethyl Isosorbide

(23) The BYOMA Sensitive Skin Body Lotion contains, inter alia:

1. Cetyl Alcohol
2. Glycerin
3. Benzyl Alcohol
4. Ethylhexylglycerin
5. Caprylyl Glycol

(24) The BYOMA Sensitive Skin Body Wash contains, inter alia:

1. Glycerin
2. Panthenol
3. Propanediol

(25) The BYOMA Smoothing Body Polish contains, inter alia:

1. Propanediol
2. Glycerin
3. Panthenol

(26) The BYOMA Smoothing Body Serum contains, inter alia:

1. Butylene Glycol
2. Glycerin
3. Diglycerin
4. Benzyl Alcohol

(27) The BYOMA Ultralight Face Fluid SPF 30 contains, inter alia:

1. Glycerin
2. Propanediol
3. Caprylyl Glycol
4. Methylheptylglycerin
5. 1,2-Hexanediol

(28) The BYOMA Ultralight Face Fluid SPF 50 contains, inter alia:

1. Glycerin
2. Propanediol
3. Caprylyl Glycol
4. Methylheptylglycerin
5. 1,2-Hexanediol

19. The ingredients in the Products that are chemically classified as alcohol or alcohol derived substances are identified in Exhibit 2, attached hereto and incorporated herein by reference.

20. These ingredients are commonly understood within cosmetic science to be alcohols or alcohol-derived.

21. The inclusion of these ingredients directly contradicts the Products' Alcohol-Free Claims.

E. Reasonable Consumer Interpretation

22. The Oil-Free Claims and Alcohol-Free Claims are collectively referred to herein as the "Challenged Representations."

23. Reasonable consumers understand the Challenged Representations to mean that the Products do not contain oils and/or alcohols in any form.

24. The net impression of the Challenged Representations that the Products do not contain oils and/or alcohols in any form is clear, categorical, and absolute.

25. Consumers interpret free-of claims such as "oil-free" and "alcohol-free" to mean free of all oils and alcohols, respectively, including other oil-derived ingredients such as lipids, esters, or triglycerides and other alcohol-derived ingredients.

26. Nor do reasonable consumers possess specialized knowledge of cosmetic chemistry sufficient to decode complex ingredient names such as Pentaerythrityl Tetraethylhexanoate, Caprylic/Capric Triglyceride, Polyglyceryl-3 Methylglucose Distearate, or Ethylhexylglycerin to determine whether they are oils, alcohols, or derivatives thereof.

27. California law does not impose on consumers a duty to conduct an ingredient-by-ingredient scientific analysis in order to correct misleading front-label claims. Where a product prominently represents that it is "Oil-Free" and/or "Alcohol-Free," consumers are entitled to rely on the respective affirmative representations without undertaking technical investigation.

28. As a result of the Challenged Representations, a significant portion of reasonable consumers would be misled into believing that Defendant's Products are free of oils and/or alcohols in any form. The Challenged Representations are therefore false, misleading, and deceptive, and thus unlawful.

F. Materiality

29. The Challenged Representations are material.

30. The Challenged Representations are material to reasonable consumers because claims regarding ingredient formulation are important to a significant portion of purchasers of skincare products.

31. A significant portion of reasonable consumers actively seek out, and are willing to pay a premium for, products marketed as "oil-free" as this terms signal lower-risk formulations. For example, consumers with skin that produce ample sebum and excessive oils seek out "oil-free" skincare products to avoid oil ingredients known to be pore-clogging and acne-causing.[1] Accordingly, dermatologists recommend oil-free skincare products for acne-prone individuals to

[1] https://www.aad.org/public/everyday-care/skin-care-basics/dry/oily-skin

control oil and prevent breakouts.[2] Individuals with eczema, rosacea, seborrheic dermatitis, and allergic contact dermatitis are further advised to seek oil-free formulations to avoid irritating the skin and exacerbating symptoms.[3] Moreover, many purchasers select oil-free products because they prefer fast-absorbing formulations that provide improved hydration and plump the skin.[4]

32. A significant portion of reasonable consumers actively seek out and are willing to pay a premium for products marketed as "alcohol-free". Consumer demand for "alcohol-free" skincare products continues to grow as consumers become increasingly health conscious and seek to avoid alcohols, such as phenoxyethanol, which Defendant's Products include, as alcohols are known to cause skin irritations and allergic reactions in adults, and affect the central nervous systems in infants.[5] Individuals with eczema and similarly sensitive or reactive skin are therefore often advised to avoid alcohols in cosmetic products because they cause irritant skin reactions.[6] Moreover, consumers increasingly seek natural, sustainable ingredients in beauty products, which has propelled the growth of the alcohol-free cosmetics market.[7] Finally, "alcohol-free" representations significantly affect Muslim consumers' purchasing decisions as halal practice forbids alcohol ingredients in cosmetic products.[8]

33. As a result, the Challenged Representations are material factors in consumers' purchasing decisions.

34. Through its false, misleading, and deceptive packaging, labeling, and marketing, Defendant sought to capitalize on consumers' concerns regarding ingredient formulations in skincare products, and thereby gained an unfair competitive advantage over other market participants.

[2] https://alldermatology.com/understanding-different-skin-types-why-your-skin-care-routine-matters/
[3] https://www.healthshots.com/beauty/skin-care/facial-oils-5-skin-problems-when-you-should-totally-avoid-them/
[4] https://www.skinelite.com/blog/all-about-oil-free-skin-care/?srsltid=AfmBOoo50YNaNj_xhuejkevI68lH-CynLi6S0Pwm0L26dGIZJ3zItLL9
[5] https://www.happi.com/breaking-news/consumer-demand-grows-for-alcohol-free-cosmetics/
[6] https://nationaleczema.org/blog/sunscreen-avoid-flaring/; https://www.healthhub.sg/health-conditions/skin_disorders_cosmetics_i
[7] https://www.einnews.com/pr_news/559500513/alcohol-free-cosmetics-market-future-growth-explored-in-latest-research-report-by-2027
[8] https://www.happi.com/breaking-news/consumer-demand-grows-for-alcohol-free-cosmetics/

35. Defendant's decision to prominently display "Oil-Free" and/or "Alcohol-Free" on the Products' labeling and website underscores the claim's importance in the marketplace. Defendant prominently features the "Oil-Free" and/or "Alcohol-Free" claims on labels, packaging, and website descriptions, demonstrating that Defendant itself considers the representation important to consumers' purchasing decisions.

36. Defendant's marketing and advertising campaign enabled it to sell the Products to thousands of consumers throughout California. The Products are sold at prices ranging from approximately $12.99 to $18.99 per unit.

37. In reliance on the Challenged Representations, Plaintiff and other California consumers purchased Products they otherwise would not have purchased, or paid more for the Products than they otherwise would have paid.

38. For the foregoing reasons, Defendant's Challenged Representations are false and misleading, and are likely to deceive reasonable consumers.

39. Accordingly, Defendant has engaged in conduct that violates California Business and Professions Code sections 17200 and 17500, as well as the Consumers Legal Remedies Act, Civil Code section 1750, et seq., including section 1770(a)(5) and (a)(7).

IV. SUMMARY OF NOTICE OF VIOLATIONS OF LAW

40. On December 16, 2025, Defendant was served by Plaintiff with written notices pursuant to Civil Code section 1750, et seq., which set forth Plaintiff's contentions. Plaintiff's letter was sent via certified mail with electronic return receipt to Defendant who acknowledged receipt. Defendant rejected Plaintiff's attempts to address the concerns stated herein and instead has allowed the Products to continue to be sold with full knowledge of the alleged claims.

41. Wherefore, unless and until enjoined by order of this Court, the false, misleading and deceptive marketing and advertising of the Products by Defendant (i.e., the Challenged Representations) will continue and cause great and irreparable injury to Plaintiff, the Members of the Class and other California consumers.

42. Therefore, Plaintiff brings this action challenging Defendant's claims relating to the Products on behalf of herself and all others similarly situated under Civil Code section 17500, et

seq., Business and Professions Code sections 17200, et seq. and Civil Code section 1770, subdivisions (a)(5) and (a)(7).

43. Wherefore, Plaintiff seeks an order in equity compelling Defendant to discontinue the conduct alleged herein.

44. Plaintiff further seeks an order in equity compelling restitution of the monetary amounts by which Plaintiff and the Class did not receive the value of the Products they paid for and by which Defendant has been unjustly enriched.

45. Plaintiff further seeks actual and punitive damages, pre- and post-judgment interest, attorney's fees, and costs.

V. THE PARTIES

A. Defendant

46. Defendant BYOMA US, Inc. is the owner and distributor of the Products and is the company that created and/or authorized the false, misleading, and deceptive advertisements and labeling for the Products alleged herein.

47. Plaintiff is further informed and believes and based thereon alleges that DOES 1 through 10 were and/or are, in some manner or way, responsible for and liable to Plaintiff for the events, happenings, and damages hereinafter set forth below. The true names and capacities, whether individual, corporate, associate or otherwise of certain manufacturers, distributors, and/or their alter egos sued herein as DOES 1 through 10 inclusive are presently unknown to Plaintiff who therefore sue this Defendant by fictitious names. Plaintiff will seek leave of this Court to amend the Complaint to show their true names and capacities when the same have been ascertained. Plaintiff is informed and believes and based thereon alleges that DOES 1 through 10 were authorized to do and did business in Los Angeles, California.

B. Plaintiff

48. Plaintiff Nanette Mckee is, and at all times relevant hereto was, a citizen of the state of California.

49. Plaintiff purchased the BYOMA Moisturizing Gel-Cream product.

50. Plaintiff purchased the Product multiple times from January 2023 up until present day. To the best of Plaintiff's recollection, Plaintiff purchased the BYOMA Moisturizing Gel-Cream in-store at Ulta retail locations.

51. Prior to and at the time of each purchase, Plaintiff considered the Challenged Representations. Plaintiff reasonably relied on the Challenged Representations in deciding to purchase the Products, and she would not have purchased the Products if the true facts had been known. As a direct result of Defendant's Challenged Representations Plaintiff suffered and continues to suffer, economic injuries.

52. Plaintiff would like to purchase the Products in the future. However, Plaintiff will be unable to rely on the Products' packaging, labels, or advertising in the future, and so will not purchase the Products although she would like to. Plaintiff understands that the truth and/or accuracy of the Challenged Representations as represented by Defendant could change over time and Plaintiff might purchase the Products, despite the fact they were once marred by false and/or misleading marketing, as she may reasonably assume, incorrectly, that the composition of the ingredients in the Products and/or capability to perform the represented claims changed. However, as long as Defendant continues to manufacture the Products with the same ingredients but promote the Products with the Challenged Representations, Plaintiff (and other consumers) will be unable to make informed decisions about whether to purchase the Products, and will be unable to evaluate the differences between the Products and competitors' products. Plaintiff and other consumers are therefore further likely to be repeatedly misled by Defendant's conduct, unless and until Defendant is enjoined from continuing to engage, use, or employ the practice of falsely marketing and advertising for sale of the Products.

VI. JURISDICTION

53. This Court has subject-matter jurisdiction over this action because the claims arise under California law and no federal question is presented.

54. This Court has personal jurisdiction over Plaintiff because Plaintiff is a citizen of California and submits to the Court's jurisdiction.

55. This Court has personal jurisdiction over Defendant. Defendant BYOMA US, Inc. is a corporation formed in Delaware. Defendant BYOMA US, Inc. is not registered with the California Secretary of State. Defendant BYOMA US, Inc. is existing under the laws of the State of California. Defendant BYOMA US, Inc. conducts substantial, continuous, and systematic business within California and has substantial contacts with and receives substantial benefits and income from and through the State of California, and committed the wrongful acts alleged herein within the State of California.

56. By marketing, advertising, selling, and distributing the Products at issue to consumers throughout California, Defendant BYOMA US, Inc. purposefully availed itself of the privilege of conducting activities within California and invoked the benefits and protections of California law.

57. The injuries suffered by Plaintiff and the Class occurred, at least in part, in California, and arise out of Defendant BYOMA US, Inc.'s contacts with California. Accordingly, the exercise of jurisdiction over BYOMA US, Inc. is proper and comports with traditional notions of fair play and substantial justice.

VII. VENUE

58. Venue is proper in this District because Defendant is doing business in Los Angeles County.

VIII. CLASS ALLEGATIONS

59. Plaintiff brings this action on her own behalf and on behalf of all other persons similarly situated. The Class which Plaintiff seeks to represent comprises:

> All natural persons who were citizens of the State of California at the time of purchase and who purchased the Products in the State of California, including purchases made while physically located in California or for delivery to a California address, during the four (4) years preceding the filing of this action through the present (Referred to herein as "the Class" or "Class Members").

Said definition may be further defined or amended by additional pleadings, evidentiary hearings, a class certification hearing, and orders of this Court.

60. Numerosity: although the exact number of Class Members is uncertain and can only be ascertained through appropriate discovery, the number is great enough such that joinder is impracticable.

61. Adequacy: Plaintiff is an adequate representative of the Class because Plaintiff's interests are the same as the Class in that Plaintiff and the Class Members were subjected to the same representations by Defendant as set forth herein; Plaintiff intends to prosecute this action vigorously and completely on behalf of herself and the Class Members; Plaintiff has retained competent counsel experienced in prosecuting class actions; and Plaintiff's interests do not conflict with the interests of the Members of the Class. Based thereon, the interests of the Class Members will be fairly and adequately protected by Plaintiff and Plaintiff's counsel.

62. Commonality and Predominance of Common Issues: Defendant has acted on grounds common and applicable to the entire Class and therefore, numerous questions of law and fact are common to Plaintiff and the Class Members that predominate over any question affecting only individual Class Members thereby making relief appropriate with respect to the Class as a whole. Common and predominate factual and legal issues include but are not limited to:

a. Common facts include but are not limited to:

i. The Products that were and are currently being manufactured, marketed, advertised and sold by Defendant over the proposed class period as set forth herein, each individually have the same composition of materials and chemicals. Therefore, Plaintiff and the Class were exposed to the same Products during the class period.

ii. Each of the Products are each respectively labeled and packaged the same. Therefore, Plaintiff and the Class Members were exposed to the same labeling and packaging and the Challenged Representations for each of the Products.

iii. The Products that were manufactured, marketed, advertised and sold by Defendant over the proposed class period and are currently being manufactured, marketed, advertised and sold by Defendant, and the Product

purchased by Plaintiff as set forth herein, were and are substantially similar in manufacture, marketing and advertising.

b. Common issues of law include but are not limited to:

i. Whether the Challenged Representations by Defendant, as alleged herein, were and are material to Plaintiff and the Class Members.

ii. Whether the Challenged Representations by Defendant, as alleged herein, were and are false, deceptive and/or misleading in violation of Business and Professions Code sections 17200, et seq. and 17500, et seq. and California Civil Code 1750, et. seq.

63. Accordingly, the determination of Defendant's liability under each of the causes of action presents legal issues that are common to Plaintiff and the class as a whole.

64. Typicality: Plaintiff's claims are co-extensive with those of the Class members as Plaintiff and the Class Members' injuries and claims arise from the same course of conduct by Defendant as alleged herein.

65. The Class is identifiable and ascertainable. Plaintiff has precisely defined the Class based on objective criteria whereby Class Members would be able to know whether they are a member of the prospective Class, specifically, "[A]ll natural persons who were citizens of the State of California at the time of purchase and who purchased the Products in the State of California, including purchases made while physically located in California or for delivery to a California address, during the four (4) years preceding the filing of this action through the present.

66. Notice can be provided to such purchasers using techniques and a form of notice customarily used in class actions, including direct notice by email to the Class Members from Defendant's and third-party retailers' records, internet publication, radio, newspapers, magazines and other social media platforms such as YouTube, Instagram, TikTok and Facebook.

67. Superiority: A class action is superior to other available methods for the fair and efficient adjudication of this controversy. Plaintiff and Class Members have all suffered and will continue to suffer harm and damages as a result of Defendant's unlawful and wrongful conduct. The expense and burden of individual litigation would make it impracticable and impossible for

proposed Class Members to afford to seek legal redress for the wrongs complained of herein and prosecute their claims individually. Therefore, absent a class or representative action, the Class Members will continue to suffer losses and Defendant will be allowed to continue these violations of law and to retain the proceeds of its wrongdoing. Class treatment of common questions of law and fact would also be a superior method to multiple individual actions or piecemeal litigation in that class treatment will conserve the resources of the courts and the litigants and will promote consistency and efficiency of adjudication. Finally, trial on a representative and class basis would be manageable. Liability may be determined by facts and law common to the Class Representative and the Class Members and monetary damages or restitution may be determined by proven and approved methods on a class wide basis.

IX. CAUSES OF ACTION

FIRST CAUSE OF ACTION

VIOLATION OF BUSINESS & PROFESSIONS CODE SECTION 17500, et seq.

(False and Misleading Advertising)

68. Plaintiff repeats and realleges the allegations set forth in the preceding paragraphs and incorporates the same as if set forth herein.

69. This cause of action is brought pursuant to Business and Professions Code section 17500, et seq., on behalf of Plaintiff and the Class.

70. As alleged in the preceding paragraphs, the Challenged Representations detailed herein constitute unfair, unlawful, and fraudulent business practices within the meaning of Business and Professions Code section 17500, et seq.

71. Defendant intended the Challenged Representations as detailed herein.

72. Defendant publicly disseminated and advertised the Challenged Representations set forth herein which Defendant knew, or should have known in the exercise of reasonable care, was untrue or misleading via advertising mediums that include but are not limited to, the Products' labeling and website, as set forth herein.

73. The Challenged Representations were material to Plaintiff and the Members of the Class and played a substantial part, and were a substantial factor, in influencing Plaintiff's and other California consumers decisions to purchase the Products.

74. Plaintiff and the Members of the Class relied on Defendant's false, deceptive, and misleading representations and would not have purchased the Products if not for the false, deceptive, and misleading representations and marketing of the Challenged Representations by Defendant set forth herein.

75. Plaintiff and the Members of the Class have suffered injury in fact and have lost money or property as a result of Defendant's false, deceptive, and misleading representations and marketing of the Challenged Representations set forth herein.

76. The Products as purchased by Plaintiff and the Members of the Class were and are unsatisfactory and worth less than the amount paid for them.

77. All of Defendant's conduct alleged herein occurs and continues to occur in Defendant's business.

78. Wherefore, Plaintiff, the Members of the Class and other California consumers have, among other things, no adequate remedy at law for the injuries that are currently being suffered and that will be suffered in the future in that, unless and until enjoined by order of this Court, the Challenged Representations will continue and cause great and irreparable injury to Plaintiff, the Members of the Class and other California consumers.

79. Therefore, pursuant to Business and Professions Code section 17535, Plaintiff seeks an order in equity from this Court enjoining Defendant from engaging in the above-described wrongful acts and practices, including, but not limited to, an order enjoining Defendant from continuing to disseminate and/or including the Challenged Representations detailed herein in the marketing, advertising, website pages, packaging and labeling of the Products.

80. In addition, Plaintiff seeks an order awarding Plaintiff and the Members of the Class restitution of the monetary amounts by which Plaintiff and the Members of the Class did not receive the value of the Products they paid for and by which Defendant was unjustly enriched.

SECOND CAUSE OF ACTION

VIOLATION OF CALIFORNIA BUSINESS & PROFESSIONS CODE § 17200, et seq.

(Unlawful, Unfair, and Fraudulent Business Acts or Practices and Unfair, Deceptive, Untrue or Misleading Advertising)

81. Plaintiff repeats and realleges the allegations set forth above, and incorporates the same as if set forth herein at length.

82. Plaintiff brings this cause of action pursuant to Business and Professions Code section 17200, et seq., on her own behalf and on behalf of all other persons similarly situated.

83. The UCL prohibits "any unlawful, unfair... or fraudulent business act or practice." (Bus. & Prof. Code, § 17200, et seq.) Defendant's Challenged Representations as set forth herein violates each of these provisions.

A. "Unfair" Prong

84. Under California's Unfair Competition Law (Bus. & Prof. Code, § 17200, et seq.), a challenged activity is "unfair" when "any injury it causes outweighs any benefits provided to consumers and the injury is one that the consumers themselves could not reasonably avoid." (*Camacho v. Auto Club of Southern California* (2006) 142 Cal.App.4th 1394, 1403.)

85. Defendant's Challenged Representations in the marketing, advertising, packaging and labeling of the Products are false.

86. Defendant's Challenged Representations falsely advertising the status of the Products caused injuries Plaintiff and the Members of the Class, who did not receive what they were promised.

87. Defendant's Challenged Representations stifles competition in the marketplace.

88. Consumers cannot avoid any of the injuries caused by Defendant's false and misleading advertising of the Products.

89. Defendant's conduct of marketing, advertising, packaging and labeling the Products with the Challenged Representations detailed herein results in financial harm to consumers. Thus, the utility of Defendant's conduct is vastly outweighed by the gravity of its harm.

90. Defendant's marketing, advertising, packaging and labeling of the Products with the Challenged Representations detailed herein is false, deceptive, misleading and unreasonable, and constitutes unfair conduct.

91. Defendant knew or should have known of its unfair conduct.

92. As alleged in the preceding paragraphs, the Challenged Representations by Defendant detailed above constitute an unfair business practice within the meaning of Business and Professions Code section 17200, et seq.

93. There were reasonably available alternatives to further Defendant's business interests other than the conduct described herein. Defendant could have marketed, advertised, packaged and labeled the Product without making the Challenged Representations detailed herein.

94. All of the conduct alleged herein occurs and continues to occur in Defendant's business. Defendant's wrongful conduct is part of a pattern or generalized course of conduct repeated on thousands of occasions daily.

B. "Fraudulent" Prong

95. Defendant's marketing, advertising, packaging and labeling of the Products with the Challenged Representations detailed herein is likely to deceive members of the public.

96. Defendant's advertising and labeling of the Products with the Challenged Representations detailed herein is false, deceptive, misleading, and unreasonable and constitutes fraudulent conduct.

97. Defendant knew or should have known of its fraudulent conduct.

98. As alleged in the preceding paragraphs, the material Challenged Representations and by Defendant detailed above constitute a fraudulent business practice in violation of Business and Professions Code section 17200, et seq.

99. There were reasonably available alternatives to further Defendant's business interests other than the conduct described herein. Defendant could have marketed, advertised, packaged and labeled the Products without making the Challenged Representations detailed herein.

100. All of the conduct alleged herein occurs and continues to occur in Defendant's business. Defendant's wrongful conduct is part of a pattern or generalized course of conduct repeated on thousands of occasions daily.

101. Plaintiff and the Class have suffered injury in fact and have lost money as a result of Defendant's fraudulent conduct. Plaintiff and the Class paid an unwarranted premium for the Products. Plaintiff and the Class purchased the Products under the false belief of the Challenged Representations set forth herein. Plaintiff and the Class relied upon Defendant's Challenged Representations set forth herein. Plaintiff and the Class reasonably relied on these Challenged Representations in deciding to purchase the Products and would not have purchased the Products if the true facts had been known. Plaintiff and the Class would not have purchased the Products had they not been misled by the false and misleading advertising containing the Challenged Representations detailed herein.

C. "Unlawful" Prong

102. As alleged in the preceding paragraphs, Defendants' business practices, described herein, violated and continue to violate the "unlawful" prong of Business and Professions Code section 17200, et seq., by violating Civil Code sections 1573, 1709, 1710, 1711, and 1750 et seq., and Business and Professions Code sections 17500, et. seq.

103. Defendant knew that the claims that they made and continue to make about the Products with the Challenged Representations are false and misleading.

104. Defendant's false, deceptive, and misleading representations through Challenged Representations played a substantial part, and was a substantial factor, in influencing Plaintiff's and the Members of the Class's decisions to purchase the Products.

105. Plaintiff and the Class have suffered injury in fact and have lost money or property as a result of the Challenged Representations.

106. The Products as purchased by the Plaintiff and the Class were and are unsatisfactory and worth less than the amounts paid for.

107. All of the conduct alleged herein occurs and continues to occur in Defendant's business.

108. All of the conduct alleged herein occurred and continues to occur in Defendant's business. Defendant's wrongful conduct is part of a pattern or generalized course of conduct repeated on thousands of occasions daily.

109. Wherefore, Plaintiff and the Members of the Class and other California consumers have, among other things, no adequate remedy at law for the injuries that are currently being suffered and that will be suffered in the future in that, unless and until enjoined by order of this Court, the Challenged Representations by Defendant will continue and cause great and irreparable injury to Plaintiff, the Members of the Class and other California consumers.

110. Therefore, pursuant to Business and Professions Code section 17203, Plaintiff seeks an order in equity from this Court enjoining Defendant from engaging in the above-described wrongful acts and practices, including, but not limited to, an order enjoining Defendant from continuing to disseminate and/or including the Challenged Representations detailed herein in the marketing, advertising, website pages, packaging, and labeling of the Products.

111. In addition, Plaintiff seeks an order awarding Plaintiff and the Members of the Class restitution of the monetary amounts by which Plaintiff and the Members of the Class did not receive the value of the Products they paid for, and by which Defendant was unjustly enriched.

THIRD CAUSE OF ACTION

VIOLATION OF CALIFORNIA CIVIL CODE § 1750, et seq.

(Consumer Legal Remedies Act)

112. Plaintiff repeats and realleges the allegations set forth in the preceding paragraphs and incorporates the same as if set forth herein.

113. This cause of action is brought pursuant to Civil Code section 1750, et seq., the Consumers Legal Remedies Act, on behalf of Plaintiff and a Class pursuant to Civil Code section 1781 consisting of the Class defined above.

114. The Class consists of thousands of persons, the joinder of whom is impracticable.

115. There are questions of law and fact common to the Class, which questions are substantially similar and predominate over questions affecting the individual members, including but not limited to:

a. Common facts include but are not limited to:

i. The Products that were and are currently being manufactured, marketed, advertised and sold by Defendant over the proposed class period as set forth herein, each individually have the same composition of materials and chemicals. Therefore, Plaintiff and the Class were exposed to the same Products during the class period.

ii. Each of the Products are each respectively labeled and packaged the same. Therefore, Plaintiff and the Class Members were exposed to the same labeling and packaging and the Challenged Representations for each of the Products.

iii. The Products that were manufactured, marketed, advertised and sold by Defendant over the proposed class period and are currently being manufactured, marketed, advertised and sold by Defendant, and the Product purchased by Plaintiff as set forth herein, were and are substantially similar in manufacture, marketing and advertising.

b. Common issues of law include but are not limited to:

i. Whether the Challenged Representations by Defendant, as alleged herein, were and are material to Plaintiff and the Class Members.

ii. Whether the Challenged Representations by Defendant, as alleged herein, were and are false, deceptive and/or misleading in violation of Business and Professions Code sections 17200, et seq. and 17500, et seq. and California Civil Code 1750, et. seq.

116. Accordingly, the determination of Defendant's liability under each of the causes of action presents legal issues that are common to Plaintiff and the class as a whole.

117. As set forth in detail herein, Defendant publicly disseminated the Challenged Misrepresentations.

118. The policies, acts, and practices described herein were intended to result in the sale of the Products to the consuming public and violated and continue to violate Civil Code section 1770, subdivision (a)(5) of the Act by making representations that the Products have characteristics and

benefits which they do not have as represented, and violate Civil Code section 1770, subdivision (a)(7) by representing that the Products are of a particular standard, quality, grade and style when they are of another.

119. In doing so, Defendant intentionally misrepresented material facts.

120. Defendant's Challenged Representations about the Products led Plaintiff and the Members of the Class to believe that the Products have characteristics, ingredients and benefits which they do not have and are of a particular standard, quality, grade and style when they are of another.

121. Defendant knew that the Challenged Representations concerning the Products' purported attributes and qualities were false and/or misleading and material to the Plaintiff, the Class Members' purchase decisions.

122. Defendant's actions as described hereinabove were done with a conscious disregard of Plaintiff's, the Class Members' and other California consumers' rights.

123. Defendant's Challenged Representations were material to Plaintiff and the Class Members and played a substantial part, and were a substantial factor, in influencing Plaintiff's and the Class Members' decisions to purchase the Products.

124. Plaintiff and the Class Members relied on Defendant's Challenged Representations and would not have purchased the Products if not for the Challenged Representations by Defendant set forth herein.

125. Plaintiff and the Class Members have suffered injury in fact and have lost money or property as a result of Defendant's false, deceptive, and misleading Challenged Representations set forth herein.

126. The Products as purchased by Plaintiff and the Class Members were and are unsatisfactory and worth less than the amount paid for them.

127. On December 16, 2025, Defendant was served by Plaintiff with written pre lawsuit notice pursuant to Civil Code section 1750, et seq., which set forth Plaintiff's contentions. Plaintiff's letter was sent via certified mail with electronic return receipt to Defendant who

acknowledged receipt. Defendant rejected Plaintiff's attempts to address the concerns stated herein and instead has allowed the Products to continue to be sold with full knowledge of the alleged claims.

128. All of Defendant's conduct alleged herein occurs and continues to occur in Defendant's business.

129. Wherefore, Plaintiff, the Members of the Class and other California consumers have, among other things, no adequate remedy at law for the injuries that are currently being suffered and that will be suffered in the future in that, unless and until enjoined by order of this Court, the Challenged Representations by Defendant will continue and cause great and irreparable injury to Plaintiff, the Members of the Class and other California consumers.

130. Therefore, pursuant to Civil Code section 1780, subdivision (a)(2), Plaintiff seeks an order in equity from this Court enjoining Defendant from engaging in the above-described wrongful acts and practices, including, but not limited to, an order enjoining Defendant from continuing to disseminate and/or including the Challenged Representations detailed herein in the marketing, advertising, website pages, packaging and labeling of the Products.

131. In addition, Plaintiff seeks an order awarding Plaintiff and the Class Members restitution of the monetary amounts by which Plaintiff and the Class Members did not receive the value of the Products they paid for and by which Defendant was unjustly enriched and/or damages.

X. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, individually and on behalf of all others similarly situated, prays for judgment and relief on all Causes of Action as follows:

FIRST AND SECOND CAUSES OF ACTION

1. An order enjoining Defendant from pursuing the practices complained of herein;
2. An order certifying that the action may be maintained as a Class Action;
3. For an award of restitution in an amount according to proof at trial;
4. For an award of attorney fees pursuant to Civil Code section 1021.5.

THIRD CAUSE OF ACTION

1. An order enjoining Defendant from pursuing the practices complained of pursuant to Civil Code section 1780, subdivision (a)(2);
2. An order certifying that the action may be maintained as a Class Action pursuant to Civil Code section 1781;
3. For an award of restitution in an amount according to proof at trial pursuant to Civil Code section 1780, subdivision (a)(3);
4. For an award of damages.
5. For an award of punitive damages pursuant to Civil Code section 1780, subdivision (a)(4);
6. For an award of costs of this suit pursuant to Civil Code section 1780, subdivision (e);
7. For an award of attorney's fees pursuant to Civil Code sections 1780, subdivision (e) and/or 1021.5.

FURTHER RELIEF

Plaintiff further seeks punitive damages pursuant to Civil Code section 3294, pre- and post-judgment interest and such other and further relief as the Court may deem appropriate.

JURY TRIAL DEMANDED

Plaintiff demands a jury trial on all triable issues.

DATED: May 15, 2026

STEVENS, L.C.

By: *//s//Paul D. Stevens*
Paul D. Stevens
Attorneys for Plaintiff and the Class