Decision for dispute CAC-UDRP-100579

Case number	CAC-UDRP-100579
Time of filing	2013-03-29 15:15:35
Domain names	FRENCH-OPEN.ORG

Case administrator

Name	Lada Válková (Case admin)

Complainant

Organization	FEDERATION FRANCAISE DE TENNIS

Complainant representative

Organization	Nameshield (Laurent Becker)

Respondent

Name	Bob Meadows

IDENTIFICATION OF RIGHTS

Complainant has proven widespread registered trademark rights in the name of its well-known “French Open” tennis tournament.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

Complainant owns trademark rights in FRENCH OPEN as the name of its well-known tennis tournament. Respondent redirects the french-open.org domain name to Complainant's website rolandgarros.com. Therefore the Complainant argues that Respondent has no legitimate interest in the domain name, and registers and uses it in bad faith.

PARTIES CONTENTIONS

Respondent has not provided any Response to the Complaint.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the Domain Name is identical or confusingly similar to a trademark or service mark in which the complainant has rights (within the meaning of paragraph 4(a)(i)of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the Domain Name (within the meaning of paragraph 4(a)(ii)of the Policy). By registering and using a domain name corresponding to a well-known mark, to forward internet users to the mark owner's alternate website, the Respondent demonstrates knowledge of the mark and shows no legitimate purpose for registering or using it in the Domain Name. Such use is not bona fide.

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the Domain Name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii)of the Policy). By registering and use a domain name corresponding to a well-known mark, to forward internet users to the mark owner's alternate website, the Respondent demonstrates knowledge of the mark and that it was registered and is being used in bad faith. Such use is in bad faith because it hijacks internet traffic for the potential benefit of the Respondent, and precludes Complainant from beneficial use of the domain in its own discretion.

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

The domain name corresponds directly to Complainant's well-known mark, and circumstances indicate that Respondent was aware of that mark since Respondent redirects the domain name to Complainant's website. Such use constitutes bad faith as it deprives Complainant of control of the domain name, and the domain name could be used by the Respondent to profit illegitimately from Complainant's mark.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **FRENCH-OPEN.ORG**: Transferred

PANELLISTS

Name	**Mike Rodenbaugh**

DATE OF PANEL DECISION 2013-05-14

Publish the Decision