Decision for dispute CAC-UDRP-101714

Case number	CAC-UDRP-101714
Time of filing	2017-10-06 12:59:18
Domain names	CI-BOLLORE-AFRICA-LOGISTICS.COM

Case administrator

Name	Aneta Jelenová (Case admin)

Complainant

Organization	BOLLORE

Complainant representative

Organization	Nameshield (Laurent Becker)

Respondent

Name	Leny Gaspard

OTHER LEGAL PROCEEDINGS

The Panel is unaware of other legal proceedings relating to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant, established since 1822, is one of the world's leading company in the Transportation and Logistics, Communication and Media, Electricity Storage and solutions, extensively using its corporate domains inclusing <bollorelogistics.com> to provide information through the internet.

FACTUAL BACKGROUND

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

The Complainant, established since 1822, is one of the world's leading company in the Transportation and Logistics, Communication and Media, Electricity Storage and solutions, extensively using its corporate domains inclusing "bollorelogistics.com" to provide information through the internet.

The Complainant states that the disputed domain name <ci-bollore-africa-logistics.com> is confusingly similar to its trademarks BOLLORE LOGISTICS® and its domain names associated. The addition of letters “CI” makes reference to the country “Côte d’Ivoire” in French (Ivory Coast) and to Complainant’s subsidiary “Bolloré Africa Logistics”.

The Respondent is deprived of any right or legitimate interest in the using of the disputed domain name. Also, the Complainant contends that the Respondent did not make any use of disputed domain name since its registration, and it confirms that the Respondent has no demonstrable plan to use the disputed domain name. It demonstrates a lack of legitimate interests in respect of the disputed domain name.

The Complainant contends the Respondent has registered the disputed domain name in knowledge of the Complainant, and in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, with respect to paragraph 4(a)(ii).

The disputed domain name was regitered on September 22, 2017 and is not actively used.

PARTIES CONTENTIONS

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed 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 disputed domain name (within the meaning of paragraph 4(a)(ii)of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii)of the Policy).

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 Panels is satisfied with all arguments submitted by the Complainant with regards to a) the confusing similarity of the disputed domain names and the Complainant's trademarks; b) lack of legitimate interest and c) bad faith either in the registration and usage of the disputed domain.

With regards to the first requirement, the Panel also noted the Complainant's ownership of International (device) Trademark n. 1008325 "BOLLORE AFRICA LOGISTICS" registered on January 14, 2009, as well as the <bollore-africa-logistics.com> domain name (created on 2007), and the information available at <www.bollore-africa-logistics.com> page: it is self-evident that the disputed domain name has been chosen with Complainant's famous assets in mind, without the additional "CI" (Cote d'Ivoire Iso Country Code) and ".COM" having any differenciating effect.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **CI-BOLLORE-AFRICA-LOGISTICS.COM**: Transferred

PANELLISTS

Name	**Roberto Manno**

DATE OF PANEL DECISION 2017-12-09

Publish the Decision