Decision for dispute CAC-UDRP-102112

Case number	CAC-UDRP-102112
Time of filing	2018-07-27 11:42:44
Domain names	ratpconnect.com

Case administrator

Name	Sandra Lanczová (Case admin)

Complainant

Organization	REGIE AUTONOME DES TRANSPORTS PARISIENS (RATP)

Complainant representative

Organization	Nameshield (Enora Millocheau)

Respondent

Name	Ryan C c/o Dynadot

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings pending or decided between the same parties and relating to the Disputed Domain Name.

IDENTIFICATION OF RIGHTS

The Complainant is the registered owner of several trademark registrations consisting of the term “RATP”, such as the European Union trademark "RATP" n° 008945966 registered on 31 January 2011 and International trademark "RATP" n° 1091607 registered on 9 March 2011.

FACTUAL BACKGROUND

1.
The Complainant REGIE AUTONOME DES TRANSPORTS PARISIENS (RATP) has operated since 1949 metro, rail, bus and tramway networks in the Île-de-France region and around the world, via its numerous subsidiaries. It results from the Complainant's undisputed allegations that with 16 million daily travels, it is the 5th largest public transport operator in the world.

The Complaint applied for a new European Union trademark "RATP CONNECT" on 13 July 2018.

2.

It results from the registrar verification that the Respondent registered the Disputed Domain Name on 13 July 2018.

The Disputed Domain Name resolves to a registrar parking page where it is offered for sale for € 3.401,13.

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

1.
The Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's trademark, since it consists of the Complainant's trademark "RATP" placed at the beginning of the Disputed Domain Name and combined with the generic term "connect" that is descriptive and therefore likely to increase the possibility of confusion amongst consumers.

2.
In the absence of any Response, or any other information from the Respondent indicating the contrary, the Panel further holds that the Complainant successfully presented its prima facie case and that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

In particular, the Respondent is neither affiliated with nor authorized by the Complainant in any way, and is not related in any way to the Complainant's business. Moreover, the Respondent has not demonstrated any preparations to use the Disputed Domain Name in connection with a bona fide offering of goods or services. Furthermore, the Panel does not dispose of any elements indicating that the Respondent (as an individual, business, or other organization) has been commonly known by the Disputed Domain Name. Finally, the Disputed Domain Name does currently resolve to a commercial website where it is offered for sale. Therefore, the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name.

3.
Finally, the Panel finds that the Disputed Domain Name has been registered and is being used in bad faith.

In fact, the Respondent registered the DIsputed Domain Name on the same day on which the Complainant applied for its new trademark "RATP CONNECT". Furthermore, it results from the evidence before this Panel that the Respondent immediately offered the Disputed Domain Name for sale at a price of € 3.401,13. Therefore and in the absence of any other explanation by the Respondent, the Panel is of the opinion that the Respondent registered the Disputed Domain Name primarily for the purpose of selling it to the Complainant or to a competitor of the Complainant, for valuable consideration in

excess of your documented out-of-pocket costs directly related to the Disputed Domain Name (pursuant to paragraph 4(b)(i)of the Policy).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **RATPCONNECT.COM**: Transferred

PANELLISTS

Name	**Dr. Tobias Malte Müller**

DATE OF PANEL DECISION 2018-09-06

Publish the Decision