

**Decision for dispute CAC-UDRP-104047**

Case number	<b>CAC-UDRP-104047</b>
Time of filing	<b>2021-10-04 09:18:03</b>
Domain names	<b>outfrontsjcdecaux.com</b>

**Case administrator**

Organization	<b>Denisa Bilík (CAC) (Case admin)</b>
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**Complainant**

Organization	<b>JCDECAUX SA</b>
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**Complainant representative**

Organization	<b>NAMESHIELD S.A.S.</b>
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**Respondent**

Name	<b>partizan degger col</b>
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## OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

## IDENTIFICATION OF RIGHTS

The Complainant is the owner of numerous "JCDECAUX" trademarks, among which the International Trademark "JCDECAUX" n° 803987 ("the JCDECAUX trademark").

The Complainant asserts to have multiple domain names consisting of the wording "JCDECAUX", such as <jcdecaux.com>, which is connected to the official website of the Complainant ("the JCDECAUX.com domain name").

## FACTUAL BACKGROUND

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

The Complainant is the world's largest outdoor advertising company, reaching relevant audiences in approximately 80 countries. The Complainant manages more than 964.760 advertising panels in airports, rail and metro stations, shopping malls, on billboards and street furniture. The Complainant is listed at the Euronext Paris stock exchange

The Complainant uses the JCDECAUX trademark and the <JCDECAUX.com> domain name in connection to its activities

worldwide.

The Respondent registered the domain name <outfrontsjcdecaux.com> on 23 September 2021 ("the disputed domain name"). The disputed domain name is currently not being used for an active website but directs to a page that is under construction.

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#### PARTIES CONTENTIONS

No administratively compliant response has been filed.

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#### RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that 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).

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#### 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).

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#### BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that 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).

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#### 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.

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#### PRINCIPAL REASONS FOR THE DECISION

I. The disputed domain name is confusingly similar to the Complainant's trademark

The Panel finds that the disputed domain name <outfrontsjcdecaux.com> is confusingly similar to the Complainant's JCDECAUX trademark. The disputed domain name fully incorporates the JCDECAUX trademark of the Complainant, albeit with the addition of the terms "OUT FRONTS".

The Complainant rightfully contends that the addition of "OUT FRONTS" is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's JCDECAUX trademark.

II. 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.

The Panel notes that the Complainant has never granted the Respondent any license or authorization to use the JCDECAUX trademark for the disputed domain name, nor is the Respondent affiliated to the Complainant in any way.

The Panel notes that the Respondent's identity is shielded and that the disputed domain name directs to a webpage that is under construction. The Respondent has not by virtue of the content of the website, nor by its use of the disputed domain name shown that it will be used in connection with a bona fide offering of goods or services.

Therefore, the Panel finds that the Complainant has shown that the Respondent has not made legitimate use of the disputed domain name for a bona fide offering of goods or services.

In lack of any Response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

III. The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name was registered and is being used in bad faith

The Complainant contends that its JCDECAUX trademark is well-known and that, given the distinctiveness of the Complainant's trademarks in general and given its reputation, the Respondent likely had full knowledge of the Complainant's JCDECAUX trademark at the time of the registration of the disputed domain name.

In addition to the above mentioned non-contested facts, the fact that the disputed domain name is merely used to attract internet users for commercial gain by creating a likelihood of confusion with the Complainant and the failure of the Respondent to respond and hence to present a credible evidence-backed rationale for registering and using the disputed domain name, plus the fact that the Respondent conceals its identity, show that the Respondent has registered and used the disputed domain name in bad faith.

In lack of any Response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has registered and used the disputed domain name in bad faith.

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FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **OUTFRONTSJCDECAUX.COM**: Transferred

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## PANELLISTS

Name	<b>Tom Joris Heremans</b>
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DATE OF PANEL DECISION	2021-11-08
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Publish the Decision

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