

Decision for dispute CAC-UDRP-105409

Case number	CAC-UDRP-105409
Time of filing	2023-05-02 11:38:10
Domain names	schneiderer-electric.com

Case administrator

Name	Olga Dvořáková (Case admin)
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Complainant

Organization	SCHNEIDER ELECTRIC SE
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Complainant representative

Organization	NAMESHIELD S.A.S.
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Respondent

Name	James Waldrop
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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 relies on the following registered trademarks:

- International trademark n° 715395 for a logo containing the words "Schneider Electric" registered on 15 March 1999 in classes 6, 9, 11 36, 37, 39 and 42;
- International trademark n° 715396 for a logo containing the words "Schneider Electric" registered on 15 March 1999 in classes 6, 9, 11 36, 37, 39 and 42;
- EU trademark n° 1103803 for a logo containing the words "Schneider Electric" registered on 12 March 1999 classes 6, 9, 11 36, 37, 39 and 42.

FACTUAL BACKGROUND

The Complainant manufactures and sells products for power management, automation and related solutions. It was founded in France in 1871 and is now an international business with a turnover of 36 billion Euros in 2022. It is quoted on the NYSE Euronext stock exchange.

The Complainant is the proprietor of registered trademarks as set out above. Its corporate website is at www.schneider-electric.com, which was registered on 4 April 1996, and the Complainant owns other domain names that include the words

"Schneider Electric".

The disputed domain name was registered on 17 April 2023. It does not locate any website. However, MX records have been set up for it.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The words "Schneider Electric" constitute the primary component of the Complainant's registered trademarks identified above. In addition, the Panel finds that the Complainant has unregistered rights in the word mark SCHNEIDER ELECTRIC by virtue of its longstanding and substantial trade under this mark.

The disputed domain name consists of the words "Schneider Electric" separated by a hyphen, with an added letter "r" inserted after the letter "d", followed by the generic top level domain suffix, .com. The Panel finds that this typographical variant is confusingly similar to the Complainant's marks.

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to marks 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 confirmed that it has not consented to the Respondent registering or using the disputed domain name or any corresponding name. It is also apparent from the matters set out in the Complaint that the Respondent has not made any bona fide use or preparations to use the disputed domain name or any corresponding name and that he is not commonly known by any such name.

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 disputed domain name is an obvious typosquatting of the primary mark and name of a substantial international business. It is difficult to see how such a domain name could be registered or used in good faith. It is therefore right to infer bad faith registration and use unless a cogent justification has been identified. No such justification has been provided or is discernible from the circumstances.

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 Complainant is a large and long-established international business whose primary name and mark is "Schneider Electric". The disputed domain name is a typosquat in which the letter "r" has been inserted after the letter "d" of the first word of the Complainant's mark. There has been no bona fide use of the disputed domain name or any corresponding name and, in the absence of cogent justification, it is inferred that the typosquat was registered and is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **schneiderer-electric.com**: Transferred
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PANELLISTS

Name	Jonathan Turner
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DATE OF PANEL DECISION **2023-06-10**

Publish the Decision
