

Decision for dispute CAC-UDRP-105621

Case number CAC-UDRP-105621

Time of filing 2023-07-13 08:56:58

Domain names bollore-sgp.com

Case administrator

Organization Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization BOLLORE SE

Complainant representative

Organization NAMESHIELD S.A.S.

Respondent

Name Kani Mozhil

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 registered owner of International trademark registration no. 704697 "Bolloré <fig.>", registered on December 11, 1998 (hereinafter referred to as the "Trademark").

FACTUAL BACKGROUND

The Complainant was founded in 1822, is today one of the 500 largest companies in the world, and is listed on the Paris Stock Exchange. It is doing business in the fields of transportation and logistics, communication and media, and industry. It provides information on its business online at www.bollore.com.

The disputed domain name was registered on July 6, 2023, and resolves to a registrar parking page with commercial links.

PARTIES CONTENTIONS

Because of the parties' consent to transfer the disputed domain name (see below), there is no need for a detailed reproduction of

the party submissions. In summary, the parties have stated as follows:

COMPLAINANT:

The Complainant contends that the disputed domain name is confusingly similar to the Trademark, that the Respondent has no right or legitimate interest in respect of the disputed domain name, and that the Respondent has registered the disputed domain name and is using it in bad faith.

RESPONDENT:

The Respondent did not deny the Complainant's contentions but merely stated that it "wrongly purchased" the disputed domain name, "never used the domain for any website" and was just "waiting for it to expire".

RIGHTS

Because of the parties' consent to transfer the disputed domain name (see below), the Panel need not reach a final conclusion on this point.

NO RIGHTS OR LEGITIMATE INTERESTS

Because of the parties' consent to transfer the disputed domain name (see below), the Panel need not reach a final conclusion on this point.

BAD FAITH

Because of the parties' consent to transfer the disputed domain name (see below), the Panel need not reach a final conclusion on this point.

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

By email of August 23, 2023 to the CAC, the Respondent asked for a cancellation of the disputed domain name. The Panel issued two Panel orders asking the parties whether they would agree to the transfer of the disputed domain name as well. Both parties confirmed.

In accordance with Paragraph 10 of the Rules, the Panel possesses the discretion to administer the proceedings as it finds suitable. It is also acknowledged that panels are empowered to promptly issue a transfer order if the respondent has consented to the transfer of the contested domain name. Such consent from the respondent constitutes a valid and sufficient basis for an immediate transfer order, obviating the need for further examination of the elements outlined in Paragraph 4(a) of the Policy. See paragraph 4.10 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Jurisprudential Overview 3.0"), with further references.

On this basis, the Panel does not consider it necessary to review the facts and the conditions supporting the claim given that the Respondent has agreed on the transfer of the disputed domain name.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **bollore-sgp.com**: Transferred

PANELLISTS

Name **Peter Müller**

DATE OF PANEL DECISION **2023-09-14**

Publish the Decision
