

Decision for dispute CAC-UDRP-105965

Case number	CAC-UDRP-105965
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Time of filing	2023-11-13 10:27:47
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Domain names	sangobain.com
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Case administrator

Name	Olga Dvořáková (Case admin)
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Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN
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Complainant representative

Organization	NAMESHIELD S.A.S.
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Respondent

Name	saleh alanazi
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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 proved to be the owner of the following trademarks:

- International trademark SAINT-GOBAIN n°740184 registered on July 26, 2000;
- International trademark SAINT-GOBAIN n°740183 registered on July 26, 2000;
- International trademark SAINT-GOBAIN n°596735 registered on November 2, 1992;
- International trademark SAINT-GOBAIN n°551682 registered on July 21, 1989.

the Complainant proved also to own the domain name <saint-gobain.com> registered on December 29, 1995.

FACTUAL BACKGROUND

The Complainant is a French company specialized in the production, processing and distribution of materials for the construction and industrial markets.

The disputed domain name was registered on May 21, 2023 and resolves to a parking page.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant claims that the disputed domain names is confusingly similar to its prior trademark and domain name as the deletion of the letters "I" and "T" are not sufficient to escape the finding that the domain name is confusingly similar to the trademark SAINT-GOBAIN.

The Complainant claims that the Respondent has no rights nor legitimate interest in registering the disputed domain name. According to the Complainant assertions, there is no evidence that the Respondent is known as the disputed domain name.

The actual use (i.e. parking page) of the disputed domain name is not considered a "bona fide offering of goods or services" or a "legitimate non-commercial or fair use" for the purposes of the Policy.

As regards registration and use in bad faith, the Complainant claims that since the SAINT-GOBAIN trademark is widely known, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant's rights. Moreover, the disputed domain name <sangobain.com> resolved to a parking page which given the reputation of the Complainant's trademark is a further index of use in bad faith.

RESPONDENT:

The Respondent did not file an administrative response.

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 disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

The Complainant has successfully proved to be the owner of the trademarks SAINT-GOBAIN and of the domain name <saint-gobain.com>.

The disputed domain name is composed by "SANGOBAIN".

The Panel finds that the trademark "SAINT-GOBAIN" is fully recognizable in the disputed domain name and that the deletion of the letters "T" and "I" have no significant impact in the confusing similarity assessment. To the contrary such deletion is according to the Panel a typical case of typosquatting.

Publish the Decision

