

Decision for dispute CAC-UDRP-107249

Case number **CAC-UDRP-107249**

Time of filing **2025-01-20 11:15:23**

Domain names **saintz-gobain.com**

Case administrator

Name **Olga Dvořáková (Case admin)**

Complainant

Organization **COMPAGNIE DE SAINT-GOBAIN**

Complainant representative

Organization **NAMESHIELD S.A.S.**

Respondent

Name **Garrett Dale**

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 several "SAINT-GOBAIN" trademarks, registered worldwide, such as:

- International trademark "SAINT-GOBAIN" No. 740184 registered on July 26, 2000;
- International trademark "SAINT-GOBAIN" No. 740183 registered on July 26, 2000;
- International trademark "SAINT-GOBAIN" No. 596735 registered on November 2, 1992;
- International trademark "SAINT-GOBAIN" No. 551682 registered on July 21, 1989 (hereinafter cumulatively referred to as the "Trademark").

FACTUAL BACKGROUND

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

The Complainant owns many domain names including the Trademark, such as the domain name <saint-gobain.com> registered on December 29, 1995.

The disputed domain name <saintz-gobain.com> was registered on January 15, 2025 and is not used in connection with an active

website, however, MX servers are configured.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant contends that the disputed domain name is confusingly similar to the Trademark.

Furthermore, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. In this regard, the Complainant states that the Respondent is not commonly known by the disputed domain name, that it is not affiliated with nor authorized by the Complainant in any way, that the Complainant does not carry out any activity for, nor has any business with the Respondent, and that neither license nor authorization has been granted to the Respondent to make any use of the Trademark or apply for registration of the disputed domain name by the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It contends that the Respondent must have been aware of the Complainant and its Trademark at the time of registration of the disputed domain name as the Trademark is well-known and that the Respondent's non use of the disputed domain name is evidence of bad faith.

RESPONDENT:

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

Under paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is present:

- (i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

1. The Panel accepts that the disputed domain name is confusingly similar to the Trademark as it fully incorporates it. The addition of the letter "z" is indeed not sufficient to escape the finding that the disputed domain name is confusingly similar to the Trademark. The Panel finds that this is a clear case of typosquatting.

Publish the Decision