Decision for dispute CAC-UDRP-107386

Case number	CAC-UDRP-107386
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Domain names	saints-gobaln.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	ry ze

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 owns several international trademarks SAINT-GOBAIN, such as SAINT-GOBAIN n°740184, registered on July 26, 2000; SAINT-GOBAIN n°740183, registered on July 26, 2000; SAINT-GOBAIN n° 596735 registered on November 2, 1992; SAINT-GOBAIN n° 551682, registered on July 21, 1989.

The Complainant also owns several domain names including its trademark SAINT-GOBAIN, such as 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 Complainant is internationally known for its activity in sustainable habitat and construction markets and is one of the top industrial companies in the world with around 46.6 billion euros in turnover in 2024 and more than 161,000 employees.

The disputed domain name was registered on March 3, 2025 and is inactive. MX servers are configured.

PARTIES CONTENTIONS

The Complainant states that the disputed domain name is confusingly similar to its trademark “SAINT-GOBAIN” and its associated domain names.

The Complainant asserts that neither the addition of the letter “S” nor the substitution of the letter “i” by the letter “l” in the disputed domain name or the gTLD “.COM” is sufficient to escape the finding that the disputed domain name is confusingly similar to the trademark and branded goods <SAINT-GOBAIN>. On the contrary, most of these modifications increase the likelihood of confusion, as the added terms are directly related to the Complainant’s business activities. The Complainant states that this is a clear case of typosquatting, i.e. the disputed domain name contains an obvious misspelling of the Complainant’s trademark.

The Complainant also states that the Respondent has no rights or legitimate interests in respect of the disputed domain names.

The Complainant asserts that the Respondent is not identified in the Whois as the disputed domain name. The Respondent is neither affiliated with nor authorized by the Complainant in any capacity and does not carry out any activity for, nor has any business with the Complainant. The Respondent has not been granted any license or authorization to use the Complainant’s trademarks or to apply for the registration of the disputed domain name. The Complainant also claims that typosquatting and the mere passive holding of the disputed domain name can be evidence that a Respondent lacks rights and legitimate interest in the domain name.

The Complainant states that the disputed domain name was registered and is being used in bad faith.

The Complainant asserts the disputed domain name was registered in bad faith. The Complainant states that its trademark "SAINT-GOBAIN" is internationally well-established, including in the United States, where the Respondent resides. Furthermore, the Complainant states the misspelling of the trademark SAINT-GOBAIN was intentionally designed to be confusingly similar to the Complainant’s trademark. Also, the Complainant asserts that the disputed domain name is inactive. The Respondent has not demonstrated any activity in respect of the disputed domain name, and it is not possible to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Complainant’s rights under trademark law. The mere incorporation of a famous mark into a domain name, coupled with an inactive website, may be evidence of bad faith registration and use. Finally, the disputed domain name has been set up with MX records which suggests that it may be actively used for email purposes.

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 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

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As the Respondent did not file an administratively compliant Response, pursuant to paragraph 14 (b) of the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), the Panel may draw such inferences therefrom as it considers appropriate. Thus, the Panel accepts the contentions of the Complainant as admitted by the Respondent. Taking the statements and documents submitted by the Complainant under careful consideration, the Panel concludes that the Complainant has established all the elements entitling it to claim the transfer of the disputed domain name.

I. Identical or Confusingly Similar disputed domain name

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 Uniform Domain Name Dispute Resolution Policy (the “Policy”).

Neither the addition of the letter “S” nor the substitution of the letter “i” by the letter “l” in the disputed domain name is sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant’s trademark.

The disputed domain name consists of an obvious misspelling of the Complainant’s trademark and is therefore considered to be confusingly similar to the relevant mark for purposes of the first element. Especially the substitution of the letter “i” by the similar-appearing letter “l” indicates a case of typosquatting (see para. 1.9 WIPO Jurisprudential Overview 3.0).

The applicable Top Level Domain (“TLD”) in a domain name (in this case “.com”) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test (see para. 1.11.1 WIPO Jurisprudential Overview 3.0).

II. Respondent’s Rights or Legitimate Interests in the disputed domain names

The Complainant has, to the satisfaction of the Panel, demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain names, within the meaning of paragraph 4(a)(ii) of the Policy.

The Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, as the Respondent is neither a licensee of the Complainant nor has the Complainant granted any permission or consent to use its trademark in a domain name. Furthermore, the disputed domain name does not correspond to the Respondent's name, nor is the Respondent commonly known as " SAINT-GOBAIN" either before or after the registration of the disputed domain name.

Thus, there is no evidence that the disputed domain name is being used for any bona fide reasons.

III. The disputed domain name has been registered and is being used in Bad Faith

The Respondent has also registered and is using the disputed domain name in bad faith within the meaning of Paragraph 4 (a) (iii) of the Policy by intentionally attempting to attract internet users to their website by creating a likelihood of confusion with the Complainant's trademark for commercial gain.

The Respondent has registered and is using the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

The Complainant’s trademarks "SAINT-GOBAIN" were already well known at the time the Respondent registered the disputed domain name. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith – particularly regarding domain names comprising typos (see para. 3.1.4 WIPO Jurisprudential Overview 3.0).

The Respondent's passive holding of the disputed domain name by itself may not allow any conclusions to be drawn as to whether the disputed domain name has been registered and is being used in good or bad faith (see para. 7.8 WIPO Case No. D2000-0003 – Telstra Corporation Limited v. Nuclear Marshmallows). However, under certain circumstances, inactivity can lead to an unnamed case of bad faith under Art. 4 (b) of the Policy (note the wording: “including but without limitation”). This consideration requires close attention to all circumstances of the individual case (see WIPO para. 7.11 WIPO Case No. D2000-0003 – Telstra Corporation Limited v. Nuclear Marshmallows).

In this case, the facts presented by the Complainant do, when considered as a whole, provide sufficient indication of having registered and using the disputed domain name in bad faith:

(i) The Complainant is one of the top industrial companies in the world with around 46.6 billion euros in turnover in 2024 and more than 161,000 employees and its trademarks are internationally well-known;

(ii) The disputed domain name contains obvious typos of the Complainant's trademarks;

(iii) The Respondent failed to submit a response or to provide any evidence of actual or contemplated good-faith use;

(iv) The disputed domain name has been configured with MX Resource Records, indicating that it may be actively used for email purposes, which presents a substantial risk of phishing.

The Respondent has not provided any evidence of actual or contemplated good faith registration or use of the disputed domain name that could refute this prima facie assessment.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **saints-gobaln.com**: Transferred

PANELLISTS

Name	**Dominik Eickemeier**

DATE OF PANEL DECISION 2025-04-10

Publish the Decision