Decision for dispute CAC-UDRP-107450

Case number	CAC-UDRP-107450
Time of filing	2025-03-31 10:37:22
Domain names	jcdecaux-oneworld.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	JCDECAUX SE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Stan Polton

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 trademark registrations across various jurisdictions, inter alia International trademark registration no. 803987 JCDecaux, registered on November 27, 2001 for various goods and services in classes 6, 9, 11, 19, 20, 35, 37, 38, 39, 41, and 42 (hereinafter referred to as the "Trademarks").

FACTUAL BACKGROUND

The Complainant is a multinational corporation based in France, known for its bus-stop advertising systems, billboards, public bicycle rental systems, and street furniture. It is the largest outdoor advertising corporation in the world. Employing a total of 12,026 people, the Complainant is present in more than 80 different countries and 3,894 cities and has generated revenues of €3,935.3m in 2024.

The Complainant provides information on its goods and services online under numerous domain names, such as <jcdecaux.com> (registered since 1997).

The disputed domain name was registered on December 24, 2008 and is being used in connection with a website providing information regarding online casino games and links to online casinos.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant contends that the disputed domain name is confusingly similar to the Trademarks and argues that the addition of the term “ONE WORLD” to the Trademarks is not sufficient to escape the finding that the disputed domain name is confusingly similar.

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, 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, 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, and that the Respondent's use of the disputed domain name fails to confer rights and legitimate interests.

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 well-known Trademarks at the time of registration of the disputed domain name and that the Respondent attempts to attract internet users by creating a likelihood of confusion with the Trademarks for commercial gain.

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 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 domain name; and

(iii) the 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 Trademarks as it fully includes the Trademarks. It is well established that a domain name that wholly incorporates a trademark may be confusingly similar to such trademark for purposes of the Policy despite the addition of generic terms, such as "one world".

2. The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy. The Respondent did not deny these assertions in any way and, therefore, failed to prove any rights or legitimate interests in the disputed domain name. Based on the evidence on file, the Panel cannot find any rights or legitimate interests of the Respondent either, as the disputed domain name is not generic and the Respondent's use of the disputed domain name does not indicate the existence of any rights or legitimate interests of its own. Accordingly, the Panel finds that the Complainant has proven that the Respondent has no rights or legitimate interests in respect of the disputed domain name under paragraphs 4(a)(ii) and 4(c) of the Policy.

3. The Panel is satisfied that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the Trademarks, as the Trademarks are highly distinctive and well-established.

Regarding bad faith use, by utilizing the disputed domain name for a website providing information regarding online casino games and links to online casinos, the Respondent was, in all likelihood, trying to divert traffic intended for the Complainant’s website to its own for commercial gain as set out under paragraph 4(b)(iv) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **jcdecaux-oneworld.com**: Transferred

PANELLISTS

Name	**Peter Müller**

DATE OF PANEL DECISION 2025-04-24

Publish the Decision