Decision for dispute CAC-UDRP-107579

Case number	CAC-UDRP-107579
Time of filing	2025-05-15 09:40:14
Domain names	se-ecostruxure.com

Case administrator

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

Complainant

Organization	SCHNEIDER ELECTRIC INDUSTRIES SAS

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Imad Bouziani

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings relating to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant owns several trademarks, including the terms “ECOSTRUXURE”, such as:

- The international trademark “ECOSTRUXURE” no. 1356321 was registered on January 26, 2017;
- The international trademark “ECOSTRUXURE” no. 1353645 was registered on January 26, 2017;
- The European trademark “ECOSTRUXURE” no. 1115276 was registered on November 25, 2011.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant, founded in 1871, is a French industrial business that trades internationally. It manufactures and offers products for power management, automation, and related solutions. The Complainant's corporate website can be found at <www.se.com>.

The Complainant is featured on the NYSE Euronext and the French CAC 40 stock market index. In 2024, the Complainant’s revenues amounted to 38 billion euros.

For its activities, the Complainant has developed “ECOSTRUXURE”, a solution that connects companies from one end of the

production chain to the other, collects critical data from sensors and transmits it to the cloud, and analyzes the data to derive actionable intelligence.

The Complainant is also the owner of numerous domain names, including the trademark “ECOSTRUXURE”, such as <ecostruxure.com>, which was registered on December 16, 2008.

The disputed domain name was registered on May 6, 2025, and resolves to the Complainant’s official website <www.se.com>. MX servers are configured.

PARTIES CONTENTIONS

COMPLAINANT

1. THE DISPUTED DOMAIN NAME IS IDENTICAL OR CONFUSINGLY SIMILAR

The Complainant states that the disputed domain name is confusingly similar to its trademark “ECOSTRUXURE” as it is identically contained.

Indeed, the Complainant asserts that the addition of the term “SE” (short of “SCHNEIDER ELECTRIC”) is not sufficient to escape the finding that the disputed domain name is confusingly similar to the trademark. It does not change the overall impression of the designation as being connected to the Complainant’s trademark.

Moreover, the Complainant contends that the addition of the gTLD suffix “.COM” does not change the overall impression of the designation as being connected to the trademark “ECOSTRUXURE". It does not prevent the likelihood of confusion between the disputed domain name and the Complainant and its trademark.

2. RESPONDENT HAS NO RIGHTS OR LEGITIMATE INTEREST IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant asserts that the Respondent is not listed in the Whois database as the owner of the disputed domain name.

The Complainant contends that the Respondent is not affiliated with nor authorized by the Complainant. The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant does not carry out any activity for, nor has any business with, the Respondent.

Neither license nor authorization has been granted to the Respondent to make any use of the Complainant’s trademark “ECOSTRUXURE”, or apply for registration of the disputed domain name by the Complainant.

Furthermore, the disputed domain name redirects to the Complainant’s official website. The Complainant contends that the Respondent is not making a bona fide offering of goods or services utilizing the disputed domain name, or a legitimate non-commercial or fair use of it.

Thus, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

3. THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS BEING USED IN BAD FAITH

The disputed domain name is confusingly similar to its trademark “ECOSTRUXURE” as it is identically contained.

On those facts, given the distinctiveness of the Complainant's trademarks and reputation, to the Complainant infers that the Respondent has registered the disputed domain name with full knowledge of the Complainant's trademarks.

Besides, the disputed domain name redirects to the Complainant’s official website. Thus, the Complainant contends that the Respondent has knowledge of the Complainant’s rights prior to the registration of the disputed domain name, which is a hallmark of bad faith.

Consequently, the disputed domain name has been registered by the Respondent in an effort to take advantage of the good reputation Complainant had built up in its trademark, with the sole aim to create a likelihood of confusion with the Complainant’s trademarks and domain names.

Finally, MX servers are configured which suggests that the disputed domain name may be actively used for email purposes.

RESPONDENT

No administratively compliant Response was filed.

RIGHTS

To the satisfaction of the Panel, the Complainant has shown that the disputed domain name is identical or confusingly similar to the trademark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

To the satisfaction of the Panel, the Complainant has 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

To the satisfaction of the Panel, the Complainant has 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 have been met, and there is no other reason why it would be unsuitable for providing the Decision.

PRINCIPAL REASONS FOR THE DECISION

1. Identical or Confusingly Similar

First, the Panel is satisfied that the Complainant has shown it owns rights in the "ECOSTRUXURE" trademark, with registration and evidence, dating the trademark registration back to 2011.

Turning to analyze whether there is a confusing similarity between the disputed domain name and the trademark, the Panel notes, based on the record at hand, that the disputed domain name reproduces the trademark in its totality, namely "ECOSTRUXURE", with the addition of a hyphen preceding and separating the trademark from the term "SE", which appears to be a reference to the Complainant “SCHNEIDER ELECTRIC”.

The addition of the term "SE" preceding the reproduction of the trademark is insufficient and immaterial in assessing confusing similarity under the Policy, as the entire trademark is reproduced in the disputed domain name. Furthermore, this addition may exacerbate the confusing similarity, as it appears to be a direct reference to the Complainant's intention to confuse Internet users regarding the sponsorship of the website associated with the disputed domain name; however, a more comprehensive analysis of this will be conducted under the subsequent UDRP elements below.

Consequently, the Panel determines that the Complaint has satisfied the Policy's first element, as set out in paragraph 4(a)(i).

2. Rights or Legitimate Interests

Based on the evidence on record and acknowledging that the Respondent failed to produce any allegations or evidence necessary to demonstrate its rights or legitimate interests in the disputed domain name, the Panel must turn to the uncontested facts.

The uncontested facts indicate that a) the Respondent is not commonly known by the disputed domain name; b) the Respondent is not affiliated with the Complainant; c) the Respondent is not authorized to carry out any activity for the Complainant; d) the Respondent has no license or authorization to use the trademarks; e) the disputed domain name redirects to one of the Complainant’s official websites; and f) the disputed domain name has been set up with MX records.

In the Panel's view, these assertions and the evidence attached are enough to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name (see 2.1 of WIPO 3.0 Overview).

These facts lead the Panel to conclude that the Respondent did not have rights or legitimate interests in the disputed domain name. Furthermore, the evidence of the disputed domain name setting up with MX records, and the reference to the Complainant through

“SE” in the disputed domain name, on the balance of probability and based on the record at hand, makes it unlikely that the Respondent has or had demonstratable plans to use the disputed domain name legitimately. However, this matter will be analyzed further under the element below.

Consequently, the Panel determines that the Respondent has no rights or legitimate interests in the disputed domain name. Subsequently, the Complainant has fulfilled the second requirement set under paragraph 4(a)(ii) of the Policy.

3. Registered and Used in Bad Faith

Per the record and evidence at hand, the Panel finds that the Respondent was likely aware of the Complainant and had the Complainant's trademark in mind when registering the disputed domain name. This is further reinforced by the complete reproduction of the trademark in the disputed domain name. This fanciful trademark would have been easily checked online before registering the disputed domain name.

Furthermore, the disputed domain name incorporates the term "SE", which suggests that the Respondent was aware of or should have been aware of the Complainant's rights and intended to benefit from the association with the trademark registered for the disputed domain name.

Also, the Complainant notes that the disputed domain name has been configured for mail exchange (MX) servers and claims that this indicates a risk that the Respondent is using the disputed domain name for e-mail phishing activities. While, in the abstract, the creation of such a record does not indicate any ill intent, in the circumstances of the present case, where the Respondent has created a domain name that is confusingly similar to the Complainant's trademark, this MX record does require some further explanation, which the Respondent has not provided.

All of the above leaves the Panel no other option than to conclude that the most likely intention of the Respondent was to intentionally attempt to attract, for commercial gain, Internet users to its website/disputed domain name by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and/or disputed domain name, as per illustrated under paragraph 3.1 of WIPO 3.0 Overview.

In light of the case's circumstances, based on the available records, the Panel finds that the Complainant has proven that the disputed domain name was registered and is being used in bad faith, as per paragraph 4(a)(iii) of the Policy.

4. Decision

For the preceding reasons and in concurrence with the provisions specified under Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Panel orders the transfer of the disputed domain name to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **se-ecostruxure.com**: Transferred

PANELLISTS

Name	**Rodolfo Rivas Rea**

DATE OF PANEL DECISION 2025-06-23

Publish the Decision