Decision for dispute CAC-UDRP-107596

Case number	CAC-UDRP-107596
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Domain names	sanit-gobains.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Stephanie Nordid

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant has adduced evidence showing that it is the owner of four international trademarks for SAINT-GOBAIN, namely:

- No. 740184 registered on 26 July 2000;

- No. 740183 registered on 26 July 2000;

- No. 596735 registered on 2 November 1992;

- No. 551682 registered on 21 July 1989.

These marks all represent the name by which the Complainant is known. Each mark has a different territorial scope internationally and there are variations between them as to the Nice Classification classes to which they extend, with two of the trademarks falling under more than twenty classes.

The Complainant also adduced evidence to show that it is the registrant of the domain name <saint-gobain.com>, registered on 29 December 1995. It claims to be the holder of other similar domain names but adduced no evidence in their regard.

The Respondent registered the disputed domain name <sanit-gobains.com> on 7 May 2025 according to the Registrar Verification requested by the CAC Case Administrator.

FACTUAL BACKGROUND

The Complainant, Compagnie de Saint-Gobain, is a major French industrial group centred on the habitat and construction markets. It traces its origins to the reign of Louis XIV, when the Royal Manufactory began producing mirror glass in the village of Saint-Gobain in 1665. Today, the Complainant is present in 76 countries with a turnover in 2024 of around €46.6 billion and has 161,000 employees worldwide. Its innovative, high-performance and sustainable construction solutions have established the Complainant as a point of reference within the construction materials industry.

The Complainant adduced evidence showing that the disputed domain name <sanit-gobains.com> resolves to an error page and that e-mail (MX) servers are configured for the disputed domain name and with a redirection in place.

For its part, the Panel's routine scrutiny of the Case File revealed an initially credible postal address in Delaware, United States, for the Respondent yet a telephone number in British Columbia, Canada, and an e-mail address with "test" as the user name. Exercising its general powers as a result of such evident discrepancies, the Panel investigated the Respondent's postal address and discovered that it relates to a multiple-occupancy business centre, thereby creating a further discrepancy in the Respondent's given contact details.

PARTIES CONTENTIONS

COMPLAINANT:

1. The disputed domain name <sanit-gobains.com> is confusingly similar to a trademark or service mark in which the Complainant has rights

The Complainant contends that the disputed domain name <sanit-gobains.com> is confusingly similar to its well-known and distinctive trademark SAINT-GOBAIN. Inversion of the letters "i" and "n" and addition of the letter "s" do not suffice to escape the finding of confusing similarity to the trademark and branded goods of SAINT-GOBAIN. Rather, this is a clear case of typosquatting using an obvious misspelling of the Complainant's trademark. Nor does the <.com> TLD extension diminish such confusing similarity, as it does not change the overall impression of the designation as being connected to the Complainant's trademark SAINT-GOBAIN or reduce the likelihood of confusion between the disputed domain name and the Complainant itself or with the Complainant's domain names.

Thus, the disputed domain name is confusingly similar to the Complainant's trademark SAINT-GOBAIN.

2. The Respondent has no rights or legitimate interests in respect of the disputed domain name

The Complainant notes that the Respondent's name is not that of the disputed domain name. Nor does the Respondent have any rights in or legitimate interest in respect of the domain name. The Respondent is not related in any way with the Complainant, does not carry out any activity for it and has no business with it. The Complainant has furthermore granted no licence or other authorization to the Respondent to make use of the Complainant's trademark SAINT-GOBAIN or to apply for registration of the disputed domain name on its behalf.

The Complainant also notes that it has shown that the disputed domain name resolves to an error page. The Complainant contends that the Respondent has not made any use of the disputed domain name since its registration and alleges that the Respondent has no demonstrable plan to use it, implying a further lack of legitimate interest. Rather, typosquatting, as here, can in itself be evidence that the Respondent lacks rights or a legitimate interest in the disputed domain name.

Therefore, the Complainant contends that the Respondent has no rights or legitimate interest 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 was created in May 2025, whereas the Complainant was already extensively using its trademark SAINT-GOBAIN worldwide long before that date. The Complainant here draws attention to its wide presence and renown globally and to the prominence of its long-standing website <saint-gobain.com>. Against this background, the Complainant contends that the misspelling of the trademark SAINT-GOBAIN in the disputed domain name was intentionally designed to be confusingly similar with the Complainant's trademark, of which the Respondent obviously knew. This was the sole reason why the Respondent registered the disputed domain name.

Moreover, the disputed domain name resolves to an error page. The Complainant contends that the Respondent has thus not demonstrated any existing activity in respect of the disputed domain name, whereas it is not possible to conceive of any plausible actual or contemplated active use of the 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.

Finally, the disputed domain name has MX records, which suggests that it may be actively used for e-mail purposes. This indicates bad faith use because any e-mail emanating from the disputed domain name could not be used for any good faith purpose.

In light of the above, the Complainant concludes that the Respondent has registered and is using the disputed domain name <sanit-gobains.com> in bad faith.

RESPONDENT:

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to trademarks 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 interest 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 that 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 the UDRP were met and that there is no other reason why it would be inappropriate to provide a decision.

The Panel notes that its résumé of the Parties' contentions includes for the Complainant only its main arguments pertinent to reaching a decision in this proceeding; it omits in particular references to past UDRP panels' Decisions because they merely illustrate what is contended under the Policy itself.

The Panel declines to consider a contention based on decisions of some previous Panels regarding prima facie proof since this contention is redundant in the circumstances of this proceeding.

PRINCIPAL REASONS FOR THE DECISION

The Panel:

- FINDS that the Complainant has substantiated its rights to the brand name SAINT-GOBAIN and ALSO FINDS that the Complainant has credibly demonstrated that a misspelt rendition of the Complainant’s brand in the disputed domain name <sanit-gobains.com> produces sufficient optical similarity to the brand to be susceptible of confusing internet users into believing that the disputed domain name may be associated with the Complainant. The Panel therefore CONCLUDES that the first part of the UDRP three-part cumulative test is met;
- NOTES in regard to this conclusion that another explanation for the composition of the disputed domain name is improbable in this case, given the distinctiveness of the Complainant's brand -- even in misspelt form -- in the language of the disputed domain name's registration, namely, English;
- FINDS that there is, as the Complainant points out, no indication in the circumstances of this case of the Respondent having a right or legitimate interest in the disputed domain name. To the contrary, the brief check performed by the Panel of the Respondent’s contact details given at registration shows these to be highly suspect. The second part of the UDRP test is therefore met;
- FINDS that the composition of the disputed domain name supports the Complainant’s contention that it was designed to sow confusion among internet users with respect to the Complainant’s renown and reputation built up with its protected brand, i.e. typosquatting. While the Panel NOTES that the Complainant did not supply any evidence of illegitimate use having been perpetrated with respect to one or more particular internet users, evidence was adduced of the disputed domain name’s e-mail server having been configured to enable the Respondent to do so. It is very unlikely that this was done without some use of the e-mail facility made available in this way. The PANEL on this basis FINDS that the disputed domain name is being used in bad faith and that, as a result, the third part of the UDRP test, bad faith registration and use, is fully satisfied.

In light of the foregoing, the Panel therefore ORDERS 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. **sanit-gobains.com**: Transferred

PANELLISTS

Name	**Kevin Madders**

DATE OF PANEL DECISION 2025-07-06

Publish the Decision