Decision for dispute CAC-UDRP-107653

Case number	CAC-UDRP-107653
Time of filing	2025-06-11 13:45:16
Domain names	leroymerlinoutlet.online

Case administrator

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

Complainant

Organization	GROUPE ADEO

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	joel underwood

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 trademarks « LEROY MERLIN », such as:

- The international trademark LEROY-MERLIN n° 591251 registered since July 15,1992;
- The international trademark LEROY MERLIN n° 701781 registered since August 14, 1998;
- The European trademark LEROY MERLIN n° 10843597 registered since April 27, 2012;
- The European trademark LEROY MERLIN n°11008281 registered since July 2, 2012.

FACTUAL BACKGROUND

The disputed domain name <leroymerlinoutlet.online> was registered on June 9, 2025 and is inactive. Before deactivation, the disputed domain name resolved to a webpage offering home furnishings under the brand LEROY MERLIN.

PARTIES CONTENTIONS

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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 the Policy. It is well-established that a domain name that wholly incorporates a Complainant's registered trademark is sufficient to establish confusing similarity for purposes 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). The Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the disputed domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy.

The Respondent is not identified as the disputed domain name. The Respondent has no rights or legitimate interests in respect of the disputed domain name and he is not related in any way with the Complainant. The Complainant alleges that it does not carry out any activity for, nor has any business with the Respondent. Complainant alleges that neither license nor authorization has been granted to the Respondent to make any use of the Complainant's trademark LEROY MERLIN, or apply for registration of the disputed domain name.

The Respondent used the disputed domain name to disrupt Complainant's business and to attract users by impersonating the Complainant, notably by displaying its logo. Impersonation of Complainant, by using its trademark in a disputed domain name and seeking to defraud or confuse users, indicates a lack of rights or legitimate interests by a Respondent. The disputed domain name incorporates Complainant's registered mark without authorization, and it is being used for a misleading website that passes off as Complainant and possibly engages in or intends to engage in other fraudulent conduct. Such use does not give rise to rights or legitimate interests under 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). Before deactivation, the disputed domain name resolved to a webpage offering home furnishings under the brand LEROY MERLIN. It is reasonable to infer that the Respondent has registered and used the domain name with full knowledge of the Complainant's trademark. Using a domain name in order to offer competing services was and could again be disrupting the business of the owner of the relevant mark in bad faith. By using the disputed domain name in this way, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. This is prohibited by 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

Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **leroymerlinoutlet.online**: Transferred

PANELLISTS

Name	**Mike Rodenbaugh**

DATE OF PANEL DECISION 2025-07-10

Publish the Decision