Decision for dispute CAC-UDRP-107634

Case number	CAC-UDRP-107634
Time of filing	2025-06-05 09:52:26
Domain names	boslik.com

Case administrator

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

Complainant

Organization	BOSTIK SA

Complainant representative

Organization	IN CONCRETO

Respondent

Name	Elsa Lucchesi

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

Trademark BOSTIK is registered by the Complainant as both a word and combined mark in several classes worldwide, including the United States of America, among others, the international trademark BOSTIK (WIPO Reg. No. 851632), registered on February 3, 2005, in classes 1, 2, 3, 16, 17 and 19.

FACTUAL BACKGROUND

BOSTIK SA is a French company in business activity for over 100 years, using the trademark BOSTIK to designate its products since the 1930s. It is one of the largest adhesive and sealant companies in the world, employing some 7,000 people in 55 countries across five continents. Therefore, BOSTIK is regarded as a well-known brand in the industry of adhesives and sealants. The Complainant's trademark registrations significantly predate the registration of the disputed domain name (April 17, 2025).

The Complainant also owns the domain name composed of its trademark BOSTIK alone, i.e. <bostik.com> (created on February 5, 1996).

The disputed domain name <boslik.com> was registered on April 17, 2025, by the American resident Elsa Lucchesi. This domain

name is the typosquatting of the Complainant’s trademark and exchanging the letter “t” with the letter “l” does not make any significant difference from the well-known, distinctive trademark BOSTIK.

The disputed domain name is used to send fraudulent e-mails.

PARTIES CONTENTIONS

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

The Panel agrees with the Complainant that the disputed domain name is confusingly similar to the Complainant's trademark BOSTIK. Indeed, the substitution of the letter “t” with the letter “l”, which are visually similar characters, especially in many commonly used fonts, does not alter the overall visual or phonetic impression significantly. As such, “boslik” is highly likely to be misread or misremembered as “bostik”. Considering the renown of the Complainant and its trademark BOSTIK, it becomes evident that merely exchanging the letter “t” with the letter “l” in the middle of the trademark does not set aside the confusing similarity between the disputed domain name and the Complainant's trademark (section 1.9 of WIPO Overview 3.0 states: “A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element.”).

The Panel acknowledges that the Complainant presented prima facie evidence that the Respondent is not sponsored by or affiliated with Complainant in any way. Furthermore, the Complainant has not licensed, authorized, or permitted Respondent to use Complainant’s trademarks in any manner, including in domain names. The Respondent's name does not resemble the disputed domain name in any manner. Respondent’s use of the disputed domain names does not constitute a bona fide offering of goods or services or a legitimate non-commercial or fair use.

As no administratively compliant response has been provided to the Panel and the prima facie evidence was not challenged by the Respondent, the Panel concludes that the Respondent meant Complainant's trademark BOSTIK when he/she registered the disputed domain name (see WIPO Overview 3.0, para. 3.1.1). Previous UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. Accordingly, the Panel finds that the disputed domain name was registered in bad faith.

Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes

also include sending email, phishing, identity theft, or malware distribution. The Complainant has presented prima facie evidence in this case that the disputed domain name was used to send deceptive emails, i.e., to solicit payment of fraudulent invoices which clearly shows the criminal intent and the evident case of bad faith use (see WIPO Overview 3.0, para. 3.4).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **boslik.com**: Transferred

PANELLISTS

Name	**Darius Sauliūnas**

DATE OF PANEL DECISION 2025-07-16

Publish the Decision