Decision for dispute CAC-UDRP-107655

Case number	CAC-UDRP-107655
Time of filing	2025-06-17 09:51:03
Domain names	offre-leparisien.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	LE PARISIEN LIBERE, SAS

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Ashley Debose

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 proved to be the owner of the following trademarks:

- French trademark n° 98732441 LE PARISIEN registered on May 14, 1998;
- French trademark n° 98732442 LE PARISIEN registered on May 14, 1998.

FACTUAL BACKGROUND

I - The Complainant

The Complainant is LE PARISIEN LIBERE, SAS, a French daily newspaper covering both international and national news, and local news of Paris and its suburbs.

II - The Respondent

The Respondent is Ashley Debose. The disputed domain name, <offre-leparisien.com>, was registered on June 11, 2024 and redirects to an authentication page displaying the Complainant’s figurative trademark.

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

1. The disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

The Complainant has successfully proved to be the owner of the trademark LE PARISIEN (word and figurative mark).

The trademark “LE PARISIEN” is totally included in the disputed domain name (<offre-leparisien.com>). In the Panel's view the addition of the generic word "OFFRE" does not exclude the likelihood of confusion with the trademark LE PARISIEN.

According to a consolidated case law in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in it, the confusing similarity threshold is met.

Furthermore, the addition of domain name extension is generally disregarded in view of its technical function.

As a consequence, the Panel finds that the disputed domain name is confusingly similar to the Complainant’s trademark, for the purposes of the First Element of the Policy.

2. The Respondent lacks rights or legitimate interests in the disputed domain name.

Pursuant to paragraph 4(a)(ii) of the Policy, a complainant is required to make out a prima facie case that a respondent lacks rights or legitimate interests in the disputed domain name. Once such a prima facie case is made, the respondent carries the burden of demonstrating its 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.

In this case, the Panel finds that the Complainant’s submitted evidence and allegations are sufficient to establish a prima facie case of the Respondent’s lack of rights and legitimate interests in the disputed domain name.

According to the information provided by the Complainant and not contested by the Respondent, Ashley Debose, is not commonly known by the disputed domain name nor she is authorized to use the Complainant’s trademarks LE PARISIEN.

The Panel agrees that the Respondent has not used, nor prepared to use, the disputed domain name in connection with a bona fide offering of goods or services, nor a legitimate non-commercial or fair use. The Complainant proved that <offre-leparisien.com> redirected to a website which reproduced the figurative trademark LE PARISIEN. It appears that the Complainant's trademark was used to obtain personal information from internet users.

For these reasons, the Panel takes the view that the Respondent lacks rights or legitimate interests in the disputed domain name for the purposes of the Policy.

3. The disputed domain name was registered and is used in bad faith.

The Panel finds the following circumstances as material in order to establish the Respondent's bad faith in the registration of the disputed domain name:

(i) the disputed domain name was registered well after the Complainant acquired rights on the trademark LE PARISIEN;

(ii) the Complainant's trademark is distinctive and enjoys a certain degree of reputation. This fact combined with the use that the Respondent has made of the disputed domain name makes it very improbable that the Respondent was not aware of the Complainant's exclusive rights on LE PARISIEN at the time of the registration of the disputed domain name.

As regards use in bad faith, the disputed domain name resolved to a site which impersonated/passed off as the Complainant. This website contained the Complainant's figurative trademark. The LE PARISIEN trademark was used to request to internet users personal information. In the Panel's view, such use is a clear index of bad faith for the purpose of the Policy.

All above considered the Panel finds the evidence submitted as sufficient to prove use and registration in bad faith of the disputed domain name for the purposes of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **offre-leparisien.com**: Transferred

PANELLISTS

Name	**Andrea Mascetti**

DATE OF PANEL DECISION 2025-07-20

Publish the Decision