Decision for dispute CAC-UDRP-107712

Case number	CAC-UDRP-107712
Time of filing	2025-06-30 15:11:13
Domain names	matmut.pro

Case administrator

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

Complainant

Organization	MATMUT

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Host Facture

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 is the owner of trademarks MATMUT, such as:

- European trademark MATMUT n° 003156098 registered on May 26, 2005;
- French trademark MATMUT n° 98728962 registered on October 9, 1998.

FACTUAL BACKGROUND

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

Created in 1961, MATMUT (for Mutuelle Assurance des Travailleurs MUTualistes) is a mutual insurance company. An important player on the French market, MATMUT has over 4.6 million members and more than 8.4 million contracts, registering a turnover of € 3.2 billion.

The Complainant is also the owner of several domain names including the trademark “MATMUT”, such as <matmut.com> registered since 1998 and <matmut.fr> registered since 1997.

The disputed domain name was registered on June 23, 2025 and redirects the Internet users to a login page of a third-party company, with the mention of the judicial decision accessible after introducing identification credentials.

PARTIES CONTENTIONS

COMPLAINANT

1. THE DISPUTED DOMAIN NAME IS IDENTICAL OR CONFUSINGLY SIMILAR

The disputed domain name is identical to the Complainant's trademark "MATMUT" and its domain names associated. Indeed, the trademark "MATMUT" is included in its entirety, without any addition or deletion.

The addition of the new gTLD ".pro" is irrelevant in determining whether or not a disputed domain name is confusingly similar to a mark.

Past Panels have confirmed the Complainant's rights over the term "MATMUT".

Thus, the disputed domain name is identical to the Complainant's trademark MATMUT.

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

The Complainant asserts that the Respondent is not identified in the WHOIS database as the disputed domain name, but as "Host Facture". Past panels have held that a Respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name. Thus, the Respondent is not known as the disputed domain name.

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

Moreover, the disputed domain name redirects the Internet users to a login page of a third-party company, with the mention of the judicial decision accessible after introducing identification credentials. This page may be used for the purpose of collecting personal information from the Complainant's customers, believing that they must insert their Orange credentials to access the decision. This use cannot be considered a bona fide offer of services or a legitimate use of domain names, since the website misleads consumers into believing that they are accessing a website affiliated with the Complainant.

Accordingly, the Respondent has no rights or legitimate interests to the disputed domain name.

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

The Complainant states that the disputed domain name is identical to its distinctive trademark "MATMUT". Major Player on the French market, "MATMUT" has over 4,6 million members and more than 8,4 million contracts, registering a turnover of 3.2 billion euros.

The term "MATMUT" has no significance except to the Complainant, and a simple Google search shows the Complainant's trademark presence online.

Thus, given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent, who is also French, has registered the disputed domain name with full knowledge of the Complainant's trademarks and rights.

Moreover, the disputed domain name redirects Internet users to a login page of a third-party company, with the mention of the judicial decision accessible after introducing identification credentials. Therefore, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial purposes, Internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of its website. In addition, the Respondent may collect personal information through this website, including passwords.

As previous decisions have held, bad faith is characterized where the Respondent makes such use of the domain name.

On these bases, the Complainant concludes that the Respondent has registered and is using the disputed domain name in bad faith.

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 demonstrated rights over the "MATMUT" trademark, supported by several registrations and evidence.

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 "MATMUT".

Consequently, the Panel determines that the Complaint has satisfied the Policy's first element set under 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 1) the Respondent is not commonly known by the disputed domain name; 2) the Respondent is not affiliated with the Complainant; 3) the Respondent is not authorized to carry out any activity for the Complainant; 4) the Respondent has no license or authorization to use the trademarks; 5) although a very recent registration, the Respondent is not using the disputed domain name and has no demonstrable plans to use the disputed domain name legitimately; and 6) the disputed domain name redirects to a website that requires the introduction of credentials under what appears to be misleading circumstances to Internet users.

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

These facts lead the Panel to conclude that the Respondent did not have rights or legitimate interests in the disputed domain name. 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

According to 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 targeting the registration of the disputed domain name, with the intention of likely misleading Internet users into entering personal login credentials. This is further reinforced by the complete reproduction of the trademark in the disputed domain name, the location of the Respondent, which is the primary market of the Complainant, a simple search for the term “MATMUT” would have shown the Complainant, and the redirection of the disputed domain name, which may not be evident to the typical Internet user.

On the balance of probabilities, the Respondent, without any explanation to the contrary, likely appears to capitalize on the confusion to lure unsuspecting Internet users to the disputed domain name and obtain their login credentials.

These circumstances in conjunction more than likely indicate that the Respondent was aware of the Complainant and specifically targeted the Complainant to attract, "for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location" as clearly described under paragraph 4(b) of the Policy and 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 used in bad faith according to paragraph 4(a)(iii) of the Policy.

4. Decision

For the reasons mentioned above and according to the provisions in 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. **matmut.pro**: Transferred

PANELLISTS

Name	**Rodolfo Rivas Rea**

DATE OF PANEL DECISION 2025-07-23

Publish the Decision