Decision for dispute CAC-UDRP-107722

Case number	CAC-UDRP-107722
Time of filing	2025-07-03 09:47:51
Domain names	saint-gubain.com

Case administrator

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

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	jeep jeepoo

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 international trademark registrations for the wording “SAINT-GOBAIN”, including:

- International trademark SAINT-GOBAIN n°740184 registered on July 26, 2000;
- International trademark SAINT-GOBAIN n°740183 registered on July 26, 2000;
- International trademark SAINT-GOBAIN n°596735 registered on November 2, 1992;
- International trademark SAINT-GOBAIN n°551682 registered on July 21, 1989.

The Complainant also owns the domain name <saint-gobain.com> registered on December 29, 1995.

FACTUAL BACKGROUND

The Complainant states that it is a French company and a top industrial group in the world, with around 46.6 billion euros in turnover in 2024 and 161,000 employees producing, processing and distributing materials for the construction and industrial markets.

The Complainant further states that it is the owner of the trademark “SAINT-GOBAIN” since the end of the 80's and of various domain names, such as the domain name <saint-gobain.com>.

The disputed domain name was registered on June 27, 2024 and it resolves to a parking page with commercial links; in addition, MX servers are configured.

PARTIES CONTENTIONS

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 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).

The disputed domain name <saint-gubain.com> is confusingly similar to its trademark “SAINT-GOBAIN”, as the substitution of the letter “O” by the letter “U” in the trademark SAINT-GOBAIN is not sufficient to escape the finding that the domain name is confusingly similar to the trademark and branded goods SAINT-GOBAIN; on the contrary, such variation suggests this is a typical typosquatting case (see WIPO Jurisprudential Overview 3.0, 1.9).

***

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).

According to the WIPO case No. D2003-0455, Croatia Airlines d. d. v. Modern Empire Internet Ltd., 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 domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy.
In the case at hand, the Respondent is not affiliated with the Complainant nor authorized by it in any way to use the trademark “SAINT-GOBAIN”. The Complainant does not carry out any activity for, nor has any business with the Respondent. The disputed domain name is parked: therefore, the Respondent did not make any use of disputed domain name since its registration, and it confirms that Respondent has no demonstrable plan to use the disputed domain name. It demonstrates a lack of legitimate interests in respect of the disputed domain name.

The Respondent did not provide any reply to the Complaint in order to support it reasons for having registered the disputed domain name.

The Panel believes that the Respondent has no rights or legitimate interests to the disputed domain name <saint-gubain.com>.

***

The Panel finds that the Complainant successfully submitted prima facie evidence that the Respondent has made no use of, or demonstrable preparations to use, neither of the disputed domain name in connection with a bona fide offering of goods or services, nor is making a legitimate non-commercial or fair use of the disputed domain name. Indeed, given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant's trademark “SAINT-GOBAIN”. See for instance WIPO Case No. D2004-0673, Ferrari S.p.A v. American Entertainment Group Inc.

Furthermore, as the disputed domain name resolves to a parking page with commercial links, it is not possible for this Panel to find any bona fide offering of goods or services or legitimate non-commercial or fair use.

In the absence of real evidence in the merits of the case from the Respondent and given the reputation of the Complainant and its trademarks, the Panel infers that the Respondent had the Complainant's trademarks “SAINT-GOBAIN” in mind when registering the disputed domain name.

Consequently, the Panel believes that thedisputed domain name was registered and is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **saint-gubain.com**: Transferred

PANELLISTS

Name	**Tommaso La Scala**

DATE OF PANEL DECISION 2025-08-07

Publish the Decision