Decision for dispute CAC-UDRP-107724

Case number	CAC-UDRP-107724
Time of filing	2025-07-04 10:06:07
Domain names	siaint-gobain.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	siaintgobian inc

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 registered owner of the following trademarks containing the word element "SAINT-GOBAIN”:

- SAINT-GOBAIN (word), EU trademark, filing date 9 March 2000, registration date 18 December 2001, trademark no. 001552843, registered for goods and services in the international classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40, and 42;

- SAINT-GOBAIN (word), International (WIPO) trademark, registration date 26 July 2000, trademark registration no. 740183, registered for goods and services in the international classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40, and 42;

besides other international trademarks consisting of the "SAINT-GOBAIN" denomination (collectively referred to as "Complainant's Trademarks").

The SAINT-GOBAIN name is also commonly used to designate the company name of the Complainant and its affiliates.

FACTUAL BACKGROUND

The Complainant is a French company specialized in the production, processing and distribution of materials for the construction

and industrial markets.

Saint-Gobain is a worldwide reference in sustainable habitat and construction markets. For 350 years, the Complainant has consistently demonstrated its ability to invent products that improve the quality of life. It is now one of the top industrial groups in the world with around 51.2 billion euros in turnover in 2022 and 168,000 employees.

The disputed domain name was registered on 1 July 2025 and is held by the Respondent.

The domain name website (i.e. website available under internet address containing the disputed domain name) includes random, likely automatically generated, links to third party websites not in any way related to the Complainant.

An MX server's record for the disputed domain name specifies the mail server responsible for accepting e-mail messages on behalf of a disputed domain name. This indicates that he disputed domain name is capable of being used for e-mail purposes.

PARTIES CONTENTIONS

COMPLAINANT:

A) CONFUSING SIMILARITY

The Complainant states that:

- The disputed domain name is confusingly similar to its well-known and distinctive Complainant’s trademarks
- The insertion of the letter "I" in the domain does not prevent a finding of confusing similarity, as the addition constitutes an obvious misspelling of the trademark and amounts to typosquatting.
- Such minor spelling variations are widely recognized as insufficient to avoid confusing similarity under the Policy.

The Complainant refers to previous domain name decisions in this regard.

Thus, according to the Complainant, the confusing similarity between the Complainant’s trademarks and the disputed domain name is clearly established.

B) NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant states that:

- The Respondent is identified in the Whois database as "siaintgobian inc." However, no corporate entity by that name is registered in either Nigeria or the United States. Furthermore, the listed postal address is located in the United States, not Nigeria, and the associated email address uses a domain belonging to a different US-based company. The Complainant submits that this information is incoherent and indicates that "siaintgobian inc" is a fictitious or misleading entity intended to increase confusion with the Complainant’s Trademarks.
- The Respondent has not been commonly known by the disputed domain name.
- The Complainant has not authorized, permitted or licensed the Respondent to use Complainant’s trademarks in any manner. The Respondent has no connection or affiliation with the Complainant. whatsoever. On this record, Respondent has not been commonly known by the disputed domain name.
- Furthermore, the disputed domain name resolves to a parking page with commercial links. Such use is not a bona fide offering of goods or services or a legitimate non-commercial or fair use.

The Complainant refers to previous domain name decisions in this regard.

C) BAD FAITH REGISTRATION AND USE

The Complainant states that:

- Seniority of the Complainant's Trademarks predates the registration of the disputed domain name.
- Furthermore, the Complainant's Trademarks are well-known and have received widespread recognition. Therefore, the Respondent must have been aware of such trademarks and their reputation. This clearly indicates bad faith registration of the disputed domain name by the Respondent.
- Intentional misspelling of the Complainant’s Trademarks in the disputed domain name was designed to create confusion and demonstrates bad faith as it constitutes illicit activity known as “typosquatting”.
- The disputed domain name website resolves to a parking page with commercial links. The Complainant contends the Respondent has attempted to attract Internet users to his own website and for its own commercial gain, which is evidence of bad faith

The Complainant refers to previous domain names decisions in this regard.

RESPONDENT:

The Respondent has not provided any response to the Complaint.

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

A) RIGHTS

Since the disputed domain name and the Complainants' trademarks are not identical, the key element investigated and considered by the Panel is whether the disputed domain name is confusingly similar to the Complainants' trademarks.

The threshold test for confusing similarity under the UDRP involves a comparison between the trademark and the disputed domain name itself to determine the likelihood of Internet users´ confusion. In order to satisfy this test, the relevant trademark would generally need to be recognizable as such within the disputed domain name. An addition of common, dictionary, generic, or other descriptive terms is typically insufficient to prevent threshold Internet user confusion. Confusing similarity test under the UDRP typically involves a straightforward visual and aural comparison of the trademark with the domain name in question.

The disputed domain name <siaint-gobain.com> differs from the Complainant’s Trademarks only by the insertion of an extra letter “I” in “SAINT,” forming “SIAINT.” This minor typographical change does not alter the overall impression, appearance, pronunciation, or meaning of the Complainant’s Trademarks. Such a small deviation is unlikely to be noticed and will not prevent association with the Complainant. The Complainant’s Trademarks remain recognizable in the disputed domain name, including the distinctive “-GOBAIN” element and the hyphenation.

Accordingly, the disputed domain name is confusingly similar to the Complainant’s Trademarks and the difference is insufficient to avoid a likelihood of confusion.

For the sake of completeness, the Panel asserts that the top-level suffix in the disputed domain name (i.e. the “.com”) must be disregarded under the identity and confusing similarity tests as it is a necessary technical requirement of registration.

Therefore, the Panel has decided that there is confusing similarity in this case, it also concludes that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

B) NO RIGHTS OR LEGITIMATE INTERESTS

The Complainants' assertions that the Respondent is not commonly known by the disputed domain name and is not affiliated with nor authorised by the Complainant are sufficient to constitute prima facie showing of absence of rights or legitimate interest in the disputed domain name on the part of the Respondent.

Consequently, the evidentiary burden shifts to the Respondent to show by concrete evidence that it does have rights or legitimate interests in that name. However, the Respondent failed to provide any information and evidence that it has relevant rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a) (ii) of Policy).

Use of the disputed domain name for purposes of providing links to third party content, which seems to be automatically generated, does not constitute any rights to the disputed domain name or legitimate interest in it. Such use is not legitimate, non-commercial or fair use because it is commercial in nature and depends on the likelihood of confusion with the Complainant to attract clicks and generate revenue.

C) BAD FAITH

The Panel finds it grounded that the Respondent registered and used the disputed domain name in bad faith.

The Complainant's Trademarks are well-known and have received widespread recognition and predate registration of the disputed domain name. Therefore, the Respondent must have been aware of Complainant’s trademarks and their reputation. This clearly indicates that the Respondent has registered the disputed domain name in bad faith.

It is clear that by adding a single letter to the Complainant's Trademarks (while all other characters of the disputed domain names are identical), it was the Respondent’s intention to target Internet users who incorrectly type a website address into their web browser, an illicit activity recognised as „typosquatting“. There are several different reasons for typosquatting, as for example:

- to try to sell the disputed domain back to the Complainant;

- to monetize the disputed domain through advertising revenues from direct navigation misspellings of the intended domain;

- to redirect the typo-traffic to Complainant’s competitor;

- as a phishing scheme to mimic the Complainant’s site, while intercepting passwords or other information that the visitor enters unsuspectingly;

- to install drive-by malware or revenue-generating adware onto the visitors' devices;

- to harvest misaddressed e-mail messages mistakenly sent to the typo domain.

All of the activities above are considered as malicious activities.

For the reasons described above, since (i) there is only a remote chance that the Respondent has registered the disputed domain name just by a chance and without having a knowledge about the existence of the Complainant’s rights and business, and (ii) the Respondent is engaged in typosquatting, the Panel contends, on the balance of probabilities, that the disputed domain name has been registered and is being used by the Respondent in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **siaint-gobain.com**: Transferred

PANELLISTS

Name	**Jiří Čermák**

DATE OF PANEL DECISION 2025-08-11

Publish the Decision