Decision for dispute CAC-UDRP-107813

Case number	CAC-UDRP-107813
Time of filing	2025-08-04 09:25:11
Domain names	ratp-waze.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	REGIE AUTONOME DES TRANSPORTS PARISIENS (RATP)

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Vercel 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

In these proceedings, the Complainant relies on the following trademarks:

- “RATP“ (word), EUTM No. 008945966, registered as of February 25, 2010, in the name of REGIE AUTONOME DES TRANSPORTS PARISIENS (RATP) [the Complainant], duly renewed;

- “R.A.T.P.“ (word & logo), EUTM No. 018081115, registered as of Jun 11, 2019, in the name of REGIE AUTONOME DES TRANSPORTS PARISIENS (RATP) [the Complainant].

It is worth noting that, the Complainant also owns similar trademarks in various countries of the world, which have not been cited in these proceedings.

Further, it should be taken into consideration that “RATP” is also commonly used in trade to designate the Complainant’s company name.

FACTUAL BACKGROUND

The Complainant is a French international company, originally founded in 1908, well-known for its expertise and particularly active in

the wider field of public transportation. Ever since, the Complainant has become a large enterprise with activities in as many as 16 countries in the world (including in the USA, where the Respondent is apparently located), and thousands of employees.

The Complainant owns a good-sized portfolio of trademarks including the wording "RATP", among which is an EUTM registration dating back to 2010. It also owns several related domain names, like <ratp.fr> and <ratp.com> since December 31, 1994 and January 28, 1999, respectively.

The disputed domain name <RATP-WAZE.COM> was registered on July 16, 2025 by the Respondent, as confirmed by the Registrar.

PARTIES CONTENTIONS

COMPLAINANT

The Complainant contends that the disputed domain name is confusingly similar to its RATP trademark, as it is wholly incorporated therein. This last element is sufficient to support the finding that the disputed domain name is identical / confusingly similar to the Complainant's trademark. The addition of the word “WAZE” does not change anything in that respect. As to the gTLD “.com”, the Complainant suggests that it should be disregarded, as per the usual practice.

The Complainant maintains that the Respondent lacks rights or legitimate interests in the disputed domain name because the Complainant is not affiliated with nor has it ever authorised the Respondent to register its trademark as a domain name, the Complainant has never licensed its trademark to the Respondent, and because the disputed domain name resolves to a fraudulent website.

According to the Complainant, given the distinctiveness and reputation of the RATP trademark, the Respondent registered the disputed domain name with full knowledge of the Complainant's trademark in an intentionally designed way with the aim to create a likelihood of confusion with the Complainant’s trademarks and domain names, and this is evidence of the fact that the disputed domain name was registered in bad faith.

With respect to use in bad faith, the Complainant essentially points out that the Respondent has used the domain name for phishing purposes towards its customers and/or for its own commercial gain, which is considered a clear indication of bad faith. It is, indeed, impossible to conceive any actual or contemplated use that would not be illegitimate.

For all these reasons, the Complainant concludes that the Respondent registered and used the disputed domain name in bad faith.

RESPONDENT

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).

The disputed domain name <RATP-WAZE.COM> wholly incorporates the Complainant’s registered trademark “RATP” to which it is identical. Indeed, the mere addition of the word “WAZE” to the Complainant’s trademark in the disputed domain name is not sufficient to escape the finding of confusing similarity, as the other word element (RATP) has been kept intact by the Respondent. In fact, the use of the word “WAZE”, which is the registered trademark of a third entity that boasts a navigation software facilitating transportation, reinforces the confusion among consumers.

As far as the gTLD ".com" is concerned, it is generally recognized that top level domains do not have any bearing in the assessment of identity or confusing similarity, according to paragraph 4(a)(i) of the Policy.

Hence, the Panel is satisfied that the first requirement under the Policy is met.

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).

Since proving a negative fact is almost impossible, panelists in UDRP proceedings have generally agreed that it is sufficient for the Complainant to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name to shift the burden of proof to the Respondent.

In the case at issue, the Complainant argued that it had never authorised the Respondent to register the RATP trademark in a

domain name, and that it had never licensed its trademark to the Respondent.

Furthermore, the disputed domain name resolves to a fake website depicting one of the Complainant's logos, where the Respondent attempts to illegally obtain private information of individuals, and therefore the Respondent cannot demonstrate any use of the disputed domain name in connection with a bona fide offering of goods and services or a legitimate non-commercial or fair use of the disputed domain name.

Finally, there is no other evidence in the case file that could demonstrate that the Respondent has been commonly known by the disputed domain name.

In view of the foregoing, the Panel is satisfied that the Complainant has established a prima facie case that the Respondent lacks rights and legitimate interests in the disputed domain name. In order to rebut the Complainant's arguments, the Respondent had the possibility to make his own defence. However, the Respondent has chosen not to file a Response.

Therefore, the Panel is satisfied that also the second requirement under the Policy is met.

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).

As far as registration in bad faith is concerned, given the reputation of the Complainant's trademark – even in the USA, where the Respondent is apparently located and the Complainant is active – and the fact that the disputed domain name fully incorporates this trademark, it is quite evident that, at the time of the registration of the disputed domain name, the Respondent was well aware of the Complainant's trademark. The registration as domain name of a third party's well-known trademark with full knowledge of the fact that the rights over this trademark belong to a third-party amounts to registration in bad faith.

With respect to use in bad faith, the disputed domain name resolves to a fraudulent website, where the Respondent is actually phishing private information from RATP subscribers. Such use of a domain name shows bad faith under some circumstances, such as when the complainant's trademark has such a strong reputation that it is widely known, and when it is impossible to conceive any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate. This fact is to be combined with the full incorporation of the Complainant's reputable trademark in the disputed domain name. These are exactly the circumstances that apply in the case at issue. The trademark RATP enjoys wide and extensive reputation in the field of public transportation. Therefore, it is impossible to conceive any plausible active use of the disputed domain name that would be legitimate.

Therefore, the Panel finds it clear that the disputed domain name was used in bad faith.

For all circumstances mentioned above, the Panel is satisfied that also the third requirement under the Policy is satisfied.

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 disputed domain name incorporates the Complainant's whole trademark, the mere addition of another word not changing this fact. The disputed domain name is therefore confusingly similar to the Complainant's trademark.

The Respondent was not authorised to include the Complainant's trademark in the disputed domain name, and the Complainant never licensed its trademark to the Respondent. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, or a legitimate non-commercial or fair use.

The Respondent registered the disputed domain name with full knowledge of the Complainant's well-known trademark. His use of the disputed domain name for phishing purposes is in bad faith, as there is no conceivable use of the disputed domain name that could amount to a legitimate use.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ratp-waze.com**: Transferred

PANELLISTS

Name	**Sozos-Christos Theodoulou**

DATE OF PANEL DECISION 2025-09-05

Publish the Decision