Decision for dispute CAC-UDRP-107792

Case number	CAC-UDRP-107792
Time of filing	2025-07-30 09:53:58
Domain names	lgpdecaux.com

Case administrator

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

Complainant

Organization	JCDECAUX SE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Donna Bruzzone

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 several trademark registrations, in particular the following marks:

- International trademark registration DECAUX no. 991341 registered since April 11, 2008 for goods and services 6, 9, 11, 12, 20, 35, 37, 38, 39, 41 and 42;
- International trademark registration JCDECAUX no. 803987 registered since November 27, 2001 for goods and services in classes 6, 9, 11, 19, 20, 35, 37, 38, 39, 41 and 42.

FACTUAL BACKGROUND

1.
The Complainant is active in the outdoor advertising since 1964.

It employs a total of 12,026 people and is present in more than 80 different countries, 3,894 cities and has generated revenues of € 3,935.3m in 2024.

IGPDecaux is the name of the Complainant's Italian subsidiary, responsible for the communication on the transport network of 64 cities with more than 12,400 cars available and the street furniture of 38 cities on 28,700 spaces.

2.
It results from the registrar verification response that the Respondent registered the disputed domain name on July 22, 2025.

The disputed domain name resolves to an inactive page ("Unable to connect") and has been set up with MX records.

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 Panel finds that the disputed domain name <lgpdecaux.com> is confusingly similar to the Complainant’s trademark.

It incorporates the entirety of said trademark "Decaux" identically combining it with the letters "lgp". The Panel considers this addition as not being sufficient to render the disputed domain name dissimilar to Complainant’s registered trademark which quantitatively dominates the disputed domain name and which, in the Panel's view, remains recognizable within the disputed domain name.

2.

In the absence of any Response, or any other information from the Respondent indicating the contrary, the Panel further holds that the Complainant successfully presented a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

In particular, it results from the Complainant's undisputed allegations and evidence that the Respondent is not affiliated with nor authorized by the Complainant in any way, and he is not related in any way to the Complainant’s business. Moreover, the Respondent has not demonstrated any preparations to use the disputed domain name - which is currently inactive - in connection with a bona fide offering goods or services. Finally, the Panel has not been presented any evidence that could lead the Panel to the conclusion that the Respondent is commonly known by the disputed domain name or that he has acquired trademark rights. In particular, the Respondent is not identified in the Whois database under the disputed domain name.

3.

The Panel finds that the disputed domain name has been registered and is being used in bad faith.

From the inception of the UDRP, panelists have found that the non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. While looking at the totality of the circumstances of the case, the Panel particularly considers the following documented factors - which have not been contested by the Respondent - to be relevant in applying the passive holding doctrine in the present case:

i. The disputed domain name not only identically containing the Complainant's trademark "Decaux" but identically reproducing the company name of the Complainant's Italian subsidiary;
ii. The Complainant's trademark enjoying an enhanced degree of distinctiveness and even reputation being in business since more than six decades and currently active in more than 80 different countries, 3,894 cities worldwide. Therefore, it is the view of this Panel that Respondent knew or should have known that the disputed domain name contains the Complainant's trademark and consists of the name of the Complainant's Italian subsidiary when registering the disputed domain name. Registration of a confusingly similar domain name in awareness of a reputed trademark and in the absence of rights or legitimate interests amounts to registration in bad faith;
iii. The Respondent's failure to submit a response or to provide any evidence of actual or contemplated good-faith use;
iv. The implausibility of any good faith use to which the disputed domain name, identically containing the Complainant's trademark, may be put;
v. The disputed domain name has been set up with MX records so that Respondent could be engaged in a phishing scheme; and
vi. The Respondent concealing its identity behind a service provider.

In the light of the above, the Panel finds that the Complainant has established the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lgpdecaux.com**: Transferred

PANELLISTS

Name	**Tobias Malte Müller**

DATE OF PANEL DECISION 2025-09-04

Publish the Decision