Decision for dispute CAC-UDRP-107913

Case number	CAC-UDRP-107913
Time of filing	2025-09-03 09:13:41
Domain names	parcastepix.com

Case administrator

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

Complainant

Organization	Les Editions Albert René

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Bailey Aura

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant has adduced evidence showing that it is the owner of the following trademarks in respect of the brand name ASTERIX:

- International trademark No. 373128 (for ASTERIX ET OBELIX), registered on 23 October 1970;

- French trademark No. 1378113, registered on 5 November 1986 comprehensively in Nice Classification classes;

- EU trademark No. 1689749, registered on 1 April 1996;

- French trademark No. 4827658 (for TOUTATIS PARC ASTERIX), registered on 20 December 2021 in Nice classes 28, 35, 38, 41 and 43;

- International trademark No. 1689749, registered on 4 July 2022.

The Complainant suggests that it holds further trademarks but has adduced no documentary evidence in their regard.

The same is true of domain names of which the Complainant suggests it is registrant. Documentary evidence is, however, adduced in respect of <asterix.com> and <parcasterix.com>, registered on 19 October 1995 and 17 January 1997 respectively.

The Respondent registered the disputed domain name <parcastepix.com> on 8 July 2025 according to the Registrar Verification

requested by the CAC Case Administrator.

FACTUAL BACKGROUND

René Goscinny and Albert Uderzo created the Astérix comic series in 1959, appearing in a magazine and then in book form, with 40 albums published between 1961 and 2025. Set in 50 BC in a village in Gaul, the series' two warrior protagonists -- the small but sharp-witted Astérix and large, magically strong Obélix -- have many humorous adventures that frequently see them prevail over Julius Caesar and the Roman Empire. After Goscinny's death, Uderzo in 1979 founded the publisher Editions Albert René (the Complainant) in France, which holds the various intellectual property rights over the highly successful ASTERIX brand. Books sold amount to 370 million worldwide, with translations into some 110 languages and dialects, alongside popular films and other audio-visual productions. Among many derivative products from the branded comic series, the 80-hectare Parc Astérix theme park site near Paris is devoted entirely to the Complainant's character and his world and adventures. Over 2.8 million people visited the park in 2024 and a dedicated website for the park, referenced in the Complaint, includes a ticketing facility for visitors. The website, which opens in French, English, Spanish and Dutch versions, features the theme park's attractions, the hotels and parking areas on the site and promotional offers.

As to the website to which the disputed domain name resolves, the Complainant has adduced screenshot evidence showing that it takes internet users to fake ticketing offers purporting to relate to Parc Astérix. The text shown in the screenshots is in the French language and, among other things, a contact telephone number is given in French domestic format, i.e. without inclusion of an international access code. The different ticket options' product listing design and naming, colour card employed and even pricing are mostly identical to those appearing on the Complainant's website for Parc Astérix. In particular, the gift card product listing includes exactly the same image as on the Complainant's ticketing page. The Parc Astérix logo is similarly replicated.

In its routine scrutiny of the Case File, the Panel determined that the contact details given for the Respondent upon registration appear to be credible in so far as an existing postal address in New Jersey, USA, was entered. However, the fixed-line telephone number given relates in fact to an area in a different federal state, namely, Michigan.

PARTIES CONTENTIONS

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

The obvious misspelling of the Complainant's (main) trademark in the disputed domain name <parcastepix.com> (i.e. the substitution of the letter "R" in the protected brand ASTERIX by the letter "P") is characteristic of a typosquatting practice intended to create confusing similarity between the Complainant's trademark and the disputed domain name. The intended slight variation does not change the overall impression of the designation as being connected to the Complainant's trademark and neither does the disputed domain name's technical extension <.com>. Thus, the disputed domain name is confusingly similar to the Complainant's trademark.

2. The Respondent has no rights or legitimate interest in respect of the disputed domain name

The Respondent is not identified as the disputed domain name and is not known to the Complainant. Nor is the Respondent affiliated with or authorized by the Complainant in any way. Furthermore, that the Respondent has no rights or legitimate interest in respect of the disputed domain name is demonstrated by the fact that the disputed domain name takes internet users to French content related to the Parc Astérix theme park and that this content produces a risk of being perceived as suggesting a non-existent affiliation with the Complainant. It is pertinent in this connection that, for many years, the Complainant has used the ASTERIX trademark specifically in connection with its Parc Astérix theme park.

3. The disputed domain name was registered and is being used in bad faith

The Complainant has made commercial use of its trademarks for more than half a century and, with over 2.8 million visitors, Parc Astérix has become the second most visited theme park in France behind Disneyland Paris and is among the top ten such parks in Europe. Given the goodwill built up over this time and the distinctiveness of the Complainant's trademark, it is highly unlikely that the Respondent did not know of the Complainant and its trademark prior to registration of the disputed domain name. In any case, addition of the descriptive term "parc" in the disputed domain name shows that the Respondent's was indeed aware of the Complainant and its being involved in the theme park business, which it has been since 1989. Lastly, the content on the website to which the disputed domain name resolves and the way in which the disputed domain name uses, as explained above, the intentional misspelling <parcastepix> demonstrate that the registration and use of the disputed domain name are in bad faith.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to

trademarks 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 interest 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 that 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 the UDRP were met and that there is no other reason why it would be inappropriate to provide a decision.

The Panel notes that its résumé of the Parties' contentions includes for the Complainant only its main ones pertinent to reaching a decision in this proceeding; it omits in particular some references to past ADR Panels' Decisions that support these contentions. It also notes an invitation by the Complainant to the Panel to regard its submissions concerning the Respondent's lack of rights or of a legitimate interest as being adequate to constitute a prima facie case and thereby to shift the burden of proof to the Respondent. The Panel does not accept this argumentation, there being quite adequate evidence and grounds in the circumstances of this case for it to proceed to a decision without further ado. The Panel recommends instead paying close attention to the actual facts of the proceeding, which in this case make the Complainant's invitation superfluous.

PRINCIPAL REASONS FOR THE DECISION

Whereas the Complainant has shown that it not only has rights in the brand ASTERIX but that it has gone to great lengths in terms of trademark registration to ensure that, particularly in France, these are of the widest scope, it is equally evident from the facts of this case that the Respondent -- whoever this is, since the contact details given are transparently suspect -- has itself gone to some lengths to impersonate the Complainant. It has done so, first, by replacing at registration the "R" in the brand ASTERIX so as, within the entire disputed domain name <parcastepix.com> to induce some internet users into visually jumping over this variation on a name they will know well already. This is an example of "typosquatting". Second, the online ticketing facility accessible via the disputed domain name imitates the same facility for visitors to Parc Astérix that is to be found on the Complainant's websites. The risk of producing confusion to internet users, particularly consumers, in order to bring illegitimate financial gain to the Respondent is clear on this basis alone, while, in circumstances of quite possibly concealed identity (see Factual Background), one can also imagine further means by which the Respondent might misuse the disputed domain name.

There being no scintilla of any legitimate basis for the Respondent's conduct and instead every indication of bad faith registration and use in the factual situation just mentioned, the Panel FINDS that all elements of the UDRP three-part cumulative test have been met in this case and accordingly ORDERS 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. **parcastepix.com**: Transferred

PANELLISTS

Name	**Kevin Madders**

DATE OF PANEL DECISION 2025-10-16