Decision for dispute CAC-UDRP-107979

Case number	CAC-UDRP-107979
Time of filing	2025-09-23 09:31:30
Domain names	fermentis-lesaffre.com

Case administrator

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

Complainant

Organization	LESAFFRE ET COMPAGNIE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	fermentis lesaffre

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 has proved to own the following trademark rights, inter alia:

- International trademark LESAFFRE n°1775809 registered on October 12, 2023;
- International trademark FERMENTIS n° 800762 registered on March 7, 2003, and duly renewed;
- French trademark LESAFFRE n° 3202372 registered on January 2, 2003, and duly renewed;
- European trademark FERMENTIS n° 002970663 registered on February 26, 2004, duly renewed.

The Complainants also owns the following domain names:

- <lesaffre.com> registered since December 19, 1996 and duly renewed;
- <fermentis.com> registered since December 16, 2002 and duly renewed.

FACTUAL BACKGROUND

The Complainant, LESAFFRE ET COMPAGNIE is a French company specialized in the design, manufacture and markets solutions for baking, food taste, health care and biotechnology. Based in the North of France, FERMENTIS is a Business Unit of the Lesaffre and is specialized in fermentation for beer, wine, spirits and other fermented beverages.

The Respondent registered the disputed domain name < fermentis-lesaffre.com> on September 9, 2025.

The Complainant submitted the following documents to prove the abovementioned facts:

- Annex-1: Information regarding the Complainant
- Annex-2: Information regarding FERMENTIS
- Annex-3: Complainant's trademarks LESAFFRE
- Annex-5: Complainant's domain names
- Annex-4: Complainant's trademarks FERMENTIS
- Annex-6: Whois of the disputed domain name
- Annex-7: Copy of the website
- Annex-8: DNS configuration
- Annex-9: Information regarding the presence of the Complainant in America

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

Identity (paragraph 4(a)(i) of the Policy)

The Panel finds that the disputed domain name <fermentis-lesaffre.com> is confusingly similar to the Complainant's trademarks.

Indeed, the disputed domain name results from a combination of the Complainant's two trademarks LESAFFRE and FERMENTIS.

These trademarks are incorporated in the disputed domain name in their entirety, making the similarity between them obvious.

Thus, the Panel finds that the disputed domain name is confusingly similar to Complainant's trademarks.

Absence of Rights or Legitimate Interests (paragraph 4(a)(ii) of the Policy)

The Complainant asserted that the Respondent has never been granted a license, or any other way been authorized, in order to register the disputed domain name. In addition, the Respondent never sought the consent of the Complainant in order to register the aforementioned domain name. Consequently, although the disputed domain name was registered under the false organization name "Fermentis Lesaffres," the Panel concludes that the Respondent holds no rights or legitimate interests in it.

The Complainant also highlighted that the disputed domain name resolves to a parking page with commercial links. Therefore, the Panel finds that this purpose of offering sponsored links does not qualify as a bona fide use. The Respondent did not intend to use the disputed domain name in connection with any legitimate purpose.

Finally, the Respondent had the opportunity to provide its arguments in support of its rights or legitimate interests in the disputed domain name. However, by failing to file a response, the Respondent has missed this opportunity and the Panel is entitled to draw such inferences from the Respondent's failure as it considers appropriate in accordance with Paragraph 14 of the Rules.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Bad faith (paragraph 4(a)(iii) of the Policy.)

In light of the evidence on record, the Panel finds that the disputed domain name is confusingly similar to the Complainant's prior trademarks LESAFFRE and FERMENTIS. The Panel further observes that FERMENTIS is not only one of the Complainant's registered trademarks but also a business unit operated under the corporate name Lesaffre.

The combination of both signs within the disputed domain name reinforces the impression that the Respondent sought to create an association with the Complainant and its group of companies. Accordingly, the Panel finds that the Respondent cannot reasonably claim to have registered or used the disputed domain name for any legitimate business activity.

Therefore, it is clear to the Panel that the Respondent was well aware of the LESAFFRE and FERMENTIS trademarks and has registered the disputed domain name with the intention to refer to the Complainant and to its trademarks.

Furthermore, it seems that the Respondent has registered the disputed domain name in bad faith for the sole purpose to attract Internet users for commercial gain, by creating a likelihood of confusion with the Complainant's trademarks. In fact, the disputed domain name resolves to a parking page with commercial links. Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith.

To the Panel's opinion, this shows that the disputed domain name was registered in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **fermentis-lesaffre.com**: Transferred

PANELLISTS

Name	**Nathalie Dreyfus**

DATE OF PANEL DECISION 2025-10-23

Publish the Decision