Decision for dispute CAC-UDRP-108008

Case number	CAC-UDRP-108008
Time of filing	2025-10-01 09:45:34
Domain names	saint-gobian.org

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	James Brown

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 <saint-gobian.org>.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of numerous trademark registrations for the mark SAINT-GOBAIN, including but not limited to:

- International trademark No. 740184, registered on July 26, 2000;
- International trademark No. 740183, registered on July 26, 2000 (covering the United States);
- International trademark No. 596735, registered on November 2, 1992;
- International trademark No. 551682, registered on July 21, 1989.

In addition to its trademark portfolio, the Complainant owns and operates several domain names incorporating the SAINT-GOBAIN mark, including <saint-gobain.com>, which was registered on December 29, 1995. The Complainant also uses SAINT-GOBAIN as part of its company name and commercial identity.

FACTUAL BACKGROUND

The Complainant is a French company specializing in the production, processing, and distribution of materials for the construction and industrial markets. It operates globally and is recognized as a leading player in sustainable habitat and construction solutions. With a history spanning over 350 years, the Complainant has demonstrated ongoing innovation and currently employs approximately 161,000 people worldwide, with a reported turnover of around EUR 46.6 billion in 2024.

The disputed domain name <saint-gobian.org> was registered on September 26, 2025. As of the date of the Complaint, it resolves to a parking page with commercial links. MX servers have also been configured.

PARTIES CONTENTIONS

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

COMPLAINANT:

- The disputed domain name is confusingly similar to the protected mark

The Complainant asserts that it holds valid rights in the well-known and distinctive trademark SAINT-GOBAIN, supported by international trademark registrations.

The Complainant submits that the disputed domain name <saint-gobian.org> is confusingly similar to its trademark. The sole difference lies in the reversal of the letters “A” and “I” in the second part of the mark, which is insufficient to avoid a finding of confusing similarity.

According to the Complainant, this alteration constitutes a clear case of typosquatting, i.e., an intentional misspelling of a trademark designed to mislead or confuse users. It relies on paragraph 1.9 of the WIPO Overview 3.0, which confirms that common, obvious, or intentional misspellings of a mark do not prevent a finding of confusing similarity.

Furthermore, the addition of the generic Top-Level Domain “.org” is irrelevant for the purpose of assessing similarity, as it is viewed merely as a technical requirement of domain name registration. The Complainant refers to paragraph 1.11 of the WIPO Overview 3.0, which affirms that the TLD is generally disregarded under the first element analysis.

For these reasons, the Complainant contends that the disputed domain name is confusingly similar to its trademark SAINT-GOBAIN.

- The Respondent lacks rights or legitimate interests in the disputed domain name

According to the Complainant, the Respondent has no rights or legitimate interests in the disputed domain name <saint-gobian.org>.

Citing WIPO Case No. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd., the Complainant notes that it must first establish a prima facie case that the Respondent lacks rights or legitimate interests. Once this burden is met, the Respondent must demonstrate otherwise. If the Respondent fails to provide such evidence, the Complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the Policy.

The Complainant asserts that the Respondent is not commonly known by the disputed domain name. The WHOIS data does not identify the Respondent under the name “saint-gobian,” nor has the Complainant authorized the Respondent to use its SAINT-GOBAIN trademark in any manner. The Complainant states that there is no business or legal relationship between the parties.

The Complainant further argues that the disputed domain name is a classic example of typosquatting, i.e., it contains an intentional misspelling of the trademark SAINT-GOBAIN. Typosquatting is frequently cited as strong evidence that a respondent lacks legitimate interests.

Additionally, the Complainant notes that the disputed domain name resolves to a parking page with commercial links. Numerous UDRP panels have determined that such use does not constitute a bona fide offering of goods or services, nor a legitimate non-commercial or fair use.

For these reasons, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

- The disputed domain name has been registered and is being used in bad faith

The Complainant contends that the disputed domain name <saint-gobian.org> was registered and is being used in bad faith.

The Complainant emphasizes that its SAINT-GOBAIN trademark is well-known globally and has been in use long before the registration date of the disputed domain name. The Complainant also operates a long-standing official website under <saint-gobain.com>, particularly active in markets including the United States.

According to the Complainant, the confusing similarity between the disputed domain name and its trademark, coupled with the intentional misspelling (a clear case of typosquatting), shows that the Respondent must have been aware of the Complainant’s rights at the time of registration. The Complainant cites past decisions confirming that typosquatting supports a finding of bad faith (e.g., Microsoft Corporation v. Domain Registration Philippines, NAF Case No. FA 877979).

Furthermore, the disputed domain name resolves to a parking page with commercial links, which the Complainant argues constitutes an attempt to attract users for commercial gain by leveraging confusion with the Complainant's mark. Such use, the Complainant submits, has consistently been found to be bad faith use under UDRP precedent (e.g., StudioCanal v. Sudjam LLC, WIPO Case No. D2018-0497).

Finally, the Complainant notes that the disputed domain name has active MX records, indicating a potential use for email communication. The Complainant points to prior cases where this setup was deemed a risk for phishing or other fraudulent activity, particularly when combined with typosquatting (e.g., JCDECAUX SA v. Handi Hariyono, CAC Case No. 102827).

Based on the above, the Complainant submits that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the UDRP. Accordingly, the Complainant requests that the disputed domain name be transferred to it.

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).

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

The UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY (UDRP) of the Internet Corporation for Assigned Names and Numbers (ICANN) (the "Policy") provides that complainant must prove each of the following to obtain transfer or cancellation of the domain name:

1. that respondent's domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights; and

2. that respondent has no rights or legitimate interests in respect of the domain name; and

3. the domain name has been registered and is being used in bad faith.

1) The disputed domain name is confusingly similar to a trademark in which the Complainant has rights

The Complainant has provided evidence of multiple international trademark registrations for the mark SAINT-GOBAIN, all of which predate the registration of the disputed domain name <saint-gobian.org> on September 26, 2025.

The Panel finds that the disputed domain name incorporates a clear and intentional misspelling of the Complainant's trademark — specifically, a transposition of the letters "A" and "I" in "GOBAIN." Such minor typographical variations are commonly referred to as typosquatting, and UDRP panels have consistently found that these do not prevent a finding of confusing similarity under paragraph 4(a)(i) of the Policy.

Furthermore, the addition of the generic top-level domain ".org" is a standard technical requirement and does not affect the assessment of confusing similarity.

Accordingly, the Panel finds that the disputed domain name <saint-gobian.org> is confusingly similar to the Complainant's trademark SAINT-GOBAIN within the meaning of paragraph 4(a)(i) of the Policy.

2) The Respondent lacks rights or legitimate interests in the disputed domain name

Under the Policy, the Complainant is required to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such a prima facie case is made, the burden shifts to the Respondent to demonstrate rights or legitimate interests. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy (see WIPO Overview 3.0, section 2.1).

In this case, the Complainant asserts that it has not authorized the Respondent to use its SAINT-GOBAIN trademark, and that the Respondent has no connection or affiliation with the Complainant. The Respondent is not commonly known by the disputed domain name, and there is no evidence that it has ever been authorized, licensed, or otherwise permitted to use the Complainant's mark.

The disputed domain name resolves to a parking page with commercial links, and the Complainant has submitted evidence that MX records are configured, raising concerns of possible future misuse for email purposes. The Respondent has not come forward with any explanation or evidence of a bona fide offering of goods or services or any legitimate non-commercial or fair use of the disputed domain name.

In the absence of any Response from the Respondent, the Panel finds that the Complainant has established a prima facie case, which has not been rebutted.

Accordingly, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

3) The disputed domain name has been registered and is being used in bad faith

The Panel finds that the disputed domain name <saint-gobian.org> is confusingly similar to the Complainant's well-known trademark SAINT-GOBAIN, which has been recognized in previous UDRP decisions as distinctive and widely used across multiple industries and jurisdictions.

Given the long-standing reputation and global presence of the Complainant, and the nature of the disputed domain name as a typographical variation (reversal of two letters) of the Complainant's mark, the Panel finds it highly likely that the Respondent was aware of the Complainant and its trademark at the time of registration. In the absence of any Response or evidence to the contrary, the Panel infers that the Respondent registered the disputed domain name with the Complainant's trademark in mind.

The Complainant has provided evidence that the disputed domain name resolves to a parking page containing commercial links, and that MX records have been configured, raising legitimate concerns of potential email-based misuse (e.g., phishing or impersonation). The Respondent has not come forward to offer any legitimate explanation or use.

Under the principles established in Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003, the passive holding of a domain name that incorporates a well-known trademark can constitute bad faith, particularly where no plausible good-faith use is apparent and the respondent remains silent.

In light of the above, including the typosquatting pattern, the absence of legitimate use, and the potential for misleading Internet users or abusing email functions, the Panel concludes that the disputed domain name was registered and is being used in bad faith under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **saint-gobian.org**: Transferred

PANELLISTS

Name	**Barbora Donathová**

DATE OF PANEL DECISION 2025-11-04

Publish the Decision