Decision for dispute CAC-UDRP-108022

Case number	CAC-UDRP-108022
Time of filing	2025-10-06 09:47:58
Domain names	saintgobain.ltd

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	DBS

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 owner of various trademark registrations, including the following:

International trademark registration no. 740184 for SAINT-GOBAIN and design, registered on July 26, 2000;

International trademark registration no. 740183 for SAINT-GOBAIN, registered on July 26, 2000;

International trademark registration no. 596735 for SAINT-GOBAIN and design, registered on November 2, 1992;

International trademark registration no. 551682 for SAINT-GOBAIN and design, registered on July 21, 1989; and

Indian trademark registration no. 921538 for SAINT-GOBAIN, registered on August 15, 2005.

The Complainant owns and operates its official domain name, <saint-gobain.com>, registered on December 29, 1995.

The disputed domain name was registered on September 29, 2025, and at the time of filing the Complaint, it resolved to an inactive, parking website.

The Respondent is Dbs Deva Kumar of new#398,old#119,DR.Natesan Road,Triplicane,Chennai-600005 New no: 398 , old no: 119, Dr.Natesan Road, Triplicane, Chennai-600005, Chennai, Tamil Nadu, 600005, India.

FACTUAL BACKGROUND

The Complainant is a French company specialising in the production, processing and distribution of materials for the construction and industrial markets. The Complainant claims that it has, for the past 350 years, consistently demonstrated its ability to invent products that improve quality of life, and is now one of the top industrial groups in the world with around 161,000 employees. In 2024, the Complainant's turnover was around €46.6 billion euros.

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

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a complainant to show that a domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

The Complainant has provided evidence that it owns registered trademark rights in the SAINT-GOBAIN mark.

In this case, the disputed domain name consists of the Complainant’s SAINT-GOBAIN trademark in its entirety with the omission of the hyphen. The mere omission of the hyphen of a registered trademark would not prevent a finding of confusing similarity. Thus, the disputed domain name is confusingly similar to the Complainant’s trademark.

As for the generic Top-Level Domain (“gTLD”) “.ltd” it is well established that the gTLD is not relevant to the issue of identity or confusing similarity between the Complainant’s trademarks and the domain name in dispute (see WIPO Overview 3.0, section 1.11.1).

Consequently, the Panel finds that the Complainant has shown that the disputed domain name is identical to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

Once the complainant establishes a prima facie case that the respondent lacks rights or legitimate interests in the domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect to the domain name (see WIPO Overview 3.0, section 2.1).

In the present case, the Complainant has demonstrated a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name and the Respondent has failed to assert any such rights or legitimate interests.

The Complainant has provided evidence that it has been the registered owner of the SAINT-GOBAIN mark long before the date that the disputed domain name was registered and that it has not authorised the Respondent to use the Complainant's trademarks. There is no evidence that the Respondent is commonly known by the disputed domain name. The Complainant also provided evidence showing that the disputed domain name resolved to an inactive, parking website. There is no evidence that the Respondent was using, or preparing to use, the domain name for a legitimate, non-commercial, or fair use.

The Respondent did not submit a Response and did not provide any explanation for its choice of the disputed domain name nor evidence to show rights or legitimate interests in the disputed domain name which would be sufficient to rebut the Complainant's prima facie case.

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

C. Registered and Used in Bad Faith

The Complainant must also show that the respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)). Paragraph 4(b) of the Policy provides circumstances that may evidence bad faith under paragraph 4(a)(iii) of the Policy.

The Complainant's trademark was registered many years before the registration of the disputed domain name. In the absence of any response, the Panel considers it unlikely that the disputed domain name was adopted by the Respondent without the Complainant's trademark in mind, which inevitably leads to a finding of registration in bad faith, and the Panel so finds.

The disputed domain name consists of the Complainant's SAINT-GOBAIN trademark in its entirety with the omission of the hyphen. The disputed domain name resolves to an inactive, parking website, and given that the Respondent fails to provide a response would require an analysis of passive use. It has long been established that the lack of use of a disputed domain name will not prevent the finding of bad faith use and registration. The common test panellists use in cases of passive holding is that of the totality of circumstances. Some factors have received more consideration than others in applying the passive holding doctrine, including: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put.

Given the particular circumstances of this case, and having reviewed the full record, the Panel notes the distinctiveness and reputation of Complainant's trademark, and the implausibility of any good faith use to which the domain name may be put, the Panel is persuaded by the totality of the evidence that the Respondent registered and was using the disputed domain name in bad faith with the aim of specifically targeting the Complainant. Accordingly, the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel notes that the Respondent failed to respond to a demand email sent by the Complainant to submit a response and provided no explanation nor evidence to rebut the Complainant's case. The Respondent also registered the disputed domain name with obviously fictional contact details. These are additional indications of bad faith.

Accordingly, having regard to the circumstances of this case, the Panel finds that the Complainant has met its burden 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. **saintgobain.ltd**: Transferred

PANELLISTS

Name	**Jonathan Agmon**

DATE OF PANEL DECISION 2025-11-12

Publish the Decision