Decision for dispute CAC-UDRP-108093

Case number	CAC-UDRP-108093
Time of filing	2025-10-29 14:27:48
Domain names	lesarcspeiseyvallandry.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	OFFICE DE TOURISME DE PEISEY-VALLANDRY

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Idah Idah

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 owns a French national registered trade mark for the word mark PEISEY-VALLANDRY under registration number 4817109 registered on May 6, 2022.

FACTUAL BACKGROUND

The Complainant is the tourist office in the Peisey-Vallandry ski area which is adjacent to and linked to the Les Arcs ski resort area. The Complainant provides information and promotes tourism in the Peisey-Vallandry Ski Area. The Peisey-Vallandry ski area is promoted through the website at the domain name <lesarcs-peiseyvallandry.com>.

The disputed domain name was registered on February 9, 2025 and resolves to a parking page with commercial links

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

The Complainant owns registered trade mark rights for the PEISEY-VALLANDRY word mark as noted above. This mark is wholly incorporated into the disputed domain name which is therefore confusingly similar to it. The exclusion of the hyphen and the inclusion of the place name "Les Arcs" do not prevent a finding of confusing similarity. The Panel considers that the inclusion of "Les Arcs" rather reinforces a likelihood of confusion for Internet users in circumstances where the ski area has been marketed through the official website at <lesarcs-peiseyvallandry.com>.

The Complainant asserts that the Respondent is not identified in the Whois database as the disputed domain name and that the Respondent has no rights or legitimate interests in respect of the domain name and is not related in any way to the Complainant. The Complainant has submitted that the Respondent does not carry out any activity for, nor does it have any business with the Respondent. It also asserts that it has neither licensed nor authorised the Respondent to make any use of the Complainant's trade mark PEISEY-VALLANDRY, or to apply for registration of the disputed domain name. Finally, the Complainant has noted that the disputed domain name resolves to a parking page which features commercial links and says that past panels have found it is not a bona fide offering of goods or services or legitimate non-commercial or fair use to feature such links. This Panel finds that the Complainant has made out a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name which has not been rebutted by the Respondent and accordingly that the Complaint succeeds under the second element of the Policy.

As noted by the Complainant, the disputed domain name was registered in 2025, several years after the registration of the Complainant's domain name. The disputed domain name incorporates the Complainant's mark PEISEY-VILLANDRY and clearly refers to the geographical area of the same name. The area has been marketed at a website hosted under the domain name <lesarcs-peiseyvallandry.com>. which differs from the disputed domain name only by the inclusion of a hyphen. Based on the evidence provided by the Complainant, Google searches for "lesarcspeiseyvallandry" would have resolved to websites concerning the Peisey-Vallandry ski area. It seems more than a coincidence that the Respondent registered the almost identical disputed domain name in early 2025 and the Panel finds that it is most likely that the Respondent was well aware of this domain name and of the Peisey-Villandry ski area and of the linked Les Arcs ski area when he did so.

As submitted by the Complainant, under paragraph 4(b)(iv) of the Policy there is evidence of registration and use of the disputed domain name in bad faith where a Respondent has used the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trade marks as to the source, sponsorship, affiliation or endorsement of the website.

The disputed domain name in this case resolves to a website parking page featuring commercial sponsored links under diverse headings, including "lifestyle" and "travel". It is apparent that the Respondent has sought to use the disputed domain name to confuse and re-direct Internet users looking for the Complainant's website, to its own website, for its own commercial purposes,

namely in order to generate click-through income. This conduct fulfills the requirements of paragraph 4(b)(iv) of the Policy and amounts to evidence of registration and use of the disputed domain name in bad faith.

In addition, the Complainant has submitted that the Respondent has been involved in numerous UDRP proceedings as the registrant of domain names that incorporate third-party trade marks. These include WIPO Case No. D2025-2752, The Gillette Company v. Idah Idah; WIPO Case No. Case No. DCO2025-0048, CLARINS v. Idah Idah; WIPO Case No. D2025-1242, Automobile Club de l'Ouest (A.C.O.) v. Idah Idah. This past track record of cybersquatting and of registering well-reputed trade marks only serves to further reinforce the Panel's view of the Respondent's bad faith as described above.

Accordingly, the Panel finds that the Respondent has registered and used the disputed domain in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lesarcspeiseyvallandry.com**: Transferred

PANELLISTS

Name	**Mr Alistair Payne**

DATE OF PANEL DECISION 2025-12-02

Publish the Decision