Decision for dispute CAC-UDRP-108076

Case number	CAC-UDRP-108076
Time of filing	2025-10-29 13:56:10
Domain names	servicestotalenergiesuae.com

Case administrator

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

Complainant

Organization	TotalEnergies SE

Complainant representative

Organization	IN CONCRETO

Respondent

Name	Melissa Norris

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 inter alia the owner of:

French trademark No. 1540708 TOTAL (word) filed on December 17, 1953 (under N.436.836) and duly renewed in 2018, in classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33 and 34;

International trademark No. 1601110 TOTAL (device) registered on November 14, 2018 in classes 1,2, 4, 5, 6, 7, 9, 11, 12, 14, 16, 17, 18, 19, 20, 21, 25, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 45 to cover numerous countries and/or territories;

International trademark No. 1601110 TOTAL ENERGIES (device) registered on February 9, 2021 in classes 1, 4, 7, 9, 37, 39 and 40 to cover numerous countries and/or territories;

National UAE trademark TOTAL (device) filed on October 2, 2019, N° 318104 in class 37;

National UAE trademark TOTAL (device) filed on October 2, 2019 N° 318106 in class 40.

The Complainant declares that it is also the holder of more than 490 domain names including the brands “TOTAL” and “TotalEnergies”, including the following domain names:

- <totalenergies.com> registered on March 8, 2014
- <totalenergies.group> registered on February 1, 2021

- <totalenergies.fr> registered on June 29, 2017
- <total.com> registered on December 31, 1996
- <total.fr> registered on March 20, 1997
- <totalenergies.ae> (date n.a.)

FACTUAL BACKGROUND

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

The Complainant, TotalEnergies SE, was originally created under the name of "Compagnie Française des Pétroles" in 1924. It then changed its name several times e.g. "TOTAL – Compagnie française des pétroles" in June 21, 1985; "TOTAL" in June 26, 1991; and finally, "TotalEnergies SE" since May 28, 2021.

The Complainant is a worldwide and well-known company that produces and markets energies on a global scale: oil and biofuels, natural gas and green gases, renewables, and electricity, operating worldwide in more than 120 countries, including the United Arab Emirates (UAE).

According to the Complainant's submissions, the Complainant owns numerous subsidiaries worldwide and notably in the United Arab Emirates where it has been active for more than 80 years, mainly in hydrocarbons, and manage more than 100 service centers across the UAE. As of today, the Complainant is present in the UAE with 7 oil & gas joint ventures, producing a total of 270,000 barrels of oil equivalent per day in the UAE.

The Total and TotalEnergies brands have achieved a reputation and a certain renown in their field of activity.

The disputed domain name was registered on July 31, 2025, and currently resolves to the Complainant's website, https://totalenergies.com/united-arab-emirates.

PARTIES CONTENTIONS

The Complainant contends that:

The disputed domain name is confusingly similar to the Complainant's trademark.

The Complainant contends that the disputed domain name, which reproduces the Complainant's "TOTAL ENERGIES" trademark in its entirety, is confusingly similar to its trademarks, and that the addition of the terms "services" and "uae" is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademarks. On the contrary, these elements reinforce the association with the Complainant. The term "services" directly refers to the Complainant's business activities and mirrors the structure of its official subdomain used in connection with its services, namely: https://services.totalenergies.fr. Additionally, "uae" is the commonly used acronym for the United Arab Emirates, a country where the Complainant is commercially active and where it operates under the domain name <totalenergies.ae>.

The Respondent does not have any rights or legitimate interest in the disputed domain name

The Complainant contends that the Respondent is not commonly known by the disputed domain name and that the Respondent is not affiliated with or authorized by the Complainant in any way. The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and is not related to the Complainant's business in any way. The Complainant does not carry out any activity for, nor has any business dealings with, the Respondent. The Respondent could not have been unaware of the existence of the Complainant's trademarks, company name, and domain names at the time of registering the disputed domain name. Moreover, the disputed domain name <servicestotalenergiesuae.com> resolves to the Complainant's website https://totalenergies.com/united-arab-emirates and has been configured to operate an e-mail server, which does not constitute a bona fide offering of goods or services. This use raises serious concerns, particularly as the domain is highly similar to <services.totalenergies.fr>, the Complainant's official domain name, and has been associated with fraudulent email activity - a common hallmark of phishing and bad-faith conduct.

The Complainant thus concludes that there is no plausible legitimate reason for the Respondent to register or use the disputed domain name. The only conceivable explanation is an attempt to mislead users, trade off the Complainant's goodwill, and/or engage in deceptive or fraudulent practices.

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

The Complainant claims and documents that the disputed domain name has been used in connection with a fraudulent scheme whereby the Respondent impersonates the Complainant. Specifically, the Respondent presented itself as a representative of the Complainant.

Therefore, the Complainant asserts that such use of the disputed domain name cannot be considered a legitimate or fair use, as the Respondent is undoubtedly attempting to deceive unaware users by impersonating the Complainant with the intention to benefit from the trademark reputation of the Complainant and to illegitimately trade on the Complainant's renowned trademarks TOTAL and TOTAL ENERGIES for commercial gain.

The Complainant further contends that the registration and intensive use of the Complainant's trademark, and the use of the Complainant's trademark for the purpose of impersonating the Complainant, show that the Respondent was fully aware of the Complainant's TOTAL and TOTAL ENERGIES trademarks and that the Respondent intentionally targeted the Complainant when it registered the disputed domain name.

Lastly, the Complainant notes that the Registrant's name/organization were chosen to be anonymized through a privacy protection service.

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

A) Confusing similarity

The Panel agrees with the Complainant's assertions that the addition of the terms "services" and "uae" does not prevent the disputed domain name from being confusingly similar to the Complainant's trademark; on the contrary, for the reasons indicated by the Complainant, it can exacerbate the likelihood of confusion between the disputed domain name and the Complainant's trademarks and activity.

B) Lack of legitimate rights or interests

The disputed domain name is a distinctive, non-descriptive name. It is unlikely that the Respondent registered the disputed domain name without having the Complainant firmly in mind. The Complainant's assertions that the Respondent is not commonly known by the disputed domain name and is not affiliated with nor authorized by the Complainant are sufficient to constitute a prima facie demonstration of absence of rights or legitimate interest in the disputed domain name on the part of the Respondent. The burden of evidence therefore shifts to the Respondent to show, using tangible evidence, that it does have rights or legitimate interests in the disputed domain name. The Respondent has made no attempt to do so.

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

C) Registered or Used in Bad Faith

The Complainant gives sound bases for its contention that the disputed domain name was registered and has been used in bad faith.

Firstly, owing to the distinctiveness of the Complainant's trademark and reputation, and the fact that the disputed domain name resolves to the Complainant's website: https://totalenergies.com/united-arab-emirates, the Panel finds, on the balance of probabilities, that the Respondent was aware of the Complainant's trademarks when registering the disputed domain name.

Secondly, the Panel accepts the Complainant's unchallenged assertion that the Respondent registered the disputed domain name with the aim of creating a likelihood of confusion with the Complainant's trademark.

Thirdly, it appears from the documents provided by the Complainant that the disputed domain name has been configured and (presumably) is still being operated in order to impersonate the Complainant.

Fourthly, the Respondent has not denied the Complainant's trademark rights, nor has it contested any of the assertions made by the Complainant regarding its lack of legitimate interests or those concerning its bad faith in registering and using the disputed domain name.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **servicestotalenergiesuae.com**: Transferred

PANELLISTS

Name	**Fabrizio Bedarida**

DATE OF PANEL DECISION 2025-12-04

Publish the Decision