Decision for dispute CAC-UDRP-108172

Case number	CAC-UDRP-108172
Time of filing	2025-11-25 09:34:31
Domain names	altarealiving.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	ALTAREA

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Iris Hernandez

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 registered owner of several trademarks for the name ALTAREA, among which the following:

- French trademark ALTAREA n° 4692039 registered on October 15, 2020;
- International trademark ALTAREA n° 907441 registered on July 12, 2006;
- European trademark ALTAREA n°001148246 registered since November 8, 2000.

FACTUAL BACKGROUND

The Complainant is a leading property developer in France. Founded in 1994, the Complainant has built a unique real estate development platform and set of skills covering all major real estate asset classes, including residential, retail, office, logistics, hotel and serviced residential projects.

No particular information is known about the Respondent, named Iris Hernandez, resident of Tlalnepantla de Baz Mexico, who acquired the disputed domain name <altarealiving.com> on 11 November, 2025.

The disputed domain name is not currently used in connection with any goods or services and rather resolves to a parking webpage which includes sponsored, pay-per-click, advertisement.

PARTIES CONTENTIONS

COMPLAINANT' CONTENTIONS:

Identical or confusingly similar

The Complainant argues that the disputed domain name <altarealiving.com> and the Complainant's registered trademarks are confusingly similar. Particularly, the Complainant contends that the disputed domain name <altarealiving.com> incorporates, in its first-level portion, the Complainant's registered trademark ALTAREA in its entirety and the descriptive term "living". Moreover, according to the Complainant, the applicable top-level suffix ".com" must be disregarded under the similarity test as its function is merely technical and as such does not prevent the likelihood of confusion.

No rights or legitimate interests

The Complainant argues that there is no evidence at all that the Respondent is commonly known by the disputed domain name or a name corresponding to the disputed domain name, nor that the Respondent has ever offered any goods or services under the disputed domain name, nor has making any businesses with the Complainant. Moreover, the Complainant states that the Respondent has not been licensed or authorized in other way to use the Complainant's trademarks nor to apply for or use any domain name incorporating such trademarks.

Finally, according to the Complainant, the structure of the disputed domain names reveals that Respondent's initial intention in registering the disputed domain name was to refer to the Complainant, its trademark and business activity. The disputed domain name indeed incorporates the Complainant's trademark ALTAREA with the addition of the term "living". Such association of terms within the disputed domain name directly refers to the Complainant and the "real estate" services it provides.

Registered and used in bad faith

As far as bad faith registration and use is concerned, the Complainant states that the ALTAREA trademark is widely known and has acquired a solid portion of reputation as the Complainant represents a leading property developer in France, with 2 768, 5 million euros in revenue. Consequently, according to the Complainant, the Respondent would have inevitably learnt about the Complainant, its trademark and business.

Furthermore, the Complainant contents that the way how the disputed domain name is being used is evidence of use in bad faith.

RESPONDENT'S CONTENTIONS:

The Respondent did not submit a Response to the Complaint. Instead, the Respondent contacted the Arbitration Centre for Domain Name Disputes informally but did not file any administrative response.

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is confusingly similar to trademarks 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

Paragraph 15 of the Rules states that the Panel decides a Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law deemed applicable.

In the case of default by a Party, Rule 14 states that if a Party, in the absence of exceptional circumstances, does not comply with a provision of, or requirement under the Rules, the Panel draws such inferences therefrom as appropriate.

In the present case, the Respondent has not submitted any formal Response nor has submitted any evidences and consequently has not contested any of the contentions made by the Complainant.

The Panel proceeds therefore to decide only on the basis of the Complainant's factual statements and the documentary evidence provided in support of them.

1. The Panel finds that the disputed domain name <altarealiving.com> fully incorporates the key term of the Complainant's registered trademarks "ALTAREA" only differs in addition of a descriptive element "LIVING" placed after the word ALTAREA.

As far as the additional verbal element ".com" is concerned, the Panel shares the Complainant's argument in the sense that this particle has rather technical function and does not outweigh the overall similar impression <altarealiving.com> and "ALTAREA" leave.

Accordingly, the Panel considers that the disputed domain name and the Complainant's previously registered trademarks are confusingly similar and infers that paragraph 4(a)(i) of the Policy is satisfied.

2. According to the Complainant's contentions and evidence submitted within this proceeding, which were not disputed, the Respondent does not appear to be in any way related to the Complainant's business, does not act as the agent of the Complainant nor is currently known and has never been known as "ALTAREA" or any combination of this name.

Furthermore, the disputed domain name <altarealiving.com> has not been associated with any Complainant´s business activity and rather appears to be registered with the intention of attracting Internet users. Therefore, the Respondent does not appear to have a legitimate interest in the disputed domain name.

Consequently, and in the absence of a Response, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name, so that the requirements of paragraph 4(a)(ii) of the Policy are met.

3. As to the bad faith, the Complainant argues that Respondent registered the disputed domain name <altarealiving.com> with actual knowledge of Complainant's trademark ALTAREA and points out particularly to the following:

- When searching in Google the word "ALTAREA", only results related to the Complainant appear; and

- Besides the Complainant's trademark ALTAREA, the disputed domain name incorporates the term "living" which refers to one of the Complainant's real estate services.

The Panel finds that the actual knowledge of a Complainant's rights in a trademark can be considered proven through a totality of circumstances described above and surrounding the registration of the disputed domain name <altarealiving.com>.

Secondly, the Complainant points out that Respondent uses the disputed domain name <altarealiving.com> for its commercial gain, by:

- creating a likelihood of confusion with the Complainant's trademark ALTAREA and the type of services offered by the Complainant; and
- attracting Internet user to a Respondent's webpage on which no products or services are offered but which serves only as a parking page with sponsored, pay-per-click, advertisement.

Based on all the circumstances described by the Complainant and supported by relevant documents, the Panels concludes that in the absence of sufficient evidence to the contrary and rebuttal from Respondent, by intending to exploit, for commercial gain, Internet users destined for Complainant, the Respondent's activity is indicative of use of the disputed domain name <altarealiving.com> in bad faith.

Accordingly, the Panel finds that the Complainant has satisfied 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. **altarealiving.com**: Transferred

PANELLISTS

Name	**Hana Císlerová**

DATE OF PANEL DECISION 2025-12-29

Publish the Decision