Decision for dispute CAC-UDRP-108235

Case number	CAC-UDRP-108235
Time of filing	2025-12-11 10:04:42
Domain names	siant-gobains.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Paulo Rosaengidro

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 portfolio of trademarks in reference to SAINT-GOBAIN in several jurisdictions. As such, and by way of example, the SAINT-GOBAIN trademark is an international trademark registered with number n°551682, registered on July 21, 1989 or an international trademark registered with number 596735, registered on November 2, 1992.

FACTUAL BACKGROUND

The Complainant is a French company specializing in the production, processing, and distribution of materials for the construction and industrial markets. With approximately 46.6 billion euros in turnover in 2024 and 161,000 employees.

The SAINT-GOBAIN trademark is to be considered as well-known for UDRP purposes.

The Complainant also owns a package of domain names, including its trademark SAINT-GOBAIN, as such <saint-gobain.com> was registered on December 29, 1995.

The disputed domain name was registered on December 8, 2025 and is inactive.

PARTIES CONTENTIONS

The Complainant

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

In particular, the Complainant contends that the disputed domain name is confusingly similar to its SAINT-GOBAIN trademark. By the inversion of the letters “i” and “a” and by adding a letter to the mark, in this case “s”, the Complainant points out that it constitutes a practice of typo squatting. Indeed, such practice is to be deemed as non-legitimate for UDRP purposes since it is an attempt to take advantage of internet users´ typographical errors.

The Complainant also affirms that the Respondent has not been authorized or licensed to use its marks or, to apply for a domain name using them. Further, the Respondent is not known by the disputed domain name since he is not identified in the Whois records as the disputed domain name.

Furthermore, Respondent´s lack of use of the disputed domain name confirms that he has no demonstrable plan to use the disputed domain name and submits that the lack of use is tantamount to an infringement of the Complainant´s rights under the trademark law.

And finally, the Complainant alleges that the disputed domain has been set up with MX records, which is indicative of bad faith registration and use because any email from the disputed domain name cannot be for a good purpose.

The 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

1. Identical or Confusingly Similar
The Complainant has shown rights in respect of the SAINT-GOBAIN trademark for the purposes of the Policy. From a comparison between the disputed domain name and Complainant´s trademark it seems clear that the former contains sufficiently recognizable aspects of the relevant mark. Accordingly, the Panel finds that although the apparent misspelling, the mark SAINT-GOBAIN is reproduced and typo-squatted in the disputed domain name <siant-gobains.com>.
The applicable Top Level Domain (‘TLD’) in a domain name is viewed as a standard registration requirement and as such is

disregarded under the first element test.
The Panel finds the first element of the Policy has been established.
2. Rights or Legitimate Interest

Paragraph 4(c) of the Policy sets out non-exclusive examples in which the Respondent may establish rights or legitimate interests in the disputed domain name. However, while the burden of proof in UDRP proceedings rests on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of "proving a negative". Accordingly, panels have established, since the inception of the UDRP, that it is sufficient to raise a prima facie case against the respondent, and then the evidential burden of production shifts to the respondent. See CAC-UDRP-106452

The Panel finds that the circumstances referred in paragraph 4(c) do not apply to the Respondent or, even any other legitimate circumstance which may apply in favour of the Respondent.

The Panel also notes the well-known value of the SAINT-GOBAIN trademarks. This circumstance prevents the Panel from recognizing rights or legitimate interests in favour of the Respondent. Indeed, the Panel agrees with the Complainant that the typo squatting is additional evidence of a lack of rights or legitimate interest under the Policy.

Besides, the silence of the Respondent, once it received the Complaint, has prevented the Panel from assessing if any circumstances may oppose the Complainant´s prima facie showing.

The Panel finds the second element of the Policy has been established.

3. Register and Use in Bad Faith
Noting that bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark, the Panel now looks at the third requirement of the test.
By registering the disputed domain name that reproduces the Complainant's well-known trademark, the Respondent targeted the Complainant. Accordingly, the Panel determines that the Respondent knew or should have known about the Complainant and its trademarks when registering the disputed domain name.

Besides, the Panel notes the short period of time between the registration of the disputed domain name and the filing of the Complaint. The Panel also notes that both parties have the right either to register a domain name or to submit a complaint based on the UDRP procedure. Likewise, the Panel takes note of the following circumstances of the case file: the well-known value of Complainant´s trademark, the targeting of Complainant´s trademark by the Respondent and, the lack of response filed by the Respondent. Accordingly, the Panel accepts that the Complainant has made out a prima facie case for this requirement and, thus, the evidential burden of production shifts to the Respondent. However, the lack of response prevents the Panel from having in the file a credible explanation for the Respondent's choice of the disputed domain or demonstrable preparations to use in a bona fide manner.

The foregoing allows the Panel to apply the Passive Holding Doctrine and, therefore, the registration and use of the disputed domain name was in bad faith.

Further, Respondent´s misspelling of Complainant´s trademark strengthens the conclusion of bad faith use and registration pursuant to paragraph 4(a)(iii) of the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **siant-gobains.com**: Transferred

PANELLISTS

Name	**Manuel Moreno-Torres**

DATE OF PANEL DECISION 2026-01-09

Publish the Decision