Decision for dispute CAC-UDRP-108213

Case number	CAC-UDRP-108213
Time of filing	2025-12-09 10:19:17
Domain names	jcdecaux.cam

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	JCDECAUX SE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Steven Zenbar

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 several trademarks consisting of the term JCDECAUX, such as the international trademark JCDECAUX® N° 803987 registered since November 27, 2001.

The Complainant is also the owner of a large domain name portfolio, including the same distinctive wording JCDECAUX, such as <jcdecaux.com> registered since June 23r 1997.

FACTUAL BACKGROUND

The Complainant is the worldwide number one in outdoor advertising. For 60 years, the Complainant has been offering solutions that combine urban development and the provision of public services in more than 80 countries. The Complainant is currently the only group present in the three principal segments of the outdoor advertising market: street furniture, transport advertising and billboard advertising.

The Complainant has more than 1,091,811 advertising panels in Airports, Rail and Metro Stations, Shopping Malls, on Billboards and Street Furniture.

The Group is listed on the Premier Marché of the Euronext Paris stock exchange and is part of the Euronext 100 index. Employing a total of 12,026 people, the Group is present in more than 80 different countries and 3,894 cities and has generated revenues of €3,935.3m in 2024.

The disputed domain name <jcdecaux.cam> (hereinafter, the „Disputed Domain Name“) was registered on December 4, 2025 and is inactive.

According to Complainant’s non-contested allegations, the Respondent has no rights or legitimate interest in respect of the Disputed Domain Name and the Complainant is not related in any way to the Complainant’s business.

For the purpose of this case, the Registrar confirmed that the Respondent is the current registrant of the Disputed Domain Name and that the language of the registration agreement is English.

The facts asserted by the Complainant are not contested by the Respondent.

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

PARTIES CONTENTIONS

COMPLAINANT:

First element: Similarity

The Complainant states that the Disputed Domain Name is identical to its trademark JCDECAUX®, as the trademark is entirely included, without any addition or deletion.

Furthermore, the Complainant contends that the addition of the suffix “.CAM” does not change the overall impression of the designation as being connected to Complainant’s trademark. It does not prevent the likelihood of confusion between the Disputed Domain Name and Complainant, its trademark, and its associated domain names. Thus, the Complainant believes that the Disputed Domain Name is identical to the Complainant's trademark JCDECAUX®.

Second element: Rights or legitimate interest

The Complainant asserts that the Respondent is not identified in the WHOIS database as the Disputed Domain Name. In accordance with the Complainant, Past panels have held that a Respondent was not commonly known by a Disputed Domain Name if the „Whois“ information was not similar to the Disputed Domain Name. Thus, the Respondent is not known as the Disputed Domain Name.

The Complainant contends that the Respondent is not affiliated with nor authorized by JCDECAUX® in any way. The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name, and he is not related in any way to its business. The Complainant does not carry out any activity for, nor has any business with the Respondent.

Neither licence nor authorization has been granted to the Respondent to make any use of the Complainant's trademark JCDECAUX® or apply for registration of the Disputed Domain Name by the Complainant.

Finally, the Disputed Domain Name points to an inactive page. The Complainant contends that the Respondent did not use the Disputed Domain Name, and it confirms that the Respondent has no demonstrable plan to use the Disputed Domain Name. Therefore, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

Third element: Bad faith

The Disputed Domain Name is identical to the Complainant's trademark JCDECAUX®. The Complainant asserts that its trademark JCDECAUX® was already known for decades and protected in several countries at the time of the registration. The Complainant is doing business in more than 80 countries worldwide and is listed on the Euronext Paris stock Exchange.

The Complainant also asserted that the JCDECAUX® trademark has been considered as well-known in previous UDRP cases, and for this purpose, the Complainant included the applicable WIPO Case; i.e. No. DCC2017-0003, JCDecaux SA v. Wang Xuesong, Wangxuesong.

Given the distinctiveness of the Complainant's trademark and reputation, the Complainant states that the Respondent has registered the Disputed Domain Name with full knowledge of the Complainant's trademark JCDECAUX® and therefore could not ignore the Complainant.

Furthermore, the Disputed Domain Name points to an inactive page. The Complainant contends that the Respondent has not demonstrated any activity in respect of the Disputed Domain Name, and it is not possible to conceive of any plausible actual or contemplated active use of the Disputed Domain Name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trademark law.

On these bases, the Complainant concludes that the Respondent has registered and is using the Disputed Domain Name in bad faith.

RESPONDENT

Respondent did not reply to the Complaint.

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

According to Paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to obtain an order that a Disputed Domain Name should be transferred or cancelled:

(i) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(ii) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and

(iii) the Disputed Domain Name has been registered and is being used in bad faith.

The Panel has reviewed in detail the evidence available to it and has come to the following conclusions concerning the satisfaction of the three elements of paragraph 4(a) of the Policy in the proceeding:

(A) THE COMPLAINANT'S RIGHTS AND CONFUSING SIMILARITY OF THE DISPUTED DOMAIN NAME TO THE COMPLAINANT'S RIGHTS.

Paragraph 4(a)(i) of the Policy establishes the obligation of the Complainant to demonstrate that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant submitted a copy of the international trademark JCDECAUX®, n° 803987 registered since November 27th, 2001.

As provided in the evidence, the Complainant's trademark was registered prior to 2025, the year of the creation date of the Disputed Domain Name. In the present case, the Disputed Domain Name is identical to the Complainant's trademark.

UDRP panels agree that the TLD may usually be ignored for the purpose of determining identity or confusing similarity between a domain name and the Complainant's trademark, as it is a technical requirement of registration. See paragraph 1.11.1 of WIPO Jurisprudential Overview 3.0. Therefore, the Panel concludes that the Complainant has satisfied the requirement under paragraph 4(a)(i) of the Policy and the Disputed Domain Name is confusingly similar to Complainant's JCDECAUX® trademark.

(B) RESPONDENT'S LACK OF RIGHTS OR LEGITIMATE INTERESTS IN THE DISPUTED DOMAIN NAME.

The second element of the Policy requires that the Complainant establish that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The generally adopted approach, when considering the second element, is that if a complainant makes out a prima facie case, the burden of proof shifts to the respondent to rebut it with relevant evidence demonstrating rights or legitimate interests in the domain name; see, for example, CAC Case No. 102333, Amedei S.r.l. v sun xin. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy (see e.g. WIPO case no. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

In this regard, Paragraph 4 (c) provides circumstances which could prove rights or legitimate interest in the Disputed Domain Name on behalf of the Respondent such as:

(i) before any notice to Respondent of the dispute, Respondent is using or provides with demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) The Respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if the Respondent has acquired no trademark or service mark rights; or

(iii) The Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Respondent did not reply to the Complaint despite the efforts made by the CAC to notify the Complaint. In this regard, the Complainant has confirmed in the Complaint that the Disputed Domain Name is not connected with or authorized by the Complainant in any way.

From the information provided by the Complainant, there is no evidence or reason to believe that the Respondent (as an individual, business or other organization) has been commonly known by the Disputed Domain Name. The Respondent registered the Disputed

Domain Name using a privacy-protected service and this is all that links the Disputed Domain Name with the Respondent. Absent of any other evidence such as a personal name, nickname or corporate identifier, the Panel is of the opinion that the Respondent is not commonly known by the Disputed Domain Name.

Furthermore, the Complainant indicates that they have not granted authorization to Respondent to use their JCDECAUX® trademark. Furthermore, the Complainant asserts that the Respondent is not affiliated with him nor authorized in any way to use the trademark JCDECAUX®.

The Complainant has also provided evidence showing that the Disputed Domain Name resolves to an inactive page. Different Panels have confirmed that the lack of content at the Disputed Domain Name can be considered as a finding that Respondent does not have a bona fide offering of goods and services (see, for example, Forum Case No. FA 1773444, Ashley Furniture Industries, Inc. v. Joannet Macket/JM Consultants).

Therefore, the Panel concludes that neither the Respondent nor the evidence establishes that the Respondent has any right or legitimate interest in the Disputed Domain Name. The Complainant has therefore also satisfied the requirement under paragraph 4(a)(ii) of the Policy.

(C) BAD FAITH REGISTRATION AND USE OF THE DISPUTED DOMAIN NAME.

Paragraph 4(a)(iii) of the Policy indicates that the Complainant must assert that the Respondent registered and is using the Disputed Domain Name in bad faith. In this sense, Paragraph 4(b) of the Policy sets out four circumstances which if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- circumstances indicating that the Respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the domain name; or
- The Respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
- The Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- by using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product.

For the current case, the evidence at hand confirms that Complainant's JCDECAUX® trademark is distinctive and it has a strong reputation in the advertising industry. Furthermore, the Complainant claims that its mark is famous and it cites prior decisions under the UDRP that have recognized the reputation of the JCDECAUX® mark such as the WIPO Case No. DCC2017-0003, JCDecaux SA v. Wang Xuesong, Wangxuesong where the Panel established the following: "The Panel is satisfied that the Respondent must have been aware of the Complainant's well-known JCDECAUX trade mark when it registered the Domain Name."

Absent of the Respondent's reply, the Panel finds that the Respondent, prior to the registration of the Disputed Domain Name was aware of the Complainant's trademark, in particular since the Disputed Domain Name was registered on December 4, 2025 and the Complainant's trademark was registered at least since 2001.

As indicated by the Complainant, the website associated with the Disputed Domain Name resolves to an inactive website. Past panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding and for this purpose, the following factors should be taken into account: (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.

See paragraph 3.3. of WIPO Overview.

In light of the above-mentioned findings, the Panel finds that the evidence submitted by the Complainant supports the argument that by using the Disputed Domain Name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website or other on-line location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product.

Therefore, the Panel concludes that Respondent registered and is using the Disputed Domain Name in bad faith and thus has

satisfied the requirement 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. **jcdecaux.cam**: Transferred

PANELLISTS

Name	**Victor Garcia Padilla**

DATE OF PANEL DECISION 2026-01-13

Publish the Decision