Decision for dispute CAC-UDRP-108288

Case number	CAC-UDRP-108288
Time of filing	2025-12-29 10:40:39
Domain names	pointp-fr.com, pointo-fr.com

Case administrator

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

Complainant

Organization	POINT P SAS

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondents

Organization	Saids lite
Organization	Pointo

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 names.

IDENTIFICATION OF RIGHTS

The Complainant owns several trade mark registrations for its POINT P mark, including International trade mark number 697482 for POINT.P registered on March 10, 1998, French trade mark number 4015854 for POINT P registered on June 27, 2013 and International trade mark number 1654998 for POINT P registered on December 8, 2021.

FACTUAL BACKGROUND

The Complainant is a member of the French based SAINT-GOBAIN group and is a company specialising in the distribution of construction materials and the manufacture of prefabricated and ready-mixed concrete to a mainly commercial clientele in the construction industry. The Complainant's main website for its business is at the domain name <pointp.com> which was registered on February 19, 1997 and is owned by one of the Complainant's group companies.

The disputed domain names <pointp-fr.com> and <pointo-fr.com> were registered on November 6 and 13, 2025 respectively through the same registrar although they were ostensibly registered to different owners both based in the United States. The disputed

domain name <pointp-fr.com> is inactive and the disputed domain name <pointo-fr.com> re-directs to a registrar's parking page.

PARTIES CONTENTIONS

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

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 names (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 names have been registered and are 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.

The Complainant has requested the consolidation of these on the following basis:

(i) The disputed domain names have been registered via the same registrar, seven days apart;

(ii) The registrant of the disputed domain name <pointo-fr.com> is "John Doe" which the Complainant asserts is not the Respondent's real identity;

(iii) The registrant of the disputed domain name <pointp-fr.com> is listed as "Saids lite" which it says does not appear to have any online existence;

(iv) Both disputed domain names are constructed the same way;

(v) Both disputed domain names have been used in a phishing scheme, in which the sender attempted to masquerade as the same POINT P employee.

Previous panels have looked at whether (i) the disputed domain names or corresponding websites are subject to common control, and (ii) if consolidation would be fair and equitable to all parties. Procedural efficiency also underpins a panel's consideration of a consolidation scenario.

In this case the disputed domain names have a similar structure and were registered a week apart through the same registrar. The disputed domain name <pointo-fr.com> is listed as being owned by "John Doe" which being typically used as the pseudonym for an anonymous litigation party is most likely contrived. The disputed domain name <pointp-fr.com> is listed as "Saids lite" which according to the Complainant does not appear to have an on-line existence. The Complainant has submitted evidence which suggests that the disputed domain name <pointo-fr.com> has been actively used in a phishing scheme and that the disputed domain name <pointp-fr.com> has been indicated as a likely spam address. Considering in addition and as discussed below, that neither disputed domain name re-directs to an active legitimate business website and that neither Respondent has disputed the request for consolidation or the Complaint overall, the Panel finds that it is most likely that the two disputed domain names are in common control and that consolidation is fair and equitable to the parties and is the most efficient way of proceeding. Accordingly,

the Panel orders the consolidation into these proceedings of the disputed domain name <pointo-fr.com> and of the disputed domain name <pointp-fr.com>.

PRINCIPAL REASONS FOR THE DECISION

The Complainant has demonstrated that it owns registered trade mark rights for its Point P trade mark. This mark is wholly incorporated into the disputed domain name <pointp-fr.com>. The disputed domain name <pointo-fr.com> features the inclusion of the term "pointo" which differs by one letter from the Complainant's POINT P trade mark. Both disputed domain names feature the "-fr" suffix which typically is an abbreviation for the country France, in which the Complainant is based, but significantly not the Respondent based upon the Registrar's address verification details. The Panel finds that each of the disputed domain names is confusingly similar to the Complainant's POINT P trade mark and that the addition of the "-fr" suffix in each case does not prevent a finding of confusing similarity.

The Complainant has asserted that the Respondent is not identified in the WHOIS register by either of the disputed domain names and is not known by them. It has contended that the Respondent has no rights or legitimate interests in respect of the disputed domain names and is not related to the Complainant. The Complainant has also asserted that it does not carry out any activity for, nor does it have any business with the Respondent. It has submitted that it has neither licensed nor authorised the Respondent to use the Complainant's trade mark POINT P, or to apply for registration of either of the disputed domain names. Finally, the Complainant has submitted that neither of the disputed domain names have been actively used and that the disputed domain name <pointp-fr.com> is inactive and the disputed domain name <pointo-fr.com> re-directs to a registrar's parking page. It has also asserted and provided evidence that the Respondent has used at least one of the disputed domain names in a fraudulent phishing e-mail to try to pass itself off as one of the Complainant's employees. The Complainant has also submitted that using the disputed domain names in this manner is neither a bona fide offering of goods or services nor a non-commercial or fair use under the Policy.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in each of the disputed domain names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. Accordingly, the Panel finds the second element of the Policy has been established.

The disputed domain names were both registered in November 2025, many years after the registration of the Complainant's trade marks. The Complainant's business operation is substantial and it operates through its main website at <pointp.com> for many years prior to registration of the disputed domain names. Even though the Complainant is based in France and the Respondent ostensibly in the United States, the fact that each of the disputed domain names incorporates the Complainant's mark or a misspelling of it together with the "-fr" abbreviation for France, indicates that Respondent was more than likely well aware of the Complainant's PONT P mark and business at the date of registration of each of the disputed domain names.

The disputed domain name <pointp-fr.com> re-directs to an inactive website and the disputed domain name <pointo-fr.com> re-directs to a registrar's parking page. There is no evidence that either of the disputed domain names have been actively used for a legitimate business activity.

Panelists have found that the passive use of a domain name may amount to use in bad faith. While looking at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (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.

In this case the Panel notes that the Complainant's mark and business, at least in France enjoys a considerable is substantial and appears to enjoy a considerable reputation. The fact that each of the disputed domain names is incorporates either an identical or confusingly similar version of the Complainant's POINT P mark and also the "-fr" abbreviation for France, in circumstances that the Respondent is based in the United States, is indicative of potential targeting. The Respondent has failed to submit a response in relation to either of the disputed domain names and as noted above it is most likely that the domain name owner names are false or inaccurate. The evidence submitted that the disputed domain name <pointo-fr.com> has been actively used in a phishing scheme and that the disputed domain name <pointp-fr.com> has been indicated as a likely spam address is compelling. Fraudulent activity in relation to <pointo-fr.com> amounts to bad faith use and the evidence pointing to the <pointp-fr.com> disputed domain name

being used in relation to spam, confirms the Panel's view that it is implausible that the disputed domain name <pointp-fr.com> is likely to be put to any good faith use. Accordingly, the Panel finds that both the disputed domain names have been registered and used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **pointp-fr.com**: Transferred
2. **pointo-fr.com**: Transferred

PANELLISTS

Name	**Mr Alistair Payne**

DATE OF PANEL DECISION 2026-02-08

Publish the Decision