Decision for dispute CAC-UDRP-108302

Case number	CAC-UDRP-108302
Time of filing	2026-01-09 10:27:42
Domain names	totalenergies-renouvelables.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	TotalEnergies SE

Complainant representative

Organization	IN CONCRETO

Respondent

Organization	APINAME Ltd

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, inter alia, the following registered trademarks:

- French trademark TOTAL with registration number 1540708 of December 5, 1988 for goods and services 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;
- European Union trademark TOTAL ENERGIES with registration number 018308753 of May 28, 2021 for goods and services in classes 1, 2, 3, 4, 5, 6, 7, 9, 11, 14, 16, 17, 18, 19, 20, 21, 25, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 45; and
- European Union stylized trademark TotalEnergies with registration number 018392850 of June 25, 2021, for goods and services in classes 1, 2, 3, 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.

FACTUAL BACKGROUND

The Complainant is a French company whose predecessor was established in 1924. The Complainant produces and markets energy on a global scale, including oil and biofuels, natural gas and green gases, and renewables, and operates worldwide in more than 120 countries, through a large group and numerous subsidiaries, including in the French Company “TotalEnergies Renouvelables France”, which was established in 2001.

The Complainant and its subsidiaries own a broad portfolio of more than 490 domain names which include its trademarks TOTAL

and “TotalEnergies”, including <total>, <total-energies>, <totalenergies> and <totalenergiesrenouvelables> which domain names are active and resolve to the main websites of the Complainant.

The disputed domain name was registered on June 25, 2025. The Complainant submitted evidence that the disputed domain name has been used to send fraudulent requests for commercial proposals via contact forms to suppliers targeting the purchases of IT equipment and thereby falsely presenting itself as the Director of Finance and Procurement of the Complainant’s subsidiary “TotalEnergies Renouvelables France”, who is therefore impersonated, as well as to send a fraudulent purchase order purportedly on behalf of the Finance Director of TotalEnergies Renouvelables France through a forged signature.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name 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 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

The Respondent did not reply to the Complainant’s contentions. However, the consensus view of UDRP panels is that the Respondent’s default does not automatically result in a decision in favor of the Complainant. The Complainant must still establish each of the three elements required by paragraph 4(a) of the Policy. Although the Panel may draw appropriate inferences from a respondent’s default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in these proceedings. Paragraph 14(b) of the Rules provides that, in the absence of exceptional circumstances, the Panel shall draw such inferences as it considers appropriate from a failure of a party to comply with a provision or requirement of the Rules. The Panel finds that in this case there are no such exceptional circumstances.

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

It is well established that the Top Level Domain (“TLD”) – in the present case “.com” – may be disregarded in the assessment under paragraph 4(a)(i) of the Policy (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 1.11).

The disputed domain name incorporates the Complainant’s trademark TOTALENERGIES in its entity, and adds a descriptive term “-renouvelables”. Such additions do not prevent a finding of confusing similarity between the disputed domain names and the Complainant’s TOTALENERGIES trademark (WIPO Overview 3.0, paragraph 1.8).

2. **The Respondent has no rights or legitimate interests in respect of the disputed domain name**

The Complainant must make a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, which the Respondent may rebut (e.g., Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455).

The Panel takes note of the various allegations of the Complaint and, in particular, that the Respondent was not licensed or authorized to use the Complainant's trademarks in connection with the registration and use of a domain name. The Panel finds that the Respondent's use of the disputed domain name for fraudulent activities, as explained above, is neither a bona fide offering of goods or services nor a legitimate non-commercial or fair use of the disputed domain name.

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The Panel is therefore satisfied that the Complaint succeeded in making a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

3. **The disputed domain name has been registered and used in bad faith**

The Panel is satisfied that it is apparent that when the Respondent registered the disputed domain name, it must have had the Complainant, its trademarks, and its subsidiary "TotalEnergies Renouvelables France" in mind, given that the Complainant had registered the trademarks TOTAL, TOTAL ENERGIES, and TOTALENERGIES long before the registration of the disputed domain name, and the Panel is aware that these trademarks have become well-known trademarks through intensive use. Furthermore, shortly after registering the disputed domain names, the Respondent used the disputed domain name to send fraudulent emails in which it allegedly impersonated the Complainant and the financial director of its subsidiary, whose name and signature were used by the Respondent to conduct such activities

It was incumbent upon the Respondent to provide an explanation for sending these emails from the disputed domain name in order to dispel the allegation of fraud. Because the Respondent did not submit a Response and therefore failed to provide such an explanation, the Panel finds that it is most probable that the Respondent used the disputed domain name for fraudulent activities, which constitutes use of the disputed domain name in bad faith (WIPO Overview 3.0, paragraph 3.4).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **totalenergies-renouvelables.com**: Transferred

PANELLISTS

Name	**Alfred Meijboom**

DATE OF PANEL DECISION 2026-02-14

Publish the Decision