Decision for dispute CAC-UDRP-108338

Case number	CAC-UDRP-108338
Time of filing	2026-01-20 10:00:05
Domain names	bolloenergies.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOLLORE SE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Joran BUZAABO

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 the International trademark BOLLORÉ ENERGY with registration No. 1303490, registered on 22 January 2016 for goods and services in International Classes 1, 4, 7, 9, 11, 35, 36, 37, 39, 40 and 42 (the “BOLLORÉ ENERGY trademark”).

FACTUAL BACKGROUND

The Complainant was founded in 1822 and is active in transportation and logistics, communications and industry. According to the Complaint, the BOLLORÉ group is one of the 500 largest companies in the world, and in 2024, it had a revenue of EUR 3 billion and a shareholders' equity of EUR 26 billion. The Complainant's affiliate BOLLORÉ ENERGY is active in oil distribution and logistics operations in France, Switzerland and Germany, and its official website is located at the domain name <bollore-energy.com>, registered since 30 September 2015.

The disputed domain name was registered on 13 January 2026. At the time of the filing of the Complaint, it was inactive and had mail exchanger (“MX”) settings configured. The disputed domain name currently resolves to an English-language website with the title “Bollo Energy”, which states: “We are the main distributor of Barefoot Power Products in Uganda”, offers a solar-powered lighting and phone-charging solution and a variety of services such as financial planning, portfolio management and legal services, and includes many incomplete sections and “Lorem Ipsum”-style placeholder texts, without identifying the provider of the products

and services offered on the website.

PARTIES CONTENTIONS

COMPLAINANT

The Complainant submits that the disputed domain name is confusingly similar to its BOLLORÉ ENERGY trademark. According to it, the deletion of the letters “re” and the substitution of the term “energy” by its plural form “energies” is not sufficient to prevent the confusing similarity of the disputed domain name to the BOLLORÉ ENERGY trademark.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not related to the Complainant and has not been authorised by the Complainant to use the BOLLORÉ ENERGY trademark or to register the disputed domain name. The Complainant adds that the disputed domain name has not been actively used, as it resolves to a parking page, and submits that the Respondent has no demonstrable plan how to use it.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. According to it, given the distinctiveness of the BOLLORÉ ENERGY trademark, it is reasonable to infer that the Respondent has registered the disputed domain name with knowledge of this trademark. The Complainant submits that although the disputed domain name does not resolve to an active website, it has been set up with MX records, which suggests that it may be actively used for email purposes. According to the Complainant, 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.

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 the UDRP have been met and there is no reason why it would be inappropriate to issue the present decision.

PRINCIPAL REASONS FOR THE DECISION

Pursuant to the Policy, paragraph 4(a), a complainant must prove each of the following to justify the transfer of a domain name:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

(ii) the respondent has no rights or legitimate interests in respect of the domain name; and

(iii) the domain name was registered and is being used in bad faith.

By Paragraph 5(c)(i) of the Rules, it is expected of a respondent to: “[r]espond specifically to the statements and allegations contained in the complaint and include any and all bases for the Respondent (domain name holder) to retain registration and use of the disputed domain name …”

In this proceeding, the Respondent has not used the opportunity provided to it under the Rules and has not submitted a Response addressing the contentions of the Complainant and the evidence submitted by it.

Identical or confusingly similar

The Complainant has provided evidence and has thus established its rights in the BOLLORÉ ENERGY trademark.

The Panel notes that a common practice has emerged under the Policy to disregard in appropriate circumstances the general Top-Level Domain ("gTLD") section of domain names for the purposes of the comparison under the Policy, paragraph 4(a)(i). The Panel sees no reason not to follow the same approach here, so it will disregard the ".com" gTLD section of the disputed domain name.

The relevant part of the disputed domain name is therefore the sequence "bolloenergies", which appears as a misspelled version of the BOLLORÉ ENERGY trademark by the removal of the letter "r" and of the letter "e", and the replacement of "energy" by its plural form "energies". The BOLLORÉ ENERGY trademark is easily recognisable in the disputed domain name, and the title of the associated website "Bollo Energy" does not provide an explanation why the disputed domain name contains "energies" and not "energy". It rather appears as more likely than not that the disputed domain name was intentionally chosen as a misspelled version of the Complainant's trademark rather than as an unrelated brand. As discussed in section 1.9 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the "WIPO Overview 3.0"), a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element.

Taking the above into account, the Panel finds that the disputed domain name is confusingly similar to the BOLLORÉ ENERGY trademark in which the Complainant has rights.

Rights and legitimate interests

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognised that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, because it is not affiliated with the Complainant or authorised by the same to use its trademark, and does not carry out any business with the Complainant. The Complainant adds that although the disputed domain name is inactive, it has MX settings enabled and may be used for illegitimate email communications. The Complainant has thus established a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name. The Respondent has not submitted a Response and has not provided any plausible explanation of the reasons why it has registered the disputed domain name and how it intends to use it.

In the Panel's view, the circumstances of this case do not support a finding that the Respondent has rights and legitimate interests in the disputed domain name. It appears as an intentional misspelling of the distinctive BOLLORÉ ENERGY trademark, which was registered ten years earlier, and has MX settings enabled. If Internet users receive communications from an email address at the disputed domain name, they may well mistakenly believe that these communications originate from the Complainant.

In the absence of any arguments or evidence to the contrary, the above leads the Panel to the conclusion that it is more likely than not that the Respondent, being aware of the goodwill of the Complainant's BOLLORÉ ENERGY trademark, has registered the disputed domain name targeting this trademark in an attempt to exploit its goodwill to obtain some commercial advantage. The Panel does not regard such potential use of the disputed domain name as giving rise to rights or legitimate interests in the disputed domain name.

Therefore, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain name.

Bad faith

Paragraph 4(b) of the Policy lists four illustrative alternative circumstances that shall be evidence of the registration and use of a domain name in bad faith by a respondent, namely:

"(i) circumstances indicating that you have registered or you have 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 your documented out-of-pocket costs directly related to the domain name; or

(ii) you have 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 you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location."

The registration of the distinctive BOLLORÉ ENERGY trademark predates by ten years the registration of the disputed domain name. It appears as a confusingly similar misspelling of this trademark and the Respondent has not provided any plausible explanation of its choice of a domain name and of its plans for how to use it.

As discussed in section 3.4 of the WIPO Overview 3.0, Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution. Many such cases involve the respondent's use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information from prospective job applicants, or to solicit payment of fraudulent invoices by the complainant's actual or prospective customers.

At the time of filing of the Complaint, the disputed domain name did not resolve to an active website but had MX settings enabled, so it may be used for email communications. If it is used for such purposes, Internet users who receive such communications may be misled to trust such communications in the belief that they are interacting with the Complainant.

The disputed domain name is currently being used for a website that offers various products and services which do not appear to have any connection with each other and to the "Bollo Energy" title of the website. The website also has many incomplete sections and multiple placeholder texts. In view of the absence of a Response or any denial by the Respondent of the contentions of the Complainant, it appears as more likely than not that this website has been hastily put together to create an appearance of a legitimate use of the disputed domain name to serve as a defence in the present proceeding.

Considering the above, the Panel is of the view that the Respondent is more likely to have registered the disputed domain name with knowledge of the Complainant's BOLLORÉ ENERGY trademark and with the intention of taking advantage of its goodwill in an attempt to receive an undue commercial advantage in its interactions with Internet users. This supports a finding of bad faith registration and use of the disputed domain name.

Therefore, the Panel finds that the disputed domain name was registered and is being 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. **bolloenergies.com**: Transferred

PANELLISTS

Name	**Assen Alexiev**

DATE OF PANEL DECISION 2026-02-18

Publish the Decision