Decision for dispute CAC-UDRP-108367

Case number	CAC-UDRP-108367
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Domain names	sanit--gobain.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Nicholas Hanna

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 has provided evidence of its ownership of registered trademark rights in the trademark SAINT-GOBAIN with device registered in numerous jurisdictions:

International trademark No. 740183 registered on July 26, 2000 in 21 classes;

International trademark No. 596735 registered on November 2, 1992 in 13 classes;

International trademark No. 551682 registered on July 21, 1989 in 17 classes;

US trademark No. 1648605 registered on June 25, 1991 in 7 classes.

The trademarks are still valid at present and their registration dates predate the registration date of the disputed domain name registered on January 20, 2026.

The Complainant also owns many domain names including its trademark SAINT-GOBAIN, such as <saint-gobain.com> registered on December 29, 1995, prior to the registration date of the disputed domain name. SAINT-GOBAIN is also commonly used to designate the company name of the Complainant.

FACTUAL BACKGROUND

A. Complainant's Factual Allegations

The Complainant is a French company that specializes in the production, processing and distribution of materials for the construction and industrial markets. SAINT-GOBAIN is a worldwide reference in sustainable habitat and construction markets. For 350 years, it has consistently demonstrated its ability to invent products that improve the quality of life. It is now one of the top industrial groups in the world with around 46.6 billion Euros in turnover in 2024 and 161,000 employees.

B. Respondent's Factual Allegations

The Respondent has defaulted in this UDRP administrative proceeding and has consequently made no factual allegations. The Respondent is Nicholas Hanna based at the address of 208 Falcon Ridge Road, Great Falls, VA, Post Code 22066-3519, United States. The disputed domain name was registered on January 20, 2026 by the Respondent, as confirmed by the Registrar. It resolves to an inactive page.

PARTIES CONTENTIONS

A. COMPLAINANT

The Complainant's contentions can be summarized as follows:

I. The disputed domain name is identical or confusingly similar to a trade mark in which the Complainant has rights

The Complainant contends that it is the owner of the registered trademark SAINT-GOBAIN in numerous jurisdictions as mentioned above in the IDENTIFICATION OF RIGHTS. The disputed domain name is confusingly similar to its registered trademark. The obvious misspelling of the Complainant’s trademark SAINT-GOBAIN (i.e. the reversal of the letters “I” and “N”, and the addition of a hyphen) is characteristic of a typosquatting practice intended to create confusing similarity between the Complainant’s trademark and the disputed domain name. Previous panels have found that the slight spelling variations do not prevent a domain name from being confusingly similar to the Complainant’s trademark.

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

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name on the grounds: i) it failed to demonstrate its rights or legitimate interests in the disputed domain name; ii) it is not commonly known by the disputed domain name; iii) it is not related in any way to the Complainant. The Complainant does not carry out any activity for, nor has any business with it. Neither license nor authorization has been granted to it to make any use of the Complainant’s trademark or apply for registration of the disputed domain name; iv) the disputed domain name is a typosquatted version of the trademark SAINT-GOBAIN, which can evidence that it lacks rights and legitimate interests in the disputed domain name; v) the disputed domain name resolves to an inactive page, which confirms that it has no demonstrable plan to use the disputed domain name.

III. The Respondent registered and is using the disputed domain name in bad faith

The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith on the grounds: i) the trademark SAINT-GOBAIN has been used extensively worldwide and is well-known worldwide. The Respondent obviously knew the prior rights and wide use of SAINT GOBAIN by the Complainant, which is the only reason why it registered the disputed domain name; ii) the misspelling of the trademark SAINT-GOBAIN was intentionally designed to be confusingly similar with the Complainant’s trademark, which is considered as evidence of bad faith; iii) the disputed domain name resolves to an inactive page. Previous panels have held that the incorporation of a famous mark into a domain name, coupled with an inactive website, may be evidence of bad faith registration and use; iv) the disputed domain name has been set up with MX records which suggests that it may be actively used for email purposes. This is also indicative of bad faith registration and use.

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

B. 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

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the domain name; the complainant shall prove the following three elements:

(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 has been registered and is being used in bad faith.

Based on the above regulations under the Policy, what the Panel needs to do is to find out whether each and all of the above-mentioned elements are established. If all three elements are established, the Panel will make a decision in favor of the Complainant. If the three elements are not established, the claims by the Complainant shall be rejected.

The Respondent did not submit a Response of any argument against what the Complainant claimed and to show his intention to retain the disputed domain name as required by the Policy and the Rules. If the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint. In view of the situation, the Panel cannot help but make the decision based primarily upon the contentions and the accompanying exhibits by the Complainant, except where there is an exhibit proving to the contrary.

I. Identity or Confusing Similarity

Pursuant to Paragraph 4(a) (i) of the Policy, a complainant must prove that the domain name is identical with or confusingly similar to a trademark or service mark in which the complainant has rights.

A. Complainant has rights in a trademark or service mark

The Complainant has provided evidence of ownership of valid trademark registrations for the trademark SAINT-GOBAIN, registered in 1989, 1991, 1992 and 2000 in numerous jurisdictions, including U.S.A. as mentioned above in the IDENTIFICATION OF RIGHTS. The trademarks are still valid and their registration dates significantly predate the registration date of the disputed domain name, i.e. January 20, 2026. The Complainant therefore has rights in the trademark SAINT-GOBAIN.

B. The disputed domain name should be identical or confusingly similar to the trademark or service mark

The misspelling of the Complainant's trademark SAINT-GOBAIN (i.e. the reversal of the letters "I" and "N", and the addition of a hyphen) is typosquatting. WIPO Overview 3.0, paragraph 1.9 states that "a domain name which consists of a common, obvious, or misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element". Previous panels have found that the slight spelling variations do not prevent a domain name from being confusingly similar to the Complainant's trademark. See WIPO Case No. D2020-3457, <arcelormltal.com>, ArcelorMittal (Société Anonyme) v. Name Redacted.

The trademark SAINT-GOBAIN of the Complainant contains a design, which is not the dominant portion of the trademark. Design elements are incapable of representation in domain names and largely disregarded for purposes of assessing identity or confusing similarity. See WIPO Overview 3.0, paragraph 1.10.

As to the generic Top Level Domain ".com", it is viewed as a standard registration requirement and as such can be disregarded for

the purpose of assessing identity or confusing similarity. See WIPO Overview 3.0, paragraph 1.11.1.

Therefore, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights according to paragraph 4(a)(i) of the Policy. Accordingly, the Complainant has proven that the first element required by paragraph 4(a) of the Policy is established.

II. Rights or Legitimate Interests of the Respondent

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name on the grounds: i) it failed to demonstrate its rights or legitimate interests in the disputed domain name; ii) it is not commonly known by the disputed domain name; iii) it is not related in any way to the Complainant. The Complainant does not carry out any activity for, nor has any business with it. Neither license nor authorization has been granted to it to make any use of the Complainant's trademark or apply for registration of the disputed domain name; iv) the disputed domain name is a typosquatted version of the trademark SAINT-GOBAIN, which can evidence that the Respondent lacks rights and legitimate interests in the disputed domain name; v) the disputed domain name resolves to an inactive page, which confirms that Respondent has no demonstrable plan to use the disputed domain name.

Once the 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 disputed domain name. If the Respondent fails to come forward with such relevant evidence, the Complainant is deemed to have satisfied the second element. See WIPO Overview 3.0, paragraph 2.1.

Paragraph 4(c) of the Policy lists a number of circumstances which can be taken to demonstrate a respondent's rights or legitimate interests in a domain name. However, the Respondent has failed to meet that burden. The Respondent did not submit any evidence to demonstrate any of the above circumstances.

Therefore, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. Accordingly, the Complainant has proven that the second element required by paragraph 4(a) of the Policy is established.

III. Bad Faith

Paragraph 4(a) (iii) of the Policy provides that the domain name has been registered and is being used in bad faith.

A. The disputed domain name has been registered in bad faith

The Panel finds that the Respondent had knowledge of the Complainant's trademark at the time of registration of the disputed domain name, considering the following circumstances:

WIPO Overview 3.0, paragraph 3.2.2 mentions: "Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark". The Panel believes that before registration of the disputed domain name, the Respondent had made searches for the wording SAINT-GOBAIN and knew it was the trademark of the Complainant.

The SAINT GOBAIN trademark is well known as determined in prior WIPO UDRP decision. See WIPO Case No. D2020-3549, Compagnie de Saint-Gobain v. On behalf of saint gobain-recherche.net owner, Whois Privacy Service / Grigore PODAC. Therefore, the Respondent had knowledge of the Complainant's trademark.

In view of the above circumstances, the Panel holds that the Respondent had knowledge of the Complainant's trademark at the time of registration of the disputed domain name. As the domain name would cause confusion to internet users, it should have avoided the registration, which is considered as good faith, but it rather registered the disputed domain name. The Respondent deliberately sought to cause such confusion. Accordingly, the Panel finds that the disputed domain name has been registered in bad faith.

B. The disputed domain name is being used in bad faith

The disputed domain name resolves to an inactive page. However, it does not prevent a finding of bad faith use under the doctrine of passive holding. WIPO Overview 3.0, paragraph 3.3 mentions: "From the inception of the UDRP, panelists have found that the non-use of a domain name (including a blank or 'coming soon' page) would not prevent a finding of bad faith under the doctrine of passive holding. While panelists will look 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". See WIPO Case D2017-0246, "Dr. Martens" International Trading GmbH and "Dr. Maertens" Marketing GmbH v. Godaddy.com, Inc. See WIPO Case D2000-0003, Telstra Corporation Limited v. Nuclear Marshmallows.

In this case, the Panel is convinced that the overall circumstances of this case strongly suggest that the Respondent's non-use of the disputed domain name is in bad faith. Such circumstances include all the above four circumstances, which were mentioned in the Complainant's contention to support its argument that the disputed domain name is being used in bad faith.

Regarding the Complainant’s contention on bad faith, the Respondent should rebut it, but it did not make any response, which strengthened the Panel’s findings on its bad faith.

In view of all the above, the Panel finds that the disputed domain name has been registered and is being used in bad faith according to paragraph 4(a)(iii) of the Policy. Therefore, the Complainant has proven that the third element required by paragraph 4(a) of the Policy is established.

Decision

For all the foregoing reasons, in accordance with paragraph 4(a) of the Policy and Rule 15 of the Rules, the Panel orders that the disputed domain name be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **sanit--gobain.com**: Transferred

PANELLISTS

Name	**Yunze Lian**

DATE OF PANEL DECISION 2026-02-25

Publish the Decision