Decision for dispute CAC-UDRP-108460

Case number	CAC-UDRP-108460
Time of filing	2026-03-03 11:35:16
Domain names	mountaincoll-immo.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	MOUNTAIN COLLECTION IMMOBILIER

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Lonkong Junior

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 evidenced to be the owner of various trademark registrations relating to its company name and brand MOUNTAIN COLLECTION IMMOBILIER, including, but not limited to, the following:

- word/device trademark MOUNTAIN COLLECTION IMMOBILIER, International Registration (World Intellectual Property Organization), registration No.: 1835685, registration date: October 10, 2024, status: active;

The Complainant has also evidenced to own since October 6, 2010 the domain name <mountaincollection.com> which resolves to the Complainant's main website at "www.mountaincollection.com", used to promote the Complainant's business in the tourism industry internationally.

The disputed domain name was registered on February 23, 2026.

FACTUAL BACKGROUND

By the time of the rendering of this Decision, the disputed domain name does not resolve to any active website. The Complainant, however, has demonstrated that at some point before the filing of the Complaint, the disputed domain name resolved to a website which was a copy-cat website of the Complainant's official Internet presence mentioned above. Also, the Complainant has shown

the activation of MX servers for the disputed domain name.

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

First, the Panel finds that the disputed domain name is confusingly similar to the Complainant's MOUNTAIN COLLECTION IMMOBILIER trademark, as it incorporates substantial parts of the latter, simply misspelling it by shortening the term "collection" to form the term "coll", and the term "immobilier" to form the term "immo". Numerous UDRP panels have recognized that where at least a dominant feature of the relevant trademark is recognizable in the domain name, the latter will normally be considered confusingly similar to that trademark. Moreover, it has been held in many UDRP decisions and has meanwhile become a consensus view among UDRP panels that a domain name which consists of a common, obvious or intentional misspelling of the complainant's trademark (i.e. a typo-squatting) is still considered to be confusingly similar to the relevant trademark for purposes of the first element under the UDRP. Accordingly, the fact that the disputed domain name obviously includes a misspelling/typo-squatting of the Complainant's MOUNTAIN COLLECTION IMMOBILIER trademark is not at all inconsistent with the finding of confusing similarity.

Therefore, the Complainant has established the first element under the Policy as set forth by paragraph 4(a)(i).

Second, the Complainant contends, and the Respondent has not objected to these contentions, that the Respondent has neither made use of, or demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services, nor is the Respondent commonly known under the disputed domain names, nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain names without intent for commercial gain.

The Respondent is not affiliated with the Complainant, nor has it been authorized to use the Complainant's MOUNTAIN COLLECTION IMMOBILIER trademark, either as a domain name or in any other way. Also, there is no reason to believe that the Respondent's name somehow corresponds with the disputed domain name, and the Respondent does not appear to have any trademark rights associated with the terms "mountain" and/or "collection" and/or "immobilier" on its own. Finally, the Complainant has demonstrated that – at some point before the filing of the Complaint, e.g. on March 2, 2026 – the disputed domain name resolved to a copy-cat website of the Complainant's official Internet presence at "www.mountaincollection.com" without any authorization to do so. Such use of the disputed domain name, obviously in a fraudulent manner, neither qualifies as a bona fide nor as a legitimate noncommercial of fair use under the UDRP.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that, therefore, the Complainant has also satisfied paragraph 4(a)(ii) and, thus, the second element of the Policy.

Finally, the Panel holds that the disputed domain name was registered and is being used by the Respondent in bad faith.

It is obvious from the circumstances to this case that the Respondent was well aware of the Complainant's business in the tourism industry and its rights in the MOUNTAIN COLLECTION IMMOBILIER trademark when registering the disputed domain name, and that the latter is directly targeting the Complainant and its trademark. Moreover, resolving the disputed domain name to a copy-cat website of the Complainant's official Internet presence at "www.mountaincollection.com" without any authorization by the Complainant to do so, leaves no doubts that the Respondent, by registering and using the disputed domain name, had the intention to somehow unjustifiably profit from the undisputed reputation attached to the Complainant's MOUNTAIN COLLECTION IMMOBILIER trademark, and, thus, the Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's own website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy. Moreover, activating MX servers under the disputed domain name at least allows the assumption – under the specific circumstances of this case – that the Respondent intends to make use at some point of the disputed domain name in connection with unauthorized email services which, in turn, are inconceivable of being of a good faith nature.

Therefore, the Complainant has also satisfied the third element under the Policy as set forth by paragraph 4(a)(iii).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **mountaincoll-immo.com**: Transferred

PANELLISTS

Name	**Stephanie Hartung**

DATE OF PANEL DECISION 2026-04-01

Publish the Decision