Decision for dispute CAC-UDRP-108542

Case number	CAC-UDRP-108542
Time of filing	2026-03-31 14:10:48
Domain names	futuroscope-fr.com

Case administrator

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

Complainant

Organization	CONSEIL DEPARTEMENTAL DE LA VIENNE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Shelby Company

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings in respect of the domain name <futuroscope-fr.com> (the "disputed domain name").

IDENTIFICATION OF RIGHTS

The Complainant owns several registered trade marks for FUTUROSCOPE, including:

- French trade mark registration no. 92415163, registered on 29 May 1992;
- International trade mark registration no. 591917, registered on 2 October 1992; and
- EU trade mark registration no. 003954575, registered on 3 November 2005.

(collectively, the "Complainant's trade marks").

The Complainant also operates the official website at https://www.futuroscope.com/fr/.

FACTUAL BACKGROUND

A. Complainant's Assertions

The Complainant is the Conseil Départemental de la Vienne and has been involved in the development of the Futuroscope park since 1986. The park is a well-established leisure destination in France, now complemented by the Aquascope water park and attracting significant visitor numbers.

B. Respondent's Position

The Respondent did not file a Response.

C. Disputed Domain Name

The disputed domain name <futuroscope-fr.com> was registered on 23 March 2026 and resolves to a website which appears to provide information relating to the Complainant's parks (the "Respondent's website").

PARTIES CONTENTIONS

A. Complainant

A.1 The disputed domain name is identical or confusingly similar to a trade mark in which the Complainant has rights

The Complainant submits that it owns long-standing registered rights in the trade mark FUTUROSCOPE and that the disputed domain name reproduces that trade mark in its entirety.

The Complainant argues that the addition of the element "-fr", a geographic reference, does not prevent a finding of confusing similarity. Nor does the inclusion of the Top-Level Domain (the "TLD") <.com>, which is a standard registration requirement. The disputed domain name remains likely to be perceived as referring to the Complainant.

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

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

It states that the Respondent is not affiliated with the Complainant in any way, has not been authorised to use the trade mark FUTUROSCOPE, and is not commonly known by the disputed domain name.

The Complainant further submits that the disputed domain name resolves to a website displaying information relating to the Futuroscope and Aquascope parks, without identifying the operator or including any disclaimer. It contends that such use creates a misleading impression of affiliation.

The Complainant therefore submits that the Respondent is not making a bona fide offering of goods or services, nor any legitimate non-commercial or fair use.

A.3 The disputed domain name was registered and is being used in bad faith

The Complainant submits that the disputed domain name was registered and is being used in bad faith.

It relies on the long-standing use and reputation of the trade mark FUTUROSCOPE and contends that the Respondent must have been aware of its rights at the time of registration.

The Complainant further submits that the disputed domain name resolves to a website referring directly to its parks, which demonstrates knowledge of the Complainant's activities.

It contends that the Respondent is using the disputed domain name to attract Internet users by creating a likelihood of confusion as to the source, affiliation or endorsement of the website, and to derive an advantage from the reputation of the Complainant's trade mark.

A.4 Relief Sought

The Complainant requests that the disputed domain name < futuroscope-fr.com> be transferred to it in accordance with paragraph 4(i) of the UDRP Policy.

B. Respondent

No Response was filed. The Panel proceeds on the basis of the uncontested evidence and may draw appropriate inferences pursuant to Rule 14(b) of the UDRP Rules.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to a trade mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown that the Respondent has no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the UDRP Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under the UDRP Policy, the UDRP Rules, and the CAC Supplemental Rules have been met. The dispute is properly before the Panel.

PRINCIPAL REASONS FOR THE DECISION

A. Applicable Legal Framework

Pursuant to Rule 15 of the UDRP Rules, the Panel decides on the basis of the statements and evidence submitted, in accordance with the UDRP Policy, the UDRP Rules, and any applicable principles of law.

Under paragraph 4(a) of the UDRP Policy, the Complainant must establish, on the balance of probabilities, that:

> (i) the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
>
> (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
>
> (iii) the disputed domain name has been registered and is being used in bad faith.

B. Identical or Confusingly Similar

The Panel is satisfied that the Complainant has established rights in the trade mark FUTUROSCOPE.

The disputed domain name incorporates that trade mark in its entirety. The addition of "-fr" does not prevent the mark from remaining clearly recognisable. The TLD is disregarded for the purpose of this assessment.

The Panel finds the disputed domain name confusingly similar to the Complainant's trade mark.

C. Rights or Legitimate Interests

The Complainant has made out a prima facie case.

The Respondent is not authorised to use the Complainant's trade mark and is not commonly known by the disputed domain name.

The disputed domain name is used for a website referring to the Complainant's parks, without identifying the operator and without any disclaimer. While the Respondent's website does not appear to imitate the Complainant's official website, the use of the disputed domain name itself creates a risk that Internet users will assume a connection with the Complainant.

The Panel notes that, in principle, the use of a domain name for a genuine, non-commercial blog or informational website relating to the Complainant's activities, clearly independent and without intent to mislead or derive commercial advantage, may in certain circumstances give rise to rights or legitimate interests. That is not the position here. The Respondent has chosen a domain name which reproduces the Complainant's trade mark in its entirety, together with a geographic indicator, without any element distinguishing it as independent. In the absence of any explanation or disclaimer, such use is apt to suggest an official or authorised source. That is not fair or legitimate use. It takes advantage of the Complainant's trade mark.

The Panel therefore finds that the Respondent has no rights or legitimate interests.

D. Registered and Used in Bad Faith

The Complainant's trade mark FUTUROSCOPE is long established.

The disputed domain name incorporates that mark together with the geographic element "-fr" and is used for a website referring directly to the Complainant's parks. The Panel is satisfied that the Respondent was aware of the Complainant at the time of registration.

By using the disputed domain name in this manner, the Respondent creates a likelihood of confusion as to source, affiliation or endorsement.

The Panel finds that the Respondent has sought to obtain an unfair commercial advantage by attracting Internet users on that basis. That falls within paragraph 4(b)(iv) of the UDRP Policy.

The disputed domain name was therefore registered and is being used in bad faith.

E. Decision

For the foregoing reasons, in accordance with paragraph 4(i) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain name <futuroscope-fr.com> be transferred to the Complainant, the Conseil Départemental de la Vienne.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **futuroscope-fr.com**: Transferred

PANELLISTS

Name	**Gustavo Moser**

DATE OF PANEL DECISION 2026-04-28

Publish the Decision