Decision for dispute CAC-UDRP-108528

Case number	CAC-UDRP-108528
Time of filing	2026-03-27 08:38:20
Domain names	leroy-merlin.ink

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	GROUPE ADEO

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Micle Smith

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 proved to be the owner of:

- international trademark LEROY-MERLIN reg. no. 591251 registered since 15-07-1992;
- international trademark LEROY MERLIN reg. no. 701781 registered since 14-08-1998;
- EU trademark LEROY MERLIN reg. no. 10843597 registered since 27-04-2012;
- EU trademark LEROY MERLIN reg. no. 11008281 registered since 02-07-2012.

The Complainant proved to owns also the following domain names:

<leroymerlin.fr>; and

<leroymerlin.com>

FACTUAL BACKGROUND

I - The Complainant

The Complainant is GROUPE ADEO, a French company specializing in the sale of articles covering all sectors of the home, the development of the living environment and DIY, both for individuals and professionals. The complainant owns the trademark LEROY MERLIN, created in 1923 and used for retail services in the fields of home improvement and the living environment market.

II - The Respondent

The Respondent is Micle Smith, domiciled in Kazakhstan.

The disputed domain name resolves to a website displaying the Complainant's semi-figurative trademark LEROY MERLIN to provide information regarding the recruitment process.

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

1. The disputed domain name is confusingly similar to a trademark in which the Complainant has rights

The Complainant has successfully proved to be the owner of the trademark "LEROY-MERLIN".

The disputed domain name <leroy-merlin.ink> is identical to the Complainant's trademark.

The addition of ".ink" is generally disregarded in view of its technical function.

As a consequence, the Panel finds that the disputed domain name is confusingly similar to the Complainant's trademarks, for the purposes of the First Element of the Policy.

2. The Respondent lacks rights or legitimate interests in the disputed domain name

Pursuant to paragraph 4(a)(ii) of the Policy, a complainant is required to make out a prima facie case that a respondent lacks rights or legitimate interests in a domain name. Once such a prima facie case is made, the respondent carries the burden of demonstrating its rights or legitimate interests in the domain name. If the respondent fails to do so, the complainant is deemed to

have satisfied paragraph 4(a)(ii) of the Policy.

In this case, the Panel finds that the Complainant's submitted evidence and allegations are sufficient to establish a prima facie case of the Respondent's lack of rights and legitimate interests in the disputed domain name.

According to the information provided by the Complainant and not contested, the Respondent is not commonly known by the disputed domain name, nor is it authorized to use the Complainant's trademarks.

The disputed domain name is used in connection with a website that uses the LEROY MERLIN trademark, in the same graphic stylization and colors of the trademark registrations. According to the information provided by the Complainant the LEROY MERLIN sign is used in the disputed domain name in relation to recruitment services.

The Panel finds that such use discloses an absence of a bona fide offering of goods or services and of a legitimate noncommercial/ fair use of the disputed domain name. As a matter of fact, internet users could clearly think that the disputed domain name is part of the Complainant's official network and provide personal data for recruitment services. However, the Respondent is not part of the Complainant's official network.

For these reasons, the Panel takes the view that the Respondent lacks rights or legitimate interests in the disputed domain name for the purposes of the Policy.

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

The Panel finds the following circumstances as material in order to establish the Respondent's bad faith in the registration of the disputed domain name:

(i) the disputed domain name was registered well after the Complainant acquired rights on the trademarks "LEROY MERLIN";

(ii) the disputed domain name resolves to a website on which the LEROY MERLIN is used in the same graphic stylization used by the Complainant. In the Panel's view, this fact suggests that the respondent was perfectly aware of the Complainant's business conducted under the trademark "LEROY MERLIN".

As regards use in bad faith, the disputed domain name resolves to a "recruitment" website in which the LEROY MERLIN trademark is reproduced. Such use is clearly in bad faith. The Panel agrees that the Respondent is attempting to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of its website and the unauthorized email address.

All above considered the Panel finds the evidence submitted as sufficient to prove use and registration of the disputed domain name in bad faith for the purposes of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **leroy-merlin.ink**: Transferred

PANELLISTS

Name	**Andrea Mascetti**

DATE OF PANEL DECISION 2026-04-29

Publish the Decision