

## Decision for dispute CAC-UDRP-108697

Case number	CAC-UDRP-108697
Time of filing	2026-06-04 09:52:00
Domain names	brasilitsaintgobain.com, saints-gobainn.com

### Case administrator

Name	Olga Dvořáková (Case admin)
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### Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN
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### Complainant representative

Organization	NAMESHIELD S.A.S.
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### Respondents

Name	Rafael Luis Sindeaux de Sousa
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Name	felix derrick
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#### OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings in respect of the domain names <brasilitsaintgobain.com> and <saints-gobainn.com> (the "disputed domain names").

#### IDENTIFICATION OF RIGHTS

The Complainant, Compagnie de Saint-Gobain, owns several registered trade marks for SAINT-GOBAIN, including:

- International trade mark registration no. 551682, registered on 21 July 1989; and
- International trade mark registration no. 740184, registered on 26 July 2000.

The Complainant also owns numerous domain names incorporating its trade mark, including <saint-gobain.com>, registered in 1995.

#### FACTUAL BACKGROUND

##### A. Complainant's Assertions

The Complainant is a French industrial group founded more than 360 years ago and is a global leader in the manufacture and

distribution of construction and industrial materials. It operates internationally and reported revenues of approximately EUR 46.5 billion in 2025.

## **B. Respondent's Position**

The Respondent did not file a Response.

## **C. Disputed Domain Names**

The disputed domain names were both registered on 29 May 2026.

At the time of this Decision, the disputed domain name <brasilitsaintgobain.com> resolves to an active website displaying content in Portuguese, whereas the disputed domain name <saints-gobainn.com> resolves to an inactive webpage. The record further indicates that MX records have been configured in respect of each disputed domain name.

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## **PARTIES CONTENTIONS**

### **A. Complainant**

#### **A.1 The disputed domain names are identical or confusingly similar to a trade mark in which the Complainant has rights**

The Complainant submits that both disputed domain names are confusingly similar to its trade mark SAINT-GOBAIN. It contends that the disputed domain name <brasilitsaintgobain.com> wholly incorporates the trade mark together with the term "Brasilit", which is the name of one of the Complainant's Brazilian subsidiaries

The Complainant further contends that the disputed domain name <saints-gobainn.com> constitutes an obvious misspelling of its trade mark and is a classic example of typosquatting.

The Complainant submits that the generic Top-Level Domain (the "TLD") <.com> is irrelevant to the assessment of confusing similarity.

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

The Complainant submits that the Respondent has no rights or legitimate interests in respect of either disputed domain name. It states that the Respondent is not affiliated with the Complainant, has never been authorised to use the Complainant's trade mark SAINT-GOBAIN, and is not commonly known by either disputed domain name.

The Complainant further submits that both disputed domain names resolve to parking pages and there is no evidence of any bona fide offering of goods or services or legitimate non-commercial or fair use.

#### **A.3 The disputed domain names were registered and are being used in bad faith**

The Complainant submits that both disputed domain names were registered and are being used in bad faith.

The Complainant relies upon the longstanding reputation of the trade mark SAINT-GOBAIN, the incorporation of that trade mark into both disputed domain names, the use of the term "Brasilit", the deliberate misspelling in the disputed domain name <saints-gobainn.com>, the passive holding of both disputed domain names, and the configuration of MX records.

#### **A.4 Consolidation Request**

The Complainant requests consolidation of the Complaint. It contends that both disputed domain names were registered on the same date, through the same registrar, and are used in an identical manner.

#### **A.5 Relief Sought**

The Complainant requests that the disputed domain names <brasilitsaintgobain.com> and <saints-gobainn.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 submitted by the Complainant and may draw such inferences as it considers appropriate pursuant to Rule 14(b) of the UDRP Rules.

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## **RIGHTS**

For the reasons set out below, the Panel makes no finding as to whether the disputed domain names are 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).

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## NO RIGHTS OR LEGITIMATE INTERESTS

For the reasons set out below, the Panel makes no finding as to whether the Respondents have rights or legitimate interests in the disputed domain names (within the meaning of paragraph 4(a)(ii) of the UDRP Policy).

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## BAD FAITH

For the reasons set out below, the Panel makes no finding as to whether the disputed domain names were registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

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## PROCEDURAL FACTORS

### 1. Consolidation

The Complaint has been brought against two respondents in respect of two disputed domain names.

Paragraph 3(c) of the UDRP Rules permits a complaint to relate to more than one domain name only where those domain names are registered by the same domain-name holder. Paragraph 10(e) of the UDRP Rules nevertheless confers upon the Panel a discretion to consolidate multiple domain name disputes where appropriate.

The Panel has considered the Complaint, the UDRP Rules, and the approach reflected in section 4.11.2 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions (the "WIPO Jurisprudential Overview 3.1").

In determining whether consolidation is appropriate, panels generally consider whether the disputed domain names are subject to common control and whether consolidation would be fair and equitable to all parties while promoting procedural efficiency.

The Complainant relies upon the fact that the disputed domain names were registered on the same date, through the same registrar, and currently resolve to parking pages with configured MX records. The registrar verification, however, identified different registrants residing in different jurisdictions and using different names and contact details.

The Panel has carefully considered the circumstances relied upon by the Complainant. While those circumstances may point to certain similarities between the registrations, they do not, whether considered individually or collectively, establish on the balance of probabilities that the disputed domain names are subject to common control. The Panel is therefore unable to infer that the two registrants are the same person or entities acting in concert.

The Panel is accordingly not persuaded that the requirements for consolidation have been satisfied.

While the Panel recognises the desirability of procedural efficiency, permitting consolidation on the present record would risk setting too low a threshold for future consolidation requests under the UDRP legal framework.

The Complainant's request for consolidation is therefore refused.

### 2. Consequences of refusing consolidation

Following its refusal of the consolidation request, the Panel has considered whether it should nevertheless proceed to determine the Complaint in respect of one of the disputed domain names only.

While panels have, in appropriate circumstances, exercised their discretion by proceeding against one respondent following the refusal of consolidation, the exercise of that discretion necessarily depends upon the particular circumstances of each case. The Panel does not consider it appropriate to do so in the present case.

The UDRP Rules do not prescribe the course a panel must adopt once consolidation is refused, leaving the question to the Panel's procedural discretion in the circumstances of the particular case.

The Complaint was filed as a single consolidated proceeding against two different registrants. Whilst certain factual allegations are directed specifically to one or other disputed domain name, the Complaint is pleaded and supported by a common factual and evidential narrative, culminating in a single request for consolidation and transfer. The factual allegations are not presented as discrete claims capable of straightforward severance but instead form part of an integrated factual and evidential narrative. Moreover, the factual circumstances relating to each disputed domain name are materially different, requiring separate consideration were the Panel to proceed against only one respondent.

In these circumstances, the Panel does not consider that the Complaint is procedurally capable of determination in its present form. To proceed against only one registrant would require the Panel effectively to recast the Complaint by severing both its procedural and factual foundation, while simultaneously reformulating the issues to be determined in respect of the remaining disputed domain

name.

In the Panel's view, such an approach would be procedurally inappropriate and potentially prejudicial to both Parties. It would require the Panel, of its own motion, to recast the Complaint in a manner not advanced by the Complainant and not addressed by either Party during the proceeding.

Accordingly, the Panel declines to determine the substantive elements of paragraph 4(a) of the UDRP Policy. This dismissal is procedural only. The Panel expresses no view on the merits of the Complaint or on whether either disputed domain name satisfies the requirements of paragraph 4(a) of the UDRP Policy.

The Complaint is dismissed without prejudice to the Complainant's right to commence separate UDRP proceedings in respect of each disputed domain name.

### 3. Miscellaneous

The Panel is satisfied that all procedural requirements under the UDRP Policy, the UDRP Rules and the CAC Supplemental Rules have been met. There is no other reason why the Panel should refrain from issuing this procedural determination.

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#### PRINCIPAL REASONS FOR THE DECISION

The Panel has set out above the reasons for refusing the Complainant's request to consolidate the Complaint and for declining to determine the substantive issues.

For the foregoing reasons, the Panel:

- (i) declines the Complainant's request to consolidate the Complaint in respect of the disputed domain names <brasilitsaintgobain.com> and <saints-gobainn.com>;
- (ii) dismisses the Complaint **without prejudice** to the Complainant's right to commence separate proceedings under the UDRP Policy in respect of each disputed domain name; and
- (iii) makes no determination on the substantive elements of paragraph 4(a) of the UDRP Policy.

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#### FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Rejected

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

1. **brasilitsaintgobain.com**: Terminated (consolidation not granted)
2. **saints-gobainn.com**: Terminated (consolidation not granted)

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## PANELLISTS

Name	Gustavo Moser
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DATE OF PANEL DECISION 2026-07-05

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Publish the Decision

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