Decision for dispute CAC-UDRP-108791

Case number	CAC-UDRP-108791
Time of filing	2026-07-02 10:51:09
Domain names	arkema-groups.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	ARKEMA FRANCE

Complainant representative

Organization	IN CONCRETO

Respondent

Name	David Roseline

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 submitted evidence that it is the owner of the following registered trademarks:

- International word mark ARKEMA, registration No. 847865, filed on 30 November 2004 and registered in Classes 1–5, 16, 17, 37–42, and 45, with protection in numerous jurisdictions;
- International figurative mark ARKEMA, registration No. 1665655, filed on 21 April 2022 and registered in Classes 1, 16, 17 and 42;
- European Union word mark ARKEMA, registration No. 004181731, filed on 8 December 2004 and registered in Classes 1–5, 7, 9, 11, 12, 16, 17, 19, 20, 22, 25, 27, 35–38 and 40–42;
- European Union figurative mark ARKEMA, registration No. 018593819, registered on 5 November 2022 and registered in Classes 1, 16, 17, 19 and 42;
- United States word mark ARKEMA, registration No. 3082057, filed on 16 December 2004 and registered in Classes 1–5, 16, 17, 41, 42 and 45; and
- United States figurative marks ARKEMA, registration Nos. 4411135, 7103733 and 7103734, filed between 2013 and 2022 and registered in various classes, including Classes 1, 16, 17, 19 and 42.

These trademarks are hereinafter referred to as the “Trademarks”.

FACTUAL BACKGROUND

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FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant asserts that it has been incorporated under the name “Arkema France” since **2006** in France and has been registered with the Companies Registry of Nanterre since **1957**. It describes itself as a leading French industrial group and a global leader, engaged in the manufacture, resale, distribution, research and development of products including paints, adhesives, coatings, fibres, resins, and raw and finished materials for industrial and consumer applications.

According to the Complainant, in 2025 the Arkema group operated 154 production plants in more than 55 countries, employed over 20,700 people and generated approximately EUR 9.1 billion in sales. It claims that its substantial financial, material and human investment has created a large customer base and given the ARKEMA brand a strong reputation and significant recognition in the chemical industry. The Complainant further asserts prior rights in the ARKEMA name through several trademark registrations and domain names.

More precisely, the Complainant or its subsidiaries own the following domain names: <arkema.com>, <arkema.info>, <arkema.eu>, <arkema.fr> and <arkema.us>. The Complainant owns approximately 40 trademarks incorporating the ARKEMA name, including word and figurative marks registered in France, the United States and other jurisdictions, in particular the Trademarks mentioned above.

The disputed domain name was registered on 8 June 2026.

PARTIES CONTENTIONS

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

Confusing similarity

The disputed domain name consists of the elements “arkema” and “groups”, a hyphen, and the gTLD “.com”.

The Panel finds that the disputed domain name incorporates the textual element "Arkema" from the Complainant's registered word and figurative Trademarks. The additional term "groups" is a dictionary or descriptive word which does not prevent the relevant Trademarks from remaining recognisable within the disputed domain name and does not avoid a finding of confusing similarity. On the contrary, the addition of this term could suggest an affiliation with the Complainant. The addition of the hyphen does not take away the confusing similarity between the domain name and the Complainant’s Trademarks.

The generic Top-Level Domain ("gTLD") ".com" is generally disregarded for the purpose of assessing confusing similarity under paragraph 4(a)(i) of the Policy.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to trademarks in which the Complainant has rights within the meaning of paragraph 4(a)(i) of the Policy.

Rights or legitimate interests

As regards paragraph 4(a)(ii) of the Policy, while the overall burden of proof rests with the Complainant, it is commonly accepted that this should not result in an often-impossible task of proving a negative. Therefore, numerous previous panels have found that a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests. Once such a prima facie case is made, the burden of production shifts to the respondent to come forward with appropriate allegations or evidence demonstrating rights or legitimate interests in the disputed domain name. If the respondent fails to come forward with such appropriate allegations or evidence, the complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the Policy. If the respondent does come forward with some allegations or evidence of relevant rights or legitimate interests, the Panel then must weigh all the evidence, with the burden of proof always remaining on the complainant.

The Complainant argues that:

- The disputed domain name resolved to a parking page and then became inactive following the Complainant’s takedown request, showing that the Respondent has not used and has not demonstrated any plan to use the domain name;
- The Respondent has not been licensed or authorised to register and use a domain name incorporating the Complainant’s Trademarks;
- The Respondent does not appear to own trademark rights in “ARKEMA GROUPS”.
- The Respondent must have been aware of the Complainant and its Trademarks. According to the Complainant, the results of a Google search for “ARKEMA GROUPS” lead to the Complainant and the Arkema group;
- The Complainant alleges that the name “David Roseline” is most likely false and that the address used in the registrant information does not correspond to the Complainant or any of its subsidiaries or entities;
- The Respondent is not commonly known by the disputed domain name.
- The Respondent is not making a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain.

The Respondent did not file an administratively compliant (or any) response. The Respondent did not provide evidence that it has rights or legitimate interests in the disputed domain name. The Respondent could have provided evidence of the factors mentioned in paragraph 4(c) of the Policy but failed to do so.

The Panel finds that the Respondent does not have any rights or legitimate interests in respect of the disputed domain name from the following facts:

- The disputed domain name incorporates the ARKEMA element of the Complainant’s registered Trademarks, which were registered several years before the creation of the disputed domain name. The addition of the dictionary term “GROUPS” and a hyphen does not, of itself, confer any rights or legitimate interests upon the Respondent.

- -There is no evidence to show that the Respondent is making a legitimate non-commercial or fair use of the disputed domain name, without intent for commercial gain or to misleadingly divert consumers.

- There is no evidence that the Respondent is or has been commonly known by the disputed domain name or by the terms “ARKEMA”, “ARKEMA-GROUPS”, or any similar designation. Likewise, nothing in the available WHOIS information suggests otherwise.

- The Respondent has not been shown to have any consent or authorisation to use the Complainant’s Trademarks or variations thereof and is not shown to be related in any way to the Complainant.

- There is no evidence that the Respondent holds any trademark rights or other rights in the terms “ARKEMA”, “ARKEMA-GROUPS” or any similar designation.

In sum, on the balance of probabilities, and in the absence of any evidence to the contrary or any administratively compliant response being put forward by the Respondent, the Panel finds that the Complainant has established a prima facie case, which has not been rebutted by the Respondent, and that the evidence supports a finding that the Respondent lacks rights or legitimate interests in the disputed domain name.

Accordingly, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

Bad faith

The Complainant contends that the disputed domain name was registered and is being used in bad faith for the following reasons:

- The ARKEMA mark is distinctive (it is not a descriptive term or a commonly used expression) and has acquired a substantial reputation in the chemical industry. In view of that reputation, the Complainant’s activities and the results of a simple Internet search, the Respondent could not reasonably have been unaware of the Complainant and its prior rights when registering the disputed domain name.
- The disputed domain name was registered on 8 June 2026, long after the registration of the Complainant’s Trademarks and domain names. The addition of the term “groups” was, according to the Complainant, deliberately intended to create an association with the Complainant and the Arkema group.
- The disputed domain name initially resolved to a parking page and subsequently became inactive. The Complainant submits that such passive holding does not preclude a finding of bad faith, particularly given the distinctiveness and reputation of the ARKEMA mark and the absence of any plausible good-faith use.
- The Respondent initially used a privacy protection service. The Complainant argues that, in the circumstances of the case, this concealment of the Respondent’s identity is further evidence of bad faith.
- Mail exchange (MX) records were configured for the disputed domain name until at least 19 June 2026 and were no longer active after the Complainant submitted a takedown request. As the Complainant has previously been the victim of fraud, impersonation and identity theft involving fraudulent emails sent to business partners, it submits that the configuration of these records indicates an intention to impersonate the Complainant or mislead third parties.
- The registrant details disclosed by the Registrar reveal no apparent connection between the named Respondent, the address provided, the ARKEMA mark or the disputed domain name. The Complainant further alleges that the registrant details may have been misappropriated, which it considers additional evidence of fraudulent conduct.

The Complainant therefore maintains that the Respondent registered and used the disputed domain name deliberately to take advantage of the reputation and goodwill attaching to the ARKEMA mark, mislead the public and prejudice the Complainant.

The Panel weighs these arguments and evidence as follows:

First, the disputed domain name incorporates the distinctive ARKEMA Trademark in its entirety together with the dictionary term “groups”. The addition of that term does not dispel confusion and, in the context of the Complainant’s corporate group, reinforces the impression of an association with the Complainant.

Second, the Complainant’s registered Trademarks predate the registration of the disputed domain name by many years. The record also shows that the Complainant owns registered ARKEMA trademarks in the United States, where the Respondent appears to be located.

Third, the Respondent has provided no explanation for its choice of the disputed domain name, has not contested the Complaint, and has not advanced any evidence of rights or legitimate interests capable of rebutting the Complainant's case.

In view of the distinctive nature of the ARKEMA Trademark, the Complainant’s longstanding trademark rights and international business, and the combination of the Trademark with the term “groups”, the Panel considers it highly likely that the Respondent was aware of the Complainant and deliberately targeted its Trademark when registering the disputed domain name.

On the totality of the evidence, the Panel is satisfied that the Respondent registered the disputed domain name with knowledge of the Complainant and its trademarks and has used it to take unfair advantage of the goodwill associated therewith.

Accordingly, the Panel concludes that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arkema-groups.com**: Transferred

PANELLISTS

Name	**Bart Van Besien**

DATE OF PANEL DECISION 2026-07-29

Publish the Decision