Decision for dispute CAC-UDRP-108932

Case number	CAC-UDRP-108932
Time of filing	2026-08-18 17:05:18
Domain names	saint-gobrain.com

Case administrator

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

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	shirley McCallie

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, conducting business under the company and trade name COMPAGNIE DE SAINT-GOBAIN, owns several trademark registrations for the sign SAINT-GOBAIN, including:

- International Trademark Registration No. 551682 for SAINT-GOBAIN, registered since 21 July 1989 in Classes 1, 6, 7, 9, 11, 12, 16, 17, 19, 20, 21, 22, 23, 24, 37, 39 and 41; and
- International Trademark Registration No. 596735 for SAINT-GOBAIN, registered since 2 November 1992 in Classes 1, 6, 9, 11, 12, 16, 17, 19, 20, 21, 22, 23 and 24;
- International Trademark Registration No. 740184 for SAINT-GOBAIN, registered since 26 July 2000 in Classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40 and 42;
- International Trademark Registration No. 740183 for SAINT-GOBAIN, registered since 26 July 2000 in Classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40 and 42;
- United States Trademark Registration No. 1648605 for SAINT-GOBAIN, registered since 25 June 1991 in Classes 11, 17, 19, 20, 21, 23 and 24.

The Complainant also owns the domain name <saint-gobain.com>, registered since 29 December 1995, which it uses to operate its main website.

The above-mentioned rights are hereinafter collectively referred to as the SAINT-GOBAIN Trademark.

FACTUAL BACKGROUND

The Complainant is Compagnie de Saint-Gobain, a French company with a history of more than 350 years. It is a worldwide leader in the construction and building materials sector, designing, manufacturing and distributing materials and services for residential, non-residential and infrastructure markets.

The Complainant is present in 81 countries, including in the United States, where the Respondent is located, and employs approximately 162,000 people. In 2025, it achieved a turnover of approximately EUR 46.5 billion.

The SAINT-GOBAIN Trademark is well-known worldwide and has been used by the Complainant for many years in connection with its activities.

The disputed domain name was registered on 11 August 2026. According to the Registrar Verification, the Respondent is shirley McCallie, located in Chattanooga, Tennessee, United States.

The disputed domain name resolves to a pay-per-click ("PPC") page displaying links related to the Complainant and its activities, including "Certainteed Saint-gobain", "Certainteed Saint-gobain Shingles", "Saint-gobain Performance Plastics", "Saint-gobain Corporation", "Saint-gobain Siding" and "Saint-gobain Tubing".

The disputed domain name has also been configured with MX (mail exchange) records.

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

Paragraph 4(a) of the Policy requires the Complainant to prove each of the following three elements:

> (i) the disputed domain name is identical or confusingly similar to a trademark 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.

I. THE COMPLAINANT'S RIGHTS AND THE CONFUSING SIMILARITY OF THE DISPUTED DOMAIN NAME TO THE COMPLAINANT'S MARK

The first element of the Policy serves essentially as a standing requirement.

The test for identity or confusing similarity involves a straightforward, reasoned comparison between the Complainant's trademark and the disputed domain name. This typically entails a side-by-side evaluation of the domain name and the textual elements of the relevant trademark to determine if the mark is recognizable within the domain name. When a domain name fully incorporates a trademark, or at least a dominant feature of it is evident in the domain name, the domain name is generally deemed confusingly similar to the mark for the purposes of the first element.

UDRP panels have found domain names that include a common, obvious or intentional misspelling of a trademark confusingly similar to the relevant trademark under the first element, because the trademark remains clearly recognizable within the domain name (so-called typosquatting). Common typosquatting techniques include using adjacent keyboard letters, substituting similar-looking characters, employing visually similar letters, using non-Latin, accented or internationalized characters, reversing letters or numbers, or adding or interspersing other letters, terms or numbers.

The Top-Level Domain ("TLD") is usually disregarded in determining identity or similarity, as it is simply a technical aspect of registration.

The Complainant has established that it has rights in the SAINT-GOBAIN Trademark.

The disputed domain name consists of the terms "saint-gobrain" followed by the TLD ".com".

The Panel finds that the disputed domain name is confusingly similar to the SAINT-GOBAIN Trademark. The disputed domain name differs from the SAINT-GOBAIN Trademark only by the insertion of the letter "r" in the term "gobain", resulting in "gobrain". This minor alteration constitutes an obvious misspelling of the SAINT-GOBAIN Trademark and does not prevent the Complainant's trademark from remaining clearly recognizable within the disputed domain name. The disputed domain name therefore represents a typical case of typosquatting.

Accordingly, the Panel finds that the Complainant has proven the first element of Paragraph 4(a) of the Policy and that the disputed domain name is confusingly similar to the SAINT-GOBAIN Trademark.

II. THE RESPONDENT'S LACK OF RIGHTS OR LEGITIMATE INTERESTS IN THE DISPUTED DOMAIN NAME

Under Paragraph 4(a)(ii) of the Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Although the overall burden of proof rests with the Complainant, panels have consistently recognized that proving a respondent's lack of rights or legitimate interests may result in the difficult task of proving a negative. Accordingly, where a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name.

The Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name.

The Respondent is not affiliated with the Complainant and has not been licensed or otherwise authorised to use the SAINT-GOBAIN Trademark or to register a domain name identical or confusingly similar to it.

The Respondent has been identified by the Registrar as shirley McCallie, with an address in the United States. There is no evidence that the Respondent, whether as an individual, business, or other organization, has been commonly known by the disputed domain name or has acquired any rights in a trademark or trade name corresponding to it. Accordingly, there is no evidence of rights or legitimate interests within the meaning of Paragraph 4(c)(ii) of the Policy.

The disputed domain name constitutes a typosquatting variation of the SAINT-GOBAIN Trademark, differing from it only by the insertion of the letter "r". It resolves to a PPC page displaying links specifically related to the Complainant and its activities, including "Certainteed Saint-gobain", "Certainteed Saint-gobain Shingles", "Saint-gobain Performance Plastics", "Saint-gobain Corporation", "Saint-gobain Siding" and "Saint-gobain Tubing".

The Panel finds that such use does not constitute use of the disputed domain name in connection with a bona fide offering of goods or services within the meaning of Paragraph 4(c)(i) of the Policy. Rather, the PPC links seek to capitalize on Internet users attracted to the disputed domain name because of its close resemblance to the SAINT-GOBAIN Trademark.

Nor does such use constitute a legitimate noncommercial or fair use within the meaning of Paragraph 4(c)(iii) of the Policy. The PPC page is commercial in nature and, by displaying links specifically related to the Complainant and its activities, is capable of misleadingly diverting Internet users seeking the Complainant.

Furthermore, there is no other evidence or circumstance before the Panel that could support a finding that the Respondent has

rights or legitimate interests in respect of the disputed domain name.

The Respondent has not submitted a Response and has therefore failed to rebut the Complainant's prima facie case or otherwise demonstrate any rights or legitimate interests in the disputed domain name.

Accordingly, the Panel finds 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 Policy.

III. THE REGISTRATION AND USE OF THE DISPUTED DOMAIN NAME IN BAD FAITH

Under Paragraph 4(a)(iii) of the Policy, the Complainant must establish that the disputed domain name has been registered and is being used in bad faith.

As for the bad faith registration, UDRP panels have consistently held that the mere registration of a domain name identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity may, in itself, constitute evidence of bad faith registration.

The SAINT-GOBAIN Trademark substantially predates the registration of the disputed domain name. The Complainant and the SAINT-GOBAIN Trademark have a longstanding and widespread reputation, as also recognized in numerous previous UDRP decisions (see, e.g., Compagnie de Saint-Gobain v. On behalf of saint-gobain-recherche.net owner, Whois Privacy Service / Grigore PODAC, WIPO Case No. D2020-3549).

The disputed domain name constitutes a typical case of typosquatting, differing from the SAINT-GOBAIN Trademark only by the insertion of the letter "r". The fact that the disputed domain name resolves to a PPC page displaying links specifically related to the Complainant and its activities further demonstrates the deliberate targeting of the Complainant. In these circumstances, the Panel finds that the Respondent was aware of the Complainant and deliberately targeted the SAINT-GOBAIN Trademark when registering the disputed domain name.

As for the bad faith use, the disputed domain name can readily be confused with the domain name <saint-gobain.com>, under which the Complainant operates its main website. By using the disputed domain name for a PPC page displaying links specifically related to the Complainant and its activities, the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the SAINT-GOBAIN Trademark as to the source, sponsorship, affiliation or endorsement of the website. Such conduct falls within the circumstances of bad faith set out in Paragraph 4(b)(iv) of the Policy.

The Panel also notes that MX records have been configured for the disputed domain name. Given the disputed domain name's close resemblance to the SAINT-GOBAIN Trademark, the potential use of the disputed domain name for deceptive e-mail communications constitutes an additional circumstance supporting the finding of bad faith. There is, however, no evidence before the Panel that the disputed domain name has actually been used for phishing or other fraudulent e-mail activities.

Accordingly, considering all the circumstances of the case, the Panel finds 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 Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **saint-gobrain.com**: Transferred

PANELLISTS

Name	**Ivett Paulovics**

DATE OF PANEL DECISION 2026-09-10

Publish the Decision