Decision for dispute CAC-UDRP-108931

Case number	CAC-UDRP-108931
Time of filing	2026-08-18 16:39:22
Domain names	saints-gobians.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DE SAINT-GOBAIN

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Jane Johnson

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

Complainant is the owner, among others, of the following registrations for the trademarks:

- International trademark SAINT-GOBAIN n°740184 registered on July 26, 2000;
- International trademark SAINT-GOBAIN n°740183 registered on July 26, 2000;
- International trademark SAINT-GOBAIN n°596735 registered on November 2, 1992;
- International trademark SAINT-GOBAIN n°551682 registered on July 21, 1989;
- US trademark SAINT-GOBAIN n°1648605 registered on June 25, 1991.

Complainant has submitted evidence of the above mentioned registrations by means of print outs from the WIPO and US online Trademark Register.

FACTUAL BACKGROUND

Complainant is a French company specialized in the production, processing and distribution of materials for the construction and industrial markets and calls itself the worldwide leader in light and sustainable constructions. It is present in 81 countries with 162.000 employees and a turnover of 46.5 billion euros in 2025.

To illustrate it's activities Complainant enclosed a printout of its website www.saint-gobain.com.

Respondent, Jane Johnson, with an address in Phoenix, AZ, in the United States, registered the domain name <saints-gobians.com> on 5 August 2026. It resolves to a parking page with commercial links. Besides, MX servers are configured.

PARTIES CONTENTIONS

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

According to the Policy paragraph 4(a)(i) it needs first to be established that:

(i)The domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

Complainant contends that the addition of the letter "S" at both word elements of the disputed domain name and the reversal of the letters "I" and "A" in the word element GOBAIN (namely changing it into GOBIAN) are not sufficient to conclude any different than that the disputed domain name is confusingly similar to the trademark SAINT-GOBAIN.

Complainant further contends that this is a clear case of typosquatting, i.e. the disputed domain name contains an obvious misspelling of Complainant's trademark. Complainant refers in this respect to WIPO Jurisprudential Overview 3.0, 1.9:

"A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element.".

Moreover, Complainant contends that the addition of the suffix ".COM" does not change the overall impression of the designation as being connected to Complainant's trademark. In this respect Complainant refers to WIPO Jurisprudential Overview 3.0, 1.1:

"The applicable Top Level Domain ("TLD") in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.".

Thus, the disputed domain name is confusingly similar to Complainant's trademark SAINT-GOBAIN, according to Complainant.

The Panel agrees with this assertion of Complainant.

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 Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

According to the Policy paragraph 4(a)(ii), it needs to be further established that:

(ii) Respondent has no rights or legitimate interests in respect of the domain name.

Paragraph 4 (c) of the Policy provides circumstances that could demonstrate that Respondent has no rights to and legitimate interests in the Domain Name. These circumstances are not exclusive. Circumstances that provide rights or legitimate interests to the domain name are:

(i) before any notice to the Respondent of the dispute, the use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) Respondent (as an individual, business, or other organization) has been commonly known by the domain name, even though it has acquired no trademark or service mark rights; or

(iii) Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Further, according to the WIPO Case No. D2003-0455, Croatia Airlines d. d. v. Modern Empire Internet Ltd., Complainant is required

to make out a prima facie case that Respondent lacks rights or legitimate interests. Once such prima facie case is made, Respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If Respondent fails to do so, Complainant is deemed to have satisfied paragraph 4(a) (ii) of the UDRP.

Complainant asserts that Respondent is not identified in the Whois as the owner of the disputed domain name. Past panels have held that a Respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name. Thus, the Respondent is not known as the disputed domain name.

Complainant contends that Respondent has no rights or legitimate interests in respect of the domain name and he is not related in any way to Complainant. Complainant does not carry out any activity for, nor has any business with Respondent.

Neither licence nor authorization has been granted to Respondent to make any use of the Complainant's trademark SAINT-GOBAIN or apply for registration of the disputed domain name by Complainant.

Moreover, Complainant also claims that the disputed domain name is a typosquatted version of the trademark SAINT-GOBAIN. Typosquatting is the practice of registering a domain name in an attempt to take advantage of Internet users' typographical errors and can evidence that a respondent lacks rights and legitimate interests in the domain name.

Complainant refers in this respect to Forum Case No. 1597465, The Hackett Group, Inc. v. Brian Herns / The Hackett Group:

"The Panel agrees that typosquatting is occurring, and finds this is additional evidence that Respondent has no rights or legitimate interests under Policy ¶ 4(a)(ii).".

Furthermore, the disputed domain name resolves to a parking page with commercial links. Past panels have found it is not a bona fide offering of goods or services or legitimate non-commercial or fair use. Please see for instance:

- Forum Case No. FA 970871, Vance Int'l, Inc. v. Abend: "concluding that the operation of a pay-per-click website at a confusingly similar domain name does not represent a bona fide offering of goods or services or a legitimate noncommercial or fair use, regardless of whether or not the links resolve to competing or unrelated websites or if the respondent is itself commercially profiting from the click-through fees;
- WIPO Case No. D2007-1695, Mayflower Transit LLC v. Domains by Proxy Inc./Yariv Moshe: "Respondent's use of a domain name confusingly similar to Complainant's trademark for the purpose of offering sponsored links does not of itself qualify as a bona fide use.".

Therefore, Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Panel agrees with the findings of Complainant and since Respondent did not counterargue is able to conclude.

Complainant has, to the satisfaction of the Panel, shown 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

According to the Policy paragraph 4(a)(iii) it finally needs to be established that:

(iii) the domain name has been registered and is being used in bad faith.

Paragraph 4 (b) of the Policy provides circumstances on that demonstrate that Respondent has registered and used the domain name in bad faith. These circumstances are not exclusive. Those circumstance are for example:

(i) circumstances indicating that Respondent has registered or has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) Respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or

(iii) Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to it's web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

Complainant contends that the disputed domain name was created recently whereas Complainant's trademark SAINT-GOBAIN has been used worldwide, is well-known and has a long-standing worldwide operating website under the <saint-gobain.com> domain name dating back to 29 December 1995 (as can be concluded from the enclosure). Further, Complainant contends that especially in the United States it operates widely, which has been substantiated with a print out of the American website of Saint-Gobain, showing that it has 18.000+ employees, 160+ locations and more than 360 years of being in business.

Complainant consequently concludes that the (American) Respondent obviously knew about the prior rights and wide use of SAINT-GOBAIN by Complainant.

Moreover, Complainant states the misspelling of the trademark SAINT-GOBAIN was intentionally designed to be confusingly similar with Complainant's trademark. Previous UDRP Panels have seen such actions as evidence of bad faith. In this respect Complainant refers to Forum Case No. FA 877979, Microsoft Corporation v. Domain Registration Philippines:

"In addition, Respondent's misspelling of Complainant's MICROSOFT mark in the <microssoft.com> domain name indicates that Respondent is typosquatting, which is a further indication of bad faith registration and use pursuant to Policy ¶ 4(a)(iii).".

Furthermore, the disputed domain name resolves to a parking page with commercial links. Complainant contends Respondent has attempted to attract Internet users for commercial gain to his own website for its own commercial gain, which is evidence of bad faith through using a trademark that is similar to that of Complainant. In this respect Complainant refers to WIPO Case No. D2018-0497, StudioCanal v. Registration Private, Domains By Proxy, LLC / Sudjam Admin, Sudjam LLC:

"In that circumstance, whether the commercial gain from misled Internet users is gained by the Respondent or by the Registrar (or by another third party), it remains that the Respondent controls and cannot (absent some special circumstance) disclaim responsibility for, the content appearing on the website to which the disputed domain name resolve […] so the Panel presumes that the Respondent has allowed the disputed domain name to be used with the intent to attract Internet users for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, affiliation, or endorsement of the Respondent's website to which the disputed domain name resolves. Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith."

Finally, the disputed domain name has been set up with MX records which suggests that it may be actively used for email purposes. In this respect Complainant refers to CAC Case No. 102827, JCDECAUX SA v. Handi Hariyono:

"There is no present use of the disputed domain name but there are several active MX records connected to the disputed domain name. It is concluded that it is inconceivable that the Respondent will be able to make any good faith use of the disputed domain name as part of an e-mail address.".

Considering the above, Complainant concludes that Respondent has registered and is using the disputed domain name <saints-gobians.com> in bad faith.

The Panel has nothing to add to the arguments of Complainant and the lack of arguments of Respondent and is able to conclude in this matter.

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.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **saints-gobians.com**: Transferred

PANELLISTS

Name	**Marieke Westgeest**

DATE OF PANEL DECISION 2026-09-22

Publish the Decision