Decision for dispute CAC-UDRP-108972

Case number	CAC-UDRP-108972
Time of filing	2026-09-04 09:49:07
Domain names	compagniedesalpesfr.sbs

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	COMPAGNIE DES ALPES

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	nariva buton

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 owns various trademark registrations for the phrase “COMPAGNIE DES ALPES”, including

- international trademark registration no. 771010 “COMPAGNIE DES ALPES” (with design), registered since October 24, 2001 (and duly renewed since), for various services in classes 36, 38, 39, 41, and 42;
- international trademark registration no. 1660418 “COMPAGNIE DES ALPES” (with design), registered since December 31, 2021, for various goods and services in classes 09, 11, 12, 35, 36, 37, 38, 39, 40, 41, and 42;
- European trademark registration no. 018519021 “COMPAGNIE DES ALPES” (with design), registered since January 19, 2022, for various goods and services in classes 7, 9, 11, 12, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 45.

The Complainant also owns several domain names comprising the denomination “COMPAGNIE DES ALPES”, such as its official domain name <compagniedesalpes.com>, registered since May 4, 1999.

The disputed domain name was registered on August 25, 2026, i.e., the Complainant’s trademark registrations cited above predate the registration of the disputed domain name.

FACTUAL BACKGROUND

Founded in 1989, the Complainant operates 10 leading mountain resorts in the Alps, 12 renowned leisure parks, and various outdoor mountain activities. It is also the leading network of real estate agencies in the Alps, the leading French mountain tour operator, and the second-largest operator of club residences and holiday villages in the French Alps.

The disputed domain name resolves to a parking page of the domain name registrar. MX servers are configured for the disputed domain name. Other than that, the Complaint does not describe any active use of the disputed domain name.

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 the Complainant’s well-known and distinctive trademark “COMPAGNIE DES ALPES”. Adding the letters “FR” does not alter the overall impression that the designation is almost identical to the trademark “COMPAGNIE DES ALPES”. In fact, adding the letters “FR” increases the confusing similarity even further, as they are a well-known acronym for France, the Complainant’s home market.

2.

The Panel further finds that the Complainant successfully submitted prima facie evidence that the Respondent has neither made any use of, nor demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is making a legitimate non-commercial or fair use of the disputed domain name, nor is commonly known under the disputed domain name. This prima facie evidence was not challenged by the Respondent.

3.

a) The Panel also finds that the Complainant successfully submitted prima facie evidence that the Respondent was aware of the Complainant's rights in the well-known and distinctive designation “COMPAGNIE DES ALPES” when registering the disputed domain name. Again, this prima facie evidence was not challenged by the Respondent, which supports the conclusion that the disputed domain name was registered in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

b) Given the fact that the disputed domain name does not resolve to an active website, the primary question of this proceeding is

whether or not the Respondent has also used the disputed domain name in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy). The Complainant's case regarding such bad faith use is that the Respondent is effectively engaged in "passive holding" of the disputed domain name within the terms originally established by Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003. The panel in Telstra noted that the question as to which circumstances of "passive holding" may constitute use in bad faith cannot be answered in the abstract. This question may only be determined on the basis of the particular facts of each case. A panel should give close attention to all the circumstances of the Respondent's behaviour, and a remedy can be obtained under the Policy only if those circumstances show that the Respondent's passive holding amounts to acting in bad faith (cf. Sanofi-aventis v. Gerard Scarretta, WIPO Case No. D2009-0229; Mount Gay Distilleries Limited v. shan gai gong zuo shi, CAC Case No. 100707; RueDuCommerce v. TOPNET, CAC Case No. 100617; INFRONT MOTOR SPORTS LICENCE S.r.l. v. VICTOR LEE, CAC Case No. 100385).

With this approach in mind, the Panel has identified the following circumstances as material to the issue in the present case:

(i) The Complainant's trademark is highly distinctive. Given the Complainant's market position its trademark is widely known and has a strong reputation, particularly (but not only) in France;

(ii) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use of the disputed domain name, nor can the Panel conceive of any such good faith use;

(iii) registration of a domain name that is highly similar to the domain name used by the Complainant for its own website (in this case, <compagniedesalpes.com>) creates a risk of the Respondent attempting to impersonate the Complainant;

(iv) this is particularly true since MX records for the disputed domain name have been activated, which creates a high risk that the disputed domain name may be used for phishing activities; and

(v) taking into account the nature of the disputed domain name the Panel cannot conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trademark law.

Given all of these circumstances the Panel finds that the manner in which the disputed domain name is being used constitutes use in bad faith. The requirements of paragraph 4(a)(iii) of the Policy are therefore met.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **compagniedesalpesfr.sbs**: Transferred

PANELLISTS

Name	**Dr. Thomas Schafft**

DATE OF PANEL DECISION 2026-10-09

Publish the Decision