

Decision for dispute CAC-UDRP-109036

Case number	CAC-UDRP-109036
Time of filing	2026-09-29 10:24:15
Domain names	salnt-gobain.net

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (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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Respondent

Name	George McEwen McEwen
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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 several SAINT-GOBAIN trademarks registered worldwide, including the following international registrations: SAINT-GOBAIN, Registration No. 740184, registered on July 26, 2000; SAINT-GOBAIN, Registration No. 740183, registered on July 26, 2000; SAINT-GOBAIN, Registration No. 596735, registered on November 2, 1992; and SAINT-GOBAIN, Registration No. 551682, registered on July 21, 1989.

Furthermore, the Complainant holds numerous domain names incorporating the SAINT-GOBAIN mark, with the earliest registered on December 29, 1995. The Complainant also commonly uses SAINT-GOBAIN as its corporate name.

FACTUAL BACKGROUND

The Complainant is a French corporation specializing in the production, processing, and distribution of materials for the construction and industrial markets. SAINT-GOBAIN is globally recognized as a leader in sustainable habitat and construction solutions. Operating with a long-term perspective, the Complainant develops innovative, high-performance products and services that promote sustainable construction and enhance daily life. For over 350 years, the Complainant has demonstrated a consistent ability to create products that improve the quality of life. Today, it is one of the world's leading industrial groups, generating approximately EUR 46.6 billion in revenue in 2024 and employing approximately 161,000 individuals.

The disputed domain name was registered on September 15, 2026, and resolves to a parking page displaying commercial links.

PARTIES CONTENTIONS

COMPLAINANT:

(i) The Complainant holds rights in the SAINT-GOBAIN trademark, as set forth in the "Identification of Rights" section above. The disputed domain name is confusingly similar to the SAINT-GOBAIN mark, as it constitutes an obvious misspelling of the Complainant's trademark SAINT-GOBAIN (i.e. the substitution of the letters "I" by the letters "L"), which is characteristic of a typosquatting practice intended to create confusing similarity between the Complainant's trademark and the disputed domain name. The addition of the suffix ".net" does not change the overall impression of the designation as being connected to the Complainant's trademark.

(ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not commonly known by the disputed domain name, nor has the Complainant authorized or licensed the Respondent to use the SAINT-GOBAIN mark in any manner. Moreover, the Respondent is not using the disputed domain name in connection with any bona fide offering of goods or services, nor for any legitimate noncommercial or fair use. 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 serve as evidence that a respondent lacks rights and legitimate interests in the domain name. Furthermore, the disputed domain name resolves to a parking page with commercial links, which does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

(iii) The disputed domain name is confusingly similar to the Complainant's well-known trademark SAINT-GOBAIN. It is evident that the Respondent was aware of the Complainant's prior rights and extensive use of the SAINT-GOBAIN mark. The misspelling of the trademark SAINT-GOBAIN was intentionally designed to be confusingly similar to the Complainant's trademark. The disputed domain name resolves to a parking page with commercial links. The Respondent has attempted to attract Internet users to its own website for commercial gain by creating a likelihood of confusion with the Complainant's trademark, which is evidence of bad faith.

RESPONDENT:

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 15(a) of the Rules for the UDRP ('the Policy') instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that Complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- (1) the disputed domain name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (2) Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (3) the disputed domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations and inferences set forth in the Complaint as true unless the evidence is clearly contradictory. See *Vertical Solutions Mgmt., Inc. v. webnetmarketing, inc.*, FA 95095 (FORUM July 31, 2000) (holding that the respondent's failure to respond allows all reasonable inferences of fact in the allegations of the complaint to be deemed true); see also *Talk City, Inc. v. Robertson*, D2000-0009 (WIPO Feb. 29, 2000) ("In the absence of a response, it is appropriate to accept as true all allegations of the Complaint.").

Rights

The Complainant holds rights in the SAINT-GOBAIN trademark, as set forth in the "Identification of Rights" section above. The Panel recognizes that an international or national trademark registration is sufficient to establish rights in a trademark. The Complainant has submitted evidence of its trademark registrations with international authorities. Accordingly, the Panel finds that the Complainant has established trademark rights in the SAINT-GOBAIN trademark.

The Complainant further argues that the disputed domain name <salnt-gobain.net> is confusingly similar to the SAINT-GOBAIN trademark, as it constitutes an obvious misspelling of the Complainant's trademark SAINT-GOBAIN (i.e., the substitution of the letter "l" with the letter "L"), which is characteristic of a typosquatting practice intended to create confusing similarity between the Complainant's trademark and the disputed domain name. The addition of the suffix ".net" does not change the overall impression of the designation as being connected to the Complainant's trademark. The Panel concurs with the Complainant's position and concludes that the disputed domain name is confusingly similar to the SAINT-GOBAIN trademark.

No rights or legitimate interests

A complainant must first make a prima facie case that a respondent lacks rights or legitimate interests in the disputed domain name under Policy paragraph 4(a)(ii), after which the burden shifts to the Respondent to demonstrate that it does have rights or legitimate interests. See Section 2.1, WIPO Jurisprudential Overview 3.1 ("Where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.").

The Complainant argues that the Respondent has no rights or legitimate interests in the disputed domain name because the Respondent is not commonly known by the disputed domain name, nor has the Respondent been authorized by the Complainant to use the Complainant's mark, and the Respondent is not affiliated with the Complainant. Relevant information, such as WHOIS data, can serve as evidence to demonstrate whether a respondent is or is not commonly known by the disputed domain name under Policy paragraph 4(c)(ii). The Panel notes that the WHOIS data lists "George McEwen McEwen" as the registrant, and there is no evidence in the record indicating that the Respondent was authorized to use the mark. Therefore, the Panel finds that the Respondent is not commonly known by the disputed domain name under Policy paragraph 4(c)(ii).

The Complainant asserts that the Respondent does not use the disputed domain name in connection with a bona fide offering of goods or services, nor for any legitimate noncommercial or fair use, as 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 serve as evidence that a respondent lacks rights and legitimate interests in the domain name. Furthermore, the disputed domain name resolves to a parking page with commercial links, which does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. The Complainant provides evidence in the form of a screenshot of the website associated with the disputed domain name, demonstrating that the Respondent's website resolves to a parking page with commercial links.

The Panel specifically notes that the website hosts hyperlinks categorized as "SAINT-GOBAIN Corporation," "CertainTeed SAINT-GOBAIN," "CertainTeed SAINT-GOBAIN Shingles," "SAINT-GOBAIN Sekurit," "SAINT-GOBAIN Siding," "SAINT-GOBAIN Tubing," etc. Upon clicking each of the hyperlinks, it displays additional sub-categories, which are blocked from connecting to actual content when clicked. Most of them appear related to the Complainant or the Complainant's business. The Panel finds that the Respondent presumably attempted to generate pay-per-click revenues by riding on the goodwill of the Complainant's mark. Even if the webpage hosting the hyperlinks was provided by the Registrar, the Respondent is ultimately responsible for the operation and contents of the website associated with the disputed domain name. Coupled with the Respondent's engagement in typosquatting, the Panel finds that the Respondent's conduct does not constitute a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, or a legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy.

Based on the foregoing considerations, the Panel finds that the Complainant has established a prima facie case against the Respondent. As the Respondent has failed to submit a Response or provide any rebuttal, the Panel determines that the Respondent has no rights or legitimate interests in the disputed domain name.

Bad faith

Paragraph 4(b) of the Policy provides a non-exclusive list of circumstances that evidence registration and use of a domain name in bad faith. Any one of the following is sufficient to support a finding of bad faith:

- (i) circumstances indicating that the respondent has registered or 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 the complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) the 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 the respondent has engaged in a pattern of such conduct; or
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

The Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith because it resolves to a parking page with commercial links. In addition, the misspelling of the trademark SAINT-GOBAIN was intentionally designed to be confusingly similar to the Complainant's trademark, thereby attempting to attract Internet users to its own website for commercial gain by creating a likelihood of confusion with the Complainant's trademark, which is evidence of bad faith.

The Panel recalls that the website associated with the disputed domain name hosts hyperlinks categorized under headings related to the Complainant or the Complainant's business. The Panel finds that the Respondent presumably attempted to generate pay-per-click revenues by riding on the goodwill of the Complainant's mark. Even if the webpage hosting the hyperlinks was provided by the Registrar, the Respondent is ultimately responsible for the operation and contents of the website associated with the disputed domain name. Coupled with the Respondent's engagement in typosquatting, the Panel finds that the Respondent is likely seeking commercial gain, such as pay-per-click revenues, by inducing Internet users who made typographical errors in typing the Complainant's mark or name to visit the Respondent's website. The Panel finds that the Respondent's behavior disrupts the Complainant's business by diverting Internet users seeking the Complainant to the Respondent's website, who will inevitably be frustrated upon discovering that the website they have reached is not the Complainant's genuine website, thereby tarnishing the reputation of the Complainant's mark and name.

Therefore, the Panel concludes that the Respondent's use of the disputed domain name disrupts the Complainant's business and that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location, or of a product or service on the Respondent's website or location. Accordingly, the Panel finds that the Respondent registered and is using the disputed domain name in bad faith under paragraphs 4(b)(iii) and 4(b)(iv) of the Policy.

The Complainant further argues that the Respondent registered the disputed domain name with knowledge of the Complainant's trademark rights, given the well-known status of the SAINT-GOBAIN mark.

While constructive knowledge alone is insufficient to establish bad faith under paragraph 4(a)(iii) of the Policy, actual knowledge of a complainant's trademark rights is sufficient and may be inferred from the circumstances. The Panel infers that the Respondent had actual knowledge of the Complainant's rights in the SAINT-GOBAIN mark prior to the registration of the disputed domain name, given the widespread recognition of the Complainant's trademark as set forth in the Factual Background section above and the Respondent's engagement in typosquatting. Accordingly, the Panel concludes that the Respondent registered the disputed domain name in bad faith under 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. **salnt-gobain.net**: Transferred

PANELLISTS

Name	Mr. Ho-Hyun Nahm Esq.
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DATE OF PANEL DECISION	2026-10-21
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Publish the Decision
