# Decision for dispute CAC-UDRP-109048

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| Case number | CAC-UDRP-109048 |
| Time of filing | 2026-10-06 11:23:54 |
| Domain names | fr-totalenergiesinvest.com , totalenergiesinvest.com |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | TotalEnergies SE |

## Complainant representative

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| Organization | IN CONCRETO |

## Respondents

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| Name | JUS TICE |
| Name | Ivda |

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 names.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of several trademarks TOTAL ENERGIES, registered worldwide, including:

European Union trademark TOTAL ENERGIES n°018308753 registered on May 31, 2021;

European Union trademark TotalEnergies (combined) n°018392850 registered on June 28, 2021; and

International trademark TotalEnergies (combined) n°1601110 registered on February 9, 2021.

International trademark TotalEnergies (combined logo) n°1601092 registered on May 18, 2021.

FACTUAL BACKGROUND

The Complainant is a worldwide and well-known company that produces and markets energies on a global scale: oil and biofuels, natural gas and green gases, renewables, and electricity, operating worldwide in more than 120 countries, through a large group, and

numerous subsidiaries. The “TotalEnergies” brand (and associated logo) is the 106th most valuable brand globally in 2025.

The disputed domain names <fr-totalenergiesinvest.com> and <totalenergiesinvest.com> were registered respectively on June 30 and August 19, 2026.

## PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain names 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 names are 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 names (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 names have been registered and are 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.

The Complainant seeks consolidation, asserting:

“The disputed domain names **fr-totalenergiesinvest.com** and **totalenergiesinvest.com** appear to be subject to common control by a single individual or entity, or at least by a group of individuals acting in concert.”

Paragraph 3(c) of the Rules provides that a “complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder” and Paragraph 10 (e) provides that “A Panel shall decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and these Rules.”

The WIPO Overview of WIPO Panel Views on Select UDRP Questions (“WIPO Overview 3.1”), section 4.11.2 provides:

“Complaint consolidated against multiple respondents

“Where a complaint is filed against multiple respondents, panels look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario.

“Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of (i) the registrants’ identity(ies) including pseudonyms, (ii) the registrants’ contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites corresponding to the disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other

arguments made by the complainant and/or disclosures by the respondent(s)."

The Complainant has satisfied the Panel that the <fr-totalenergiesinvest.com> and <totalenergiesinvest.com> domain names are subject to common control and that consolidation would be fair and equitable to all parties. Hence this decision refers to JUS TICE / Ivda as "the Respondent".

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PRINCIPAL REASONS FOR THE DECISION

Paragraph 15(a) of the Rules 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 the 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 the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(2) the 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 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 set forth in a complaint; however, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Jurisprudential Overview 3.1 at paragraph 4.3; see also eGalaxy Multimedia Inc. v. ON HOLD By Owner Ready To Expire, FA 157287 (Forum June 26, 2003) ("Because Complainant did not produce clear evidence to support its subjective allegations [. . .] the Panel finds it appropriate to dismiss the Complaint").

As to the first element, the Complainant has shown that it has rights in the TOTAL ENERGIES mark and that the mark is very well-known. The Panel finds the disputed domain names <fr-totalenergiesinvest.com> and <totalenergiesinvest.com> to be confusingly similar to the Complainant's trademark TOTAL ENERGIES because they incorporate the mark in its entirety and merely add the word "invest" and, in one case, the geographic abbreviation "fr" with a hyphen, which differences do nothing to distinguish either of the domain names from the mark. The inconsequential top-level domain ".com" may be ignored under this element. The Complainant has established this element.

As to the second element, paragraph 4(c) of the Policy sets out three illustrative circumstances as examples which, if established by the Respondent, shall demonstrate rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy, i.e.

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

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

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

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names, saying neither of the registrant names disclosed by the Registrar bears any apparent connection with the Complainant's trademarks or corporate identity and neither has ever been licensed, authorized or otherwise permitted to use its trademarks, corporate name or domain names, nor to register or use domain names incorporating or reproducing the Complainant's prior rights. The names and mailing addresses of the registrants are false. There is no evidence that the Respondent is commonly known by the disputed domain names or by the name "TotalEnergies", nor that the Respondent owns any rights that could justify the registration or use of a domain name incorporating the Complainant's trademark in its entirety. On the contrary, the disputed domain names are used in connection with a fraudulent activity impersonating the Complainant.

The Panel notes that the disputed domain names were registered by the Respondent in 2026, long after the Complainant has shown that its TOTAL ENERGIES mark had become very well-known. The <fr-totalenergiesinvest.com> domain name resolves to a website prominently displaying the Complainant's Internationally registered combined logo mark and promoting "Financement participative au service de la transition energetique." The <totalenergiesinvest.com> domain name resolves to a website prominently displaying the Complainant's registered TotalEnergies (combined) mark together with the word "Invest", and inviting Internet users to sign up to "Explore financial markets with confidence. Connect with advanced brokers. Explore limitless investment opportunities".

These circumstances, together with the Complainant's assertions, are sufficient to constitute a prima facie showing of absence of rights or legitimate interests in respect of the disputed domain names on the part of the Respondent. The evidentiary burden therefore shifts to the Respondent to show that it does have rights or legitimate interests in the disputed domain names. See JUUL

Labs, Inc. v. Dryx Emerson / KMF Events LTD, FA1906001849706 (Forum July 17, 2019). The Respondent has made no attempt to do so.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant has established this element.

As to the third element, paragraph 4(a)(iii) of the Policy is expressed in the conjunctive: "the domain name has been registered and is being used in bad faith" and Paragraph 4(b) sets out four illustrative circumstances, which, though not exclusive, shall be evidence of the registration and use of a domain name in bad faith for purposes of paragraph 4(a)(iii), including:

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your 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.

The circumstances set out above in relation to the second element satisfy the Panel that the Respondent was fully aware of the Complainant's very well-known TOTAL ENERGIES mark and logo when the Respondent registered the disputed domain names and that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's websites, by creating a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites and of the services promoted on those websites. This demonstrates registration and use in bad faith to attract users for commercial gain under paragraph 4(b)(iv) of the Policy.

The Complainant has established this element.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **fr-totalenergiesinvest.com** : Transferred
2. **totalenergiesinvest.com**: Transferred

## PANELLISTS

| Name | **Alan Limbury** |
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DATE OF PANEL DECISION 2026-11-12

Publish the Decision