Decision for dispute CAC-UDRP-109081

Case number	CAC-UDRP-109081
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Domain names	lagarderetrde.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	LAGARDERE SA

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Lagardère Travel Retail Deutschland Foodservice GmbH

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

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The Complainant has provided evidence of its ownership of registered trademark rights in the trademark LAGARDERE in numerous jurisdictions and classes:

- The international registration No. 751186 registered on October 18, 2000;
- The international registration No. 954315 registered on August 31, 2007;
- The international registration No. 989729 registered on February 29, 2008;
- The European registration No. 006529747 registered on November 21, 2008.

The trademarks are still valid at present and their registration dates predate the registration date of the disputed domain name.

The Complainant also owns domain names <lagardere.com> registered on August 2, 1995 and <lagardere-groupe.com> registered on July 7, 2003.

FACTUAL BACKGROUND

A. Complainant's Factual Allegations

Created in 1992, LAGARDERE is an international group with operations in more than 50 countries worldwide. It employs more than 33,000 people and generated revenue of €9,353 million in 2025. The Group is structured around two main business lines:

- Lagardère Publishing is the world's third-largest book publisher for the general public and educational markets, and the leader in France;
- Lagardère Travel Retail is the world's third-largest travel retail merchant and number two in airports, with operations in three business segments: Travel Essentials, Duty Free & Fashion, and Dining.

B. Respondents' Factual Allegations

The Respondent has defaulted in this UDRP administrative proceeding and has consequently made no factual allegations. The Respondent is Lagardère Travel Retail Deutschland Foodservice GmbH (Tetiana Brazhnikova) based at the address of Am Flughafen The Squaire Kern23 Ebene8, Frankfurt, ZIP / Postal Code 60549, Germany.

The disputed domain name was registered on September 28, 2026 and resolves to a website offering unrelated goods and displaying the information of the Complainant's subsidiary.

PARTIES CONTENTIONS

A. COMPLAINANT

The Complainant's contentions can be summarized as follows:

I. The disputed domain name is identical or confusingly similar to a trade mark in which the Complainant has rights

The disputed domain name reproduces the Complainants trademark in entirety. The addition of the term "TRDE" is not sufficient to escape the finding that the domain name is confusingly similar to its trademark. It does not change the overall impression of the designation as being connected to its trademark. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademark and the domain name associated.

II. The Respondent has no rights or legitimate interests in respect of the disputed domain name

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name on the grounds: i) the Respondent is Lagardère Travel Retail Deutschland Foodservice GmbH, which corresponds to the Complainant's subsidiary, Lagardère Travel Retail Deutschland Foodservice GmbH. The Respondent registered the disputed domain name with this name to impersonate the Complainant's subsidiary and increase the risk of confusion, which is evidence of lack of legitimate interests; ii) the Respondent is not related with the Complainant. The Complainant does not carry out any activity for, nor has any business with it; iii) neither license nor authorization has been granted to it to make any use of the Complainant's trademark or apply for registration of the disputed domain name; iv) the dispute domain name resolves to a website offering unrelated goods and displaying the information of the Complainant's subsidiary; v) the Respondent failed to come forward with relevant evidence demonstrating its rights or legitimate interests in the disputed domain name.

III. The Respondent registered and is using the disputed domain name in bad faith

The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith on the grounds: i) the disputed domain name resolves to a website offering unrelated goods and displaying the information of the Complainant's subsidiary. Given the distinctiveness and reputation of the Complainant's trademark, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trademark; ii) the Respondent attempts to attract internet users by creating a likelihood of confusion with the Complainant's trademark for commercial gain; iii) the disputed domain name has been set up with MX records, which suggests that it may be actively used for email purposes.

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

B. RESPONDENTS

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 provides that in order to be entitled to a transfer of the domain name; the complainant shall prove the following three elements:

(i) the 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 domain name; and

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

Based on the above regulations under the Policy, what the Panel needs to do is to find out whether each and all of the above-mentioned elements are established. If all three elements are established, the Panel will make a decision in favor of the Complainant. If the three elements are not established, the claims by the Complainant shall be rejected.

The Respondent did not submit a Response of any argument against what the Complainant claimed and to show his intention to retain the disputed domain name as required by the Policy and the Rules. If the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint. In view of the situation, the Panel cannot help but make the decision based primarily upon the contentions and the accompanying exhibits by the Complainant, except where there is an exhibit proving to the contrary.

I. Identity or Confusing Similarity

Pursuant to Paragraph 4(a)(i) of the Policy, a complainant must prove that the domain name is identical with or confusingly similar to a trademark or service mark in which the complainant has rights.

A. Complainant has rights in a trademark or service mark

The Complainant has provided evidence of ownership of valid trademark registrations for the trademark LAGARDERE, registered in 2000, 2007 and 2008 in numerous jurisdictions and classes as mentioned above in the IDENTIFICATION OF RIGHTS. The trademarks are still valid, and their registration dates significantly predate the registration date of the disputed domain name, i.e. September 28, 2026. The Complainant therefore has rights in the trademark LAGARDERE.

B. The disputed domain name should be identical or confusingly similar to the trademark or service mark

The disputed domain name contains the Complainant's trademark LAGARDERE in its entirety with the addition of the term “TRDE”. WIPO Overview 3.1, paragraph 1.8 mentions: “Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element”. Paragraph 1.7 mentions: “In cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark”.

As to the generic Top Level Domain “.com”, it is viewed as a standard registration requirement and as such can be disregarded for the purpose of assessing identity or confusing similarity.

Therefore, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights according to paragraph 4(a)(i) of the Policy. Accordingly, the Complainant has proven that the first element required by paragraph 4(a) of the Policy is established.

II. Rights or Legitimate Interests of the Respondent

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name on the grounds as mentioned above in its CONTENTION II. The Panel supports its contention.

Once the 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 disputed domain name. If the Respondent fails to come forward with such relevant evidence, the Complainant is deemed to have satisfied the second element. See WIPO Overview 3.1, paragraph 2.1.

Paragraph 4(c) of the Policy lists a number of circumstances which can be taken to demonstrate a respondent's rights or legitimate interests in a domain name. However, the Respondent has failed to meet that burden. The Respondent did not submit any evidence to demonstrate any of the above circumstances.

Therefore, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. Accordingly, the Complainant has proven that the second element required by paragraph 4(a) of the Policy is established.

III. Bad Faith

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

A. The disputed domain name has been registered in bad faith

The Panel finds that the Respondent had knowledge of the Complainant's trademark at the time of registration of the disputed domain name, considering the following circumstances:

WIPO Overview 3.1, paragraph 3.2.2 mentions: "Noting the near instantaneous and global reach of the Internet and search engines and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark".

The Panel believes that before registration of the disputed domain name, the Respondent had made searches for the wording LAGARDERE and knew it was the trademark of the Complainant. As the disputed domain name would cause confusion to internet users, it should have avoided the registration, which is considered good faith, but it registered the disputed domain name. The Respondent deliberately sought to cause such confusion.

The Respondent's name corresponds to the name of the Complainant's subsidiary. It registered the disputed domain name to impersonate the Complainant's subsidiary and increase the risk of confusion. The disputed domain name resolves to a website offering unrelated goods and displaying the information of the Complainant’s subsidiary. It is implausible that the Respondent selected the disputed domain name without awareness of the Complainant and its trademark. As the disputed domain name incorporates the Complainant's mark in its entirety, Internet users may reasonably assume that the disputed domain name refers to the Complainant and its business. This further supports the conclusion that the Respondent registered the disputed domain name with the Complainant and its trademark in mind and with the intention of taking unfair advantage of the Complainant's reputation.

In conclusion, the Panel finds that the disputed domain name has been registered in bad faith.

B. The disputed domain name is being used in bad faith

Paragraph 4(b) (iv) of the Policy states that the following circumstance in particular shall be evidence of registration and use of a domain name in bad faith: 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 its website or location or of a product or service on its website or location. According to the above paragraph 4(b) (iv) of the Policy, the Complainant contends that the disputed domain name is being used in bad faith. The Panel supports the Complainant’s contention based on the following factors:

As mentioned above, the Respondent's name corresponds to the name of the Complainant's subsidiary. It registered the disputed domain name to impersonate the Complainant's subsidiary and increase the risk of confusion. The dispute domain name resolves to a website offering unrelated goods and displaying the information of the Complainant’s subsidiary. It exploits the Complainant's trademark to generate traffic. By using the disputed domain name in this manner, the Respondent is intentionally attempting to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website.

Considering the above factors, the Panel finds that the disputed domain name is being used in bad faith.

Regarding the Complainant’s contention on bad faith, the Respondent should rebut it, but it did not make any response, which strengthened the Panel’s findings on its bad faith.

In view of all the above, the Panel finds that the disputed domain name has been registered and is being used in bad faith according to paragraph 4(a)(iii) of the Policy. Therefore, the Complainant has proven that the third element required by paragraph 4(a) of the

Policy is established.

Decision

For all the foregoing reasons, in accordance with paragraph 4(a) of the Policy and Rule 15 of the Rules, the Panel orders that the disputed domain name be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lagarderetrde.com**: Transferred

PANELLISTS

Name	**Yunze Lian**

DATE OF PANEL DECISION 2026-11-18

Publish the Decision