

## **ADMINISTRATIVE PANEL DECISION**

Thales Group v. VMI INC

Case No. D2025-0297

### **1. The Parties**

The Complainant is Thales Group, France, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is VMI INC, Cayman Islands, United Kingdom.

### **2. The Domain Name and Registrar**

The disputed domain name <thalesgroupe.com> (“the Disputed Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 24, 2025. On January 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 27, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 29, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on February 3, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on February 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 26, 2025.

The Center appointed Gonalo M. C. Da Cunha Ferreira as the sole panelist in this matter on March 3, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is a French Multinational aerospace and defense corporation specialized in electronics with headquartered in Paris. Founded in 1968 as “Thomson-CSF”, the group was rebranded as Thales in 2000. The Complainant engages in the manufacture, marketing, and sale of electronic equipment and systems for aeronautics, naval, and defense sectors. The Complainant is a global technology leader with more than 81,000 employees on five continents, and EUR 18.4 billion in revenue.

The Complainant owns several trademarks THALES, among others:

United States of America Trademark Registration No. 3017144, for the word mark THALES, registered on November 22, 2005, in Classes 9, 35, 38 and 42;

European Union Trademark Registration No. 002186088, for the word mark THALES, registered on November 9, 2006, in Classes 9,13,16, 35, 38,41 and 42; and

French Trademark No. 1525967, for the word mark THALES, registered on April 25,1989, in Classes 9, 35, 38, 40, 41 and 42.

The Complainant has further registered their trademark as domain names in combination with the French term “groupe”, namely

- <groupe-thales.com>
- <thales-groupe.com>

The Complaint has provided information about its THALES brand and products since November 7, 2000, from its main website.

The Disputed Domain Name was created on July 15, 2013.

The Disputed Domain Name <thalesgroupe.com> resolve to a website featuring links to third-party websites and advertising that the Disputed Domain Name is for sale.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, the Complainant contends that:

1. is the owner of trademark registrations across various jurisdictions.
2. has provided information about its THALES brand and products since November 7, 2000, from its main website.
3. has registered their trademark as domain names in combination with the French term “groupe”.

4. has spent substantial time, effort, and money marketing and promoting THALES, and has thus developed substantial goodwill in the THALES brand.
5. in creating the Disputed Domain Name, the Respondent has added the generic, descriptive term “groupe” (French for “group”) to the Complainant’s THALES trademark, thereby making the Disputed Domain Name confusingly similar to the Complainant’s trademark.
6. the conjunction of the word “groupe” to the Complainant’s trademark is clearly intentional and a blatant attempt to create an association with the Complainant via the Disputed Domain Name.
7. the Disputed Domain Name is confusingly similar to the Complainant’s mark.
8. the Respondent is not sponsored by or affiliated with the Complainant in any way and the Complainant has not given the Respondent permission to use the Complainant’s trademarks in any manner, including in domain names.
9. at the time of filing the Complaint, the Respondent was using a privacy Whois service.
10. the website at which the Disputed Domain Name resolves feature multiple third-party links for services unrelated to the Complainant.
11. presumably, the Respondent receives pay-per-click (“PPC”) fees from the linked websites that are listed at the Disputed Domain Name’s website.
12. the Respondent is not using the Disputed Domain Name to provide a bona fide offering of goods or services.
13. the Disputed Domain Name is being advertised for sale at the price of USD 7,074.
14. by registering a domain name that comprises the entirety of the Complainant’s trademark in conjunction with a French term that is directly linked to the Complainant as a “Group” of companies, the Respondent has created a domain name that is confusingly similar to the Complainant’s trademark, as well as its domain name.
15. performing searches across a number of Internet search engines for “thales groupe” returns multiple links referencing the Complainant and its business.
16. it is more likely than not that the Respondent knew of and targeted the Complainant’s trademark, and the Respondent should be found to have registered and used the Disputed Domain Name in bad faith.

## **B. Respondent**

The Respondent did not reply to the Complainant’s contentions.

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant’s trademark and the Disputed Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the THALES mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, “groupe” may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise.

In addition, the Panel finds that the composition of the Disputed Domain Name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

The Panel finds the second element of the Policy has been established.

## **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel notes that the Respondent registered the Disputed Domain Name with the specific intent to create confusion among consumers and to benefit from the goodwill associated with the Complainant’s THALES Marks. The Respondent has added the term “groupe” to the Complainant’s trademark, making the Disputed Domain Name confusingly similar to the Complainant’s mark. Additionally, the Respondent is using this domain to attract Internet users for commercial gain, which aligns with the criteria for bad faith under paragraph 4(b)(iv) of the Policy.

Moreover, the Respondent has listed the Disputed Domain Name for sale at a price of USD 7,074, indicating an intent to profit from the registration. The Panel also finds evidence of bad faith, particularly through the intention to leverage the Complainant’s trademark for commercial gain.

The Panel finds that the Complainant has established the third element of the Policy.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Disputed Domain Name <thalesgroupe.com> be transferred to the Complainant.

*/Gonçalo M. C. Da Cunha Ferreira/*

**Gonçalo M. C. Da Cunha Ferreira**

Sole Panelist

Date: March 12, 2025