

ADMINISTRATIVE PANEL DECISION

MATMUT v. Richard Labana
Case No. D2025-3427

1. The Parties

The Complainant is MATMUT, France, represented by Nameshield, France.

The Respondent is Richard Labana, France.

2. The Domain Name and Registrar

The disputed domain name <matmut.support> is registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 26, 2025. On August 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 27, 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 August 27, 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 August 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 22, 2025.

The Center appointed Benjamin Fontaine as the sole panelist in this matter on September 25, 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 the French mutual insurance company MATMUT (for "Mutuelle Assurance des Travailleurs MUTualistes"), created in 1961. As one of major players on the French market, MATMUT has over 4,6 million members and more than 8,4 million contracts, registering a turnover of EUR 3,2 billion.

The Complainant is the owner of several trade marks including "MATMUT", among which :

- French trade mark MATMUT (and design) registered under n° 98728962 on October 9, 1998;
- European trade mark MATMUT registered under n° 003156098 on May 26, 2005.

The Complainant is also the owner of several domain names including the trade mark "MATMUT", such as <matmut.com> registered since September 16, 1998, and <matmut.fr> registered since June 23, 1997.

The disputed domain name <matmut.support> was registered on August 24, 2025.

At the time of the present Decision, it is no longer active. However, it redirected previously to the Complainant's official website "www.matmut.fr", and MX servers were configured.

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 first that the disputed domain name is confusingly similar to its earlier trade marks MATMUT. Indeed, the Complainant contends that the disputed domain name <matmut.support> is identical to the Complainant's trade marks MATMUT as the trade mark MATMUT is included in its entirety without addition or deletion.

Then, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant asserts that the Respondent is not identified in the WHOIS database as the owner of the disputed domain name. The Complainant contends that the Respondent is not affiliated with nor authorized by the Complainant in any way. It adds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that he is not related in any way to its business. The Complainant asserts that it does not carry out any activity for, nor has any business with the Respondent. Moreover, as the disputed domain name used to resolve to the Complainant's official website, the Complainant contends that the Respondent is not making a bona fide offering of goods or services by means of the disputed domain name, or a legitimate non-commercial or fair use of it.

Third, the Complainant claims that the disputed domain name was registered and is being used in bad faith. The Complainant states that the disputed domain name <matmut.support> is identical to its distinctive trade marks MATMUT. Then the Complainant claims that the disputed domain name used to resolve to the Complainant's website, which is clear evidence that the Respondent knew the Complainant at the time of the registration. Thus, the Complainant contends that, given the distinctiveness and reputation of the Complainant's trade marks, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trade marks rights prior to the registration of the disputed domain name, which is a hallmark of bad faith. Consequently, the Complainant asserts that the disputed domain name has been registered by the Respondent in order to take advantage of the good reputation the

Complainant had built up in its trade marks, with the sole aim of creating a likelihood of confusion with the Complainant's trade marks and domain names. Finally, the Complainant highlights that MX records were set up, which suggests that the disputed domain name may be actively used for phishing purposes, which is also indicative of bad faith registration and use.

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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed phishing or passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed phishing or passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. In the present case, the Panel notes that the Respondent has used the disputed domain name to redirect to the Complainant's official website "www.matmut.fr", thus impersonating directly the Complainant. Also, it has configured MX servers, potentially as part of a phishing scam.

Therefore, the Panel finds that the disputed domain name was registered and has been used in bad faith.

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 <matmut.support> be transferred to the Complainant.

/Benjamin Fontaine/

Benjamin Fontaine

Sole Panelist

Date: October 2, 2025