

## **ADMINISTRATIVE PANEL DECISION**

Universal Music France, Florian and Olivio Ordonez v. Katawut Ketrueang  
Case No. D2025-4051

### **1. The Parties**

The Complainants are Universal Music France (“First Complainant”), France, Florian and Olivio Ordonez (“Second and Third Complainants”), France, represented by Domgate, France.

The Respondent is Katawut Ketrueang, Thailand.

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

The disputed domain name <bigfloetoli.com> 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 October 3, 2025. On October 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 6, 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 Complainants on October 9, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on October 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 October 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 25, 2025.

The Center appointed Kaya Köklü as the sole panelist in this matter on November 28, 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 dispute involves three Complainants. The First Complainant is the exclusive French music publisher of the Second and Third Complainants. The Second and Third Complainants are brothers and since 2005 have composed a widely-known and awards-winning hip hop duo. Until nowadays, they have had 1 billion streams across all digital platforms, 9 million followers on social media, and almost 1 million tickets sold for their music tours.

The Second and Third Complainants are the registered owners of the French trademark Registration No. 4976037, registered on January 5, 2024, for BIGFLO ET OLI, covering protection for various goods and services as protected in classes 9, 25, 35, 38, and 41.

The Complainants registered and own various domain names comprising the BIGFLO ET OLI trademark, such as <bigfloetoli.live> and <bigfloetoli.shop>.

The Respondent is reportedly located in Thailand.

The disputed domain name was initially registered by the mother of the Second and Third Complainants. It was then again registered by the First Complainant in 2014 until 2025. In March 2025, the disputed domain name was not duly renewed and registered by the Respondent on May 26, 2025 through a domain name backorder provider.

At the time of the Decision, the disputed domain name resolves to an active website in Korean language that offers online gambling.

#### **5. Parties' Contentions**

##### **A. Complainants**

The Complainants request the transfer of the disputed domain name to the First Complainant and contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

##### **B. Respondent**

The Respondent did not reply to the Complainants' contentions.

#### **6. Discussion and Findings**

##### **6.1. Consolidation of Complainants**

The dispute involves three Complainants. The Panel notes that the Complainants are closely linked to each other, particularly as the First Complainant is the previous owner of the disputed domain name and the exclusive music publisher of the Second and Third Complainants, who are the trademark owners and compose a popular hip hop duo.

This constitutes a specific common grievance of the Complainants against the Respondent. Taking also into consideration that the Respondent has not rebutted the requested consolidation, it is in view of the Panel fair and equitable in the circumstances of the case to order the consolidation (section 4.11.1 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#))).

Consequently, the Panel accepts the First, Second and Third Complainants in this administrative proceeding and, for the ease of reference, will jointly refer to them as “the Complainant” in the following, whenever appropriate.

## **6.2. Substantive Issues**

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant’s contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See section 4.3 of [WIPO Overview 3.0](#).

For the evaluation of this case, the Panel has taken note of [WIPO Overview 3.0](#), and, where appropriate, will decide consistently with the consensus views stated therein.

### **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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the BIGFLO ET OLI trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the BIGFLO ET OLI mark is reproduced within the disputed domain name without any additions. 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. In the absence of a response, 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.

There is particular no indication in the case file that the Respondent is commonly known by the disputed domain name, nor that there are any circumstances or activities that would establish the Respondent's rights or legitimate interests therein. Nothing in the case file suggests that the Respondent has any link to the Complainant or its distinctive BIGFLO ET OLI mark. The Panel rather concludes that the Respondent is most likely trying to capitalize on the goodwill associated with the disputed domain name and the Complainant's trademark. Even though the Respondent's current use of the disputed domain name for online gambling is unrelated to the Complainant's prior or actual activities, it is in view of the Panel an opportunistic attempt to exploit traffic intended for the Complainant, which is not a bona fide offering of goods or services under the Policy.

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 must have had the Complainant and its distinctive BIGFLO ET OLI trademark in mind when registering the disputed domain name. Given the Complainant's notoriety and distinctiveness of its BIGFLO ET OLI trademark, the Panel finds that the Respondent most likely chose the disputed domain name to target the Complainant and capitalize on its goodwill. Consequently, the Panel is convinced that the Respondent has registered the disputed domain name in bad faith.

As to bad faith use, the Panel notes that the disputed domain name is associated with a website in Korean language providing online gambling services, which is unrelated to the Complainant's prior or actual activities. However, it is relatively obvious to the Panel that the Respondent is trying to capitalize on the goodwill associated with the Complainant's BIGFLO ET OLI trademark and to exploit traffic intended for the Complainant. In the absence of a Response, the Panel finds no plausible good faith explanation for the Respondent's choice to use the disputed domain name for gambling services that are entirely unrelated to the Complainant and its BIGFLO ET OLI mark. In view of the Panel, this kind of use demonstrates an intentional attempt to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark. Such exploitation of the Complainant's reputation and goodwill constitutes bad faith use under the Policy.

In addition, the Panel accepts the failure of the Respondent to submit any response to the Complainant's contentions as an additional affirmation for the Panel's finding of bad faith use.

Overall, the Panel is convinced that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

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 <bigfloetoli.com> be transferred to the First Complainant, Universal Music France.

*/Kaya Köklü/*

**Kaya Köklü**

Sole Panelist

Date: December 12, 2025