

## ADMINISTRATIVE PANEL DECISION

Nexans v. oselenge boss

Case No. D2025-4103

### 1. The Parties

The Complainant is Nexans, France, represented by Domgate, France.

The Respondent is oselenge boss, United States of America.

### 2. The Domain Name and Registrar

The disputed domain name <nexans.icu> is registered with NameSilo, LLC (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 7, 2025. On October 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 8, 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 (Domain Administrator, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 9, 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 October 28, 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 24, 2025.

The Center appointed Kiyoshi Tsuru as the sole panelist in this matter on December 1, 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 Nexans S.A., a company headquartered in Paris, France, that operates in the cable and optical fiber industry.

The Complainant holds the following trademark registrations, among others:

Trademark	Registration No.	Date of Registration	Classes	Jurisdiction
NEXANS	3036871	June 26, 2000	Classes 6, and 9	France
NEXANS	3049166	August 31, 2000	Classes 6, and 9	France
NEXANS	748932	December 8, 2000	Classes 6, and 9	International Registration
NEXANS	753844	February 14, 2001	Classes 6, and 9	International Registration
NEXANS	1448123	January 15, 2018	Classes 35, 37, 39, 40, and 42	International Registration

The Complainant also owns the domain name <nexans.com> which resolves to the Complainant's official website. The Complainant's domain name was registered on June 26, 2000.

By contrast, the disputed domain name <nexans.icu> was registered on June 18, 2025. The disputed domain name resolves to a website containing pay-per-click hyperlinks.

#### 5. Parties' Contentions

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 the following:

##### A. Complainant

That it is a global leader in the cable and optical fiber industry. That, with a longstanding international presence, it operates across four principal business sectors: Buildings and Territories (including construction, local infrastructure, smart cities and grids, and e-mobility), High Voltage and Projects (notably offshore wind farms, subsea interconnections, and land high voltage), Data and Telecoms (telecom networks), FTTx, data transmission, LAN cabling, and a broad range of specialized industries such as renewable energies, petroleum, railways and rolling stock, aeronautical, and automation.

That it maintains a significant global footprint, with operations in 41 countries, more than 60 manufacturing plants, and a workforce exceeding 28,500 employees. That it owns multiple NEXANS trademarks, duly registered across numerous jurisdictions worldwide. That through its diversified operations, global reach, and sustained participation in critical infrastructure and technology markets worldwide, it is firmly established as a leading multinational company in the energy, communications, and industrial cabling sectors.

##### I. Identical or Confusingly Similar

That by virtue of its trademark registrations, the Complainant is the owner of the NEXANS trademark, as well as of a domain name portfolio with use and registration dates predating the disputed domain name.

That in accordance with well-established practice of panels appointed by the Center, the ".icu" generic Top-Level Domain ("gTLD") which is usually considered as a shorthand for "I See You", is irrelevant to the assessment of confusing similarity, as gTLDs are disregarded when comparing domain names and trademarks. (and cites *B/C Deutschland GmbH & Co KG v. Paul Tweed*, WIPO Case No. 2000-0418). That the NEXANS mark remains clearly recognizable in the disputed domain name, as it wholly incorporates the Complainant's registered trademark, which is sufficient to establish confusing similarity (and cites *Telstra*

*Corporation Limited v. Barry Cheng Kwok Chu*, WIPO Case No. [D2000-0423](#), *Pfizer Inc. v. United Pharmacy Ltd*, WIPO Case No. [D2001-0446](#), *E.I. du Pont de Nemours and Company v. Richi Industry S.r.l.*, WIPO Case No. [D2001-1206](#)).

## II. Rights or Legitimate Interests

That the Complainant's representative sent a cease-and-desist letter to the Respondent and to the Registrar on June 23, 2025, followed by additional owner-contact forms and multiple reminders on July 3, July 17, and July 28, 2025. That despite these repeated and good-faith attempts to engage, the Respondent has never provided any reply. That such persistent silence, particularly in the face of several notices, strongly indicates that the Respondent has no rights or legitimate interests in the disputed domain name. Moreover, that the Respondent's failure to respond to the Complainant's communications further supports a finding of bad-faith registration and use under the Policy.

That the Respondent is not affiliated with or sponsored by the Complainant, nor that has the Complainant authorized, licensed or permitted the Respondent to use its trademarks in any manner, including in the registration of domain names incorporating the NEXANS mark.

That the Complainant has repeatedly been the target of cybersquatting attempts; many resolved at the pre-contentious stage, while others have resulted in administrative decisions, which collectively demonstrate a recurring pattern of third parties, lacking any rights or legitimate interests, attempting to exploit the reputation of the Complainant and its trademark for illegitimate financial gain (and cites *NEXANS v. Huseyin Yeter*, WIPO Case No. [D2022-3240](#), *Nexans, Liban Cables v. Super Privacy Service LTD c/o Dynadot*, WIPO Case No. [D2019-3069](#), *Nexans v. Data Protected / Cimpress Schweiz GmbH, Cimpress Schweiz GmbH*, WIPO Case No. [D2018-2324](#), *Nexans v. Naxans, Jean Durand*, WIPO Case No. [D2016-0590](#), *Nexans S.A. v. Mr. Edip Özdemir / MXN Kablo San. Tic. Ltd. Sti.*, WIPO Case No. [D2015-1056](#), *NEXANS v. Zhou Lei / EFFCY*, WIPO Case No. [D2015-1030](#), and *Nexans v. Yefremov Evgen*, WIPO Case No. [DUA2021-0019](#)).

## III. Registered and Used in Bad Faith

That the Complainant's trademarks have repeatedly attracted cybersquatters seeking to profit from identical or similar domain name registrations. That, in this case, the website to which the disputed domain name resolves cannot be regarded as evidence of any bona fide use or demonstrable preparations to use the disputed domain name for a legitimate offering of goods or services.

That the disputed domain name initially resolved to a parked webpage displaying dynamic pay-per-click advertisements and hyperlinks—conduct consistently viewed by panels as indicative of bad-faith use, particularly where the domain name incorporates a well-known trademark—and that the Respondent configured the disputed domain name to redirect users to pay-per-click advertisements promoting third-party goods and services, thereby generating click-through traffic and revenue for the Respondent. That such conduct cannot be regarded as a legitimate use of the disputed domain name under the Policy (and cites *SAP SE v. Domains by Proxy, LLC / Kamal Karmakar*, WIPO Case No. [D2016-2497](#)).

That the activation of MX servers reinforces the conclusion that the Respondent is making, or intends to make, fraudulent and illegitimate use of the disputed domain name for the purpose of obtaining monetary gain. That this configuration strongly suggests preparatory steps toward misuse rather than any bona fide or legitimate activity (and cites *BPCE v. Natixis Corp, Natixis*, WIPO Case No. [D2024-4968](#)).

## B. Respondent

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

## 6. Discussion and Findings

Paragraph 4(a) of the Policy sets out the three requirements that the Complainant must prove in order to successfully request remedies:

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

Given the Respondent's default and therefore, failure to specifically address the case merits as they relate to the three UDRP elements, the Panel may decide this proceeding based on the Complainant's undisputed factual allegations under paragraphs 5(f), 14(a), and 15(a) of the Rules (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#); *Encyclopaedia Britannica, Inc. v. null John Zuccarini, Country Walk*, WIPO Case No. [D2002-0487](#); see also WIPO Overview of WIPO Panel Views on Selected UDRP Questions Third Edition ("WIPO Overview 3.0"), section 4.3).

### 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 NEXANS trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name entirely reproduces the Complainant's NEXANS trademark. The Panel finds that the Complainant's NEXANS trademark is recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

It is also well established that the addition of the gTLD ".icu" is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the disputed domain name is identical to the Complainant's NEXANS trademark 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. Specifically, the Respondent has failed to submit evidence of bona fide or legitimate noncommercial or fair use of the disputed domain name. No evidence has been filed in connection with the Respondent being commonly known by the disputed domain name.

Furthermore, the Panel considers that the composition of the disputed domain name carries a high risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Therefore, 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.

The Complainant has ascertained its rights over the NEXANS trademark. The dates of registration of said trademarks significantly precede the date of registration of the disputed domain name.

The Complainant has submitted arguments and information claiming that it is one of the globally recognized leaders in the cable and optical fiber industry, with a longstanding international presence, and operations across various specialized industry sectors such as renewable energy, petroleum, rail transport, aeronautics, and automation. These uncontested arguments and information support the conclusion that the NEXANS trademark enjoys substantial goodwill and a significant degree of fame worldwide and a high degree of public recognition as a well-known trademark (see *Audi AG and Volkswagen AG v. Glenn Karlsson-Springare*, WIPO Case No. [D2011-2121](#), *Tetra Laval Holdings & Finance S.A. v. Ricardo Lopez Ortega*, WIPO Case No. [D2022-4037](#) and *Swarovski AG v. Marius Muller*, WIPO Case No. [D2016-2315](#)).

Previous panels appointed under the Policy have found that the mere registration of a domain name that is identical or confusingly similar to a well-known trademark by an unaffiliated entity can in itself create a presumption of bad faith (see [WIPO Overview 3.0](#), section 3.1.4.; see also *Ferrari S.p.A. v. Ms. Lee Joohee (or Joo-Hee)*, WIPO Case No. [D2003-0882](#)). This is so in the present case because the Complainant's NEXANS trademark is well-known and has been extensively used worldwide.

In the present case, the Panel notes that the fact that the Respondent registered the disputed domain name which entirely reproduces the Complainant's NEXANS trademark shows that the Respondent has targeted the Complainant, which constitutes opportunistic bad faith (see section 3.2.1 of the [WIPO Overview 3.0](#); see also *L'Oréal v. Contact Privacy Inc. Customer 0149511181 / Jerry Peter*, WIPO Case No. [D2018-1937](#); *Gilead Sciences Ireland UC / Gilead Sciences, Inc. v. Domain Maybe For Sale c/o Dynadot*, WIPO Case No. [D2019-0980](#); *Dream Marriage Group, Inc. v. Romantic Lines LP, Vadim Parhomchuk*, WIPO Case No. [D2020-1344](#); *Valentino S.p.A. v. Qiu Yufeng, Li Lianye*, WIPO Case No. [D2016-1747](#), *Landesbank Baden-Württemberg (LBBW) v. David Amr*, WIPO Case No. [D2021-2322](#): "Given the distinctiveness of the Complainant's trademark, it is reasonable to infer that the Respondent has registered the Disputed Domain Name with full knowledge of the Complainant's trademarks, constituting opportunistic bad faith. The Panel finds it hard to see any other explanation than that the Respondent knew of the Complainant's well-known trademark").

The evidence submitted by the Complainant, and not rebutted by the Respondent, demonstrates that the Respondent previously caused the disputed domain name to resolve to websites that, without authorization, used the Complainant's NEXANS trademark on a webpage displaying dynamic pay-per-click advertisements and hyperlinks. This use of the disputed domain name (which fully incorporates the registered trademark NEXANS, and is almost identical to the Complainant's domain name <nexans.com>) is not legitimate, nor can it constitute fair use. The Panel finds that such use constitutes bad faith under paragraph 4(b)(iv) of the

Policy. The Respondent's use of the disputed domain name has posed a risk of misleadingly diverting consumers, as it has taken commercial advantage of the Complainant's NEXANS trademark. Previous panels appointed under the Policy have found that this is an indication of bad faith use of a disputed domain name (see also *MatchNet plc. v. MAC Trading*, WIPO Case No. [D2000-0205](#); *Andrey Ternovskiy dba Chatroulette v. Lukas Jansen*, WIPO Case No. [D2019-0781](#); and *SODEXO v. Nihat Bahçe, FN Market / Nihat BAHCE, fnmarket*, WIPO Case No. [DCC2015-0002](#)).

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 <nexans.icu> be transferred to the Complainant.

*/Kiyoshi Tsuru/*

**Kiyoshi Tsuru**

Sole Panelist

Date: December 15, 2025