

ADMINISTRATIVE PANEL DECISION

Société de Négoce et de Participation v. SIMON LUBWAMA
Case No. D2025-4634

1. The Parties

The Complainant is Société de Négoce et de Participation, France, represented by Dreyfus & associés, France.

The Respondent is SIMON LUBWAMA, Uganda.

2. The Domain Names and Registrar

The disputed domain names <fr-sonepar.com>, <fr-sonepar.info>, and <fr-sonepar.online> are registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 7, 2025. On November 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 11, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 11, 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 November 12, 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 November 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 9, 2025.

The Centre appointed Vinod K. Agarwal as the sole panelist in this matter on December 18, 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 Centre to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a French company, having its headquarter in Paris, France. According to the Complaint, the company is the holding of the “Sonepar group” that includes all companies, corporations and other entities controlled directly or indirectly by the Complainant.

According to the Complaint, the Complainant enjoys global market leadership in B-to-B distribution of electrical products, solutions and related services, and has a dense network of 100 brands spanning 40 countries. In the Complaint it is stated that the Sonepar group sets out to become the first global B-to-B electrical distributor to provide a fully digitalized and synchronized omnichannel experience to all customers.

The Sonepar group was founded by Henri Coisne in 1969, when the Coisne and Lambert families acquired le Comptoir d'Electricité Franco-Belge. The Complainant was generally selling to professionals, not individual consumers. In the 1970s, it adopted a strategy of acquiring other French regional distributors. With the acquisition of Lumen in Quebec, Canada in 1984, the Sonepar group got its first foothold outside of Europe.

The Complainant employs 45,000 associates, .

The Complainant is the owner of numerous SONEPAR trademark registrations, including International Trademark Registration SONEPAR (figurative) No. 1654996, issued on December 3, 2021, covering goods and services in classes 7, 9, 11, 35, 37, 38, 39, 41 and 42.

In addition, the Complainant operates the domain name <sonepar.com>.

The disputed domain names were registered on October 21, 2025. The disputed domain names <fr-sonepar.info> and <fr-sonepar.online> resolve to pages containing pay-per-click (“PPC”) commercial links, while the disputed domain name <fr-sonepar.com> does not resolve to an active website. However, the domain name <fr-sonepar.com> has been used to send at least one fraudulent email impersonating the Complainant.

5. Parties’ Contentions

A. Complainant

The Complainant contends that each of the three elements specified in paragraph 4(a) of the Policy are established.

The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

The Complainant contends that it has numerous SONEPAR trademark registrations around the world. The full inclusion of Complainant’s trademark SONEPAR together with the country code “fr” in the disputed domain names, is confusingly similar to the SONEPAR trademark in that the Respondent adds only “fr” as a prefix, which is the two-letter International Organization for Standardization (“ISO”) country code and the two-letter country code Top-Level Domain (ccTLD) corresponding to France, where the Complainant is located. The incorporation of the letters “fr” does not alleviate any potential confusion; instead, it significantly increases the likelihood that consumers might mistakenly believe that the products offered are associated

with a French branch of the Complainant. This misunderstanding is further compounded given that the content of the pages configured on the disputed domain names <fr-sonepar.info> and <fr-sonepar.online> is in French, and “fr” is both the ISO country code and the ccTLD specifically designated for France.

The disputed domain names reproduce entirely the trademark SONEPAR combined with the country code “fr” intersected by a hyphen. This term suggests a French connection. Subsequently, this might lead Internet users to be influenced by the confusing similarity between the disputed domain names and the Complainant’s trademarks as well as with the legitimate websites of the Complainant.

The mere adjunction of a generic Top-Level Domain (“gTLD”) such as “.info” is irrelevant as it is well established that the gTLD “does not have any impact on the overall impression on the dominant portion of the disputed domain name, and is therefore irrelevant in determining confusing similarity between the mark and the disputed domain name”. Accordingly, by registering the disputed domain names, the Respondent created a likelihood of confusion with the Complainant’s trademarks. It is likely that the disputed domain names could mislead Internet users into thinking that they are, in some ways, associated with the Complainant and its activities.

For all of the above-mentioned reasons, the disputed domain names are confusingly similar to the SONEPAR trademarks in which the Complainant has rights, and therefore the condition of paragraph 4(a)(i) of the Policy is fulfilled.

The Respondent has no rights or legitimate interests in respect of the disputed domain names

In respect of this element, the Complainant contends that the Respondent is neither affiliated with the Complainant nor has been authorized by the Complainant to use or register its trademarks, or to seek registration of any domain name incorporating said trademarks. The Respondent cannot claim prior rights or legitimate interests in the disputed domain names, as the SONEPAR trademarks precede the registration of the disputed domain names by years. The Respondent is not commonly known by the disputed domain names or the name “Sonepar”.

The Complainant has further contended that the disputed domain names <fr-sonepar.info> and <fr-sonepar.online> resolve to parking pages displaying several PPC links. Consequently, it is implausible to assert that there has been any bona fide offering of goods or services associated with these disputed domain names by the Respondent. It appears that the Respondent likely derives revenue from the links present on the parking pages. This type of activity does not constitute a legitimate interest in the disputed domain names, as it does not involve the actual offering of goods or services in a manner that genuinely aligns with the purported business identity or function indicated by the domain name itself.

The fact that the Respondent chose the disputed domain names virtually identical to the Complainant’s trademark to direct users for phishing purposes further undermines any claim of good faith use. Additionally, the Respondent is engaged in a phishing scheme, a practice intended to defraud consumers into revealing personal and financial information. Consequently, the disputed domain names are not used in any type of legitimate business or services. They deceive consumers, who incorrectly understand that they are referred to the Complainant’s bona fide services.

Finally, considering the Complainant’s goodwill and renown, and the confusing similarity between the disputed domain names and Complainant’s trademarks, it is clear that Respondent’s use of the disputed domain names would result in misleading diversion and taking unfair advantage of the Complainant’s rights.

For all of the above-cited reasons, it is established that the Respondent has no rights or legitimate interests in the disputed domain names under paragraph 4(a)(ii) of the Policy.

The domain names were registered and are being used in bad faith

In respect of this element, the Complainant has made submissions in two separate parts, namely (1) registration in bad faith, and (2) use in bad faith.

As regards registration in bad faith, the Complainant contends that it can be found where the Respondent “knew or should have known” of the Complainant’s trademark rights and, nevertheless registered domain names in which he had no rights or legitimate interests.

It is implausible that the Respondent was unaware of the Complainant when he registered the disputed domain names. Firstly, the Complainant is well known throughout the world for B-to-B distribution of electrical products, solutions and related services. Secondly, it is established that when someone registers a domain name, he represents and warrants to the registrar that, to his knowledge, the registration of the domain name will not infringe the rights of any third party. This means that it was the Respondent’s duty to verify that the registration of the disputed domain names would not infringe the rights of any third party before registering the disputed domain names. Thirdly, a quick SONEPAR trademark search would have revealed to the Respondent the existence of the Complainant and its trademarks. The Respondent’s failure to do so is a contributory factor to its bad faith.

Consequently, in view of the above-mentioned circumstances, the Complainant argues it is established that the Respondent registered the disputed domain names in bad faith.

As regards use in bad faith, the Complainant has stated that some elements may be put forward to support the finding that the Respondent also uses the domain names in bad faith.

The Respondent’s primary motive in registering the disputed domain names is to capitalize on or take advantage of the Complainant’s trademark rights. In particular, the disputed domain name <fr-sonepar.com> was both registered and used in bad faith. Evidence demonstrates that the Respondent configured an active email server on this domain name and employed it in a fraudulent phishing campaign impersonating Sonepar France. Through deceptive emails purporting to originate from the Complainant’s purchasing department, the Respondent sought to mislead third parties into disclosing financial or business information. This fraudulent use of the Complainant’s identity leaves no doubt as to the Respondent’s intent to exploit the Complainant’s reputation for illegitimate gain. Upon discovery of the scheme, the domain name was blocked and placed under “ClientHold” status, and the associated email server was disabled due to its role in these activities. UDRP panels have consistently held that operating a phishing scheme through a domain name incorporating a company’s trademark constitutes one of the clearest forms of bad faith registration and use.

These facts confirm that the registration and use of the disputed domain names were made in bad faith, with the deliberate purpose of misleading and defrauding Internet users.

In light of his knowledge, the Respondent uses the disputed domain names <fr-sonepar.info> and <fr-sonepar.online> to direct Internet users to webpages displaying PPC links which are likely to generate revenues. It is an established position that the use of domain names to divert Internet users and to direct them to a webpage providing revenues through click to a respondent evidences bad faith. Indeed, the Respondent is taking undue advantage of the Complainant’s trademark to generate profits. The use of a well-known trademark to attract Internet users to a website for commercial gains constitutes a use in bad faith pursuant to the Policy. The aforementioned circumstances confirm that the disputed domain names are used in bad faith.

Therefore, the registration and use of the disputed domain names by the Respondent is in bad faith and the requirement of paragraph 4(a)(iii) of the Policy has been established.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) The disputed domain names are 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 disputed domain names; and
- (iii) The disputed domain names have been registered and are being used in bad faith.

A. Identical or Confusingly Similar

According to the evidence furnished in the Complaint, the Complainant is the owner of the trademark SONEPAR registered in different jurisdictions as mentioned above. The disputed domain names include the trademark of the Complainant and are thus confusingly similar to the trademark of the Complainant.

Therefore, the Panel finds that the Complainant has established the first element.

B. Rights or Legitimate Interests

According to paragraph 4(c) of the Policy, the Respondent may demonstrate its rights to or legitimate interests in the disputed domain names by proving any of the following circumstances:

- (i) before any notice to the Respondent of the dispute, the Respondent's use of, or demonstrable preparations to use, the disputed domain names or a name corresponding to the disputed domain names in connection with a bona fide offering of goods or services; or
- (ii) the Respondent (as an individual, business or other organization) has been commonly known by the disputed domain names, even if the Respondent has acquired no trademark or service mark rights; or
- (iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain names, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Respondent has not demonstrated its rights or legitimate interests in the disputed domain names by proving any of the circumstances mentioned herein above. The Respondent has not submitted any reply to the Complainant's contentions. There is no evidence to suggest that the Respondent has become commonly known by the disputed domain names anywhere in the world. The Complainant has not authorized the Respondent to use its trademark.

Further, in view of the fact that the Complainant has not licensed or otherwise permitted the Respondent to use its trademark or to apply for or use the disputed domain names incorporating the trademark of the Complainant, the composition of the disputed domain names incorporating the mark and a term "fr" referring to France, a country where the Complainant is operating, and the use of two disputed domain names to feature commercial links to third party websites, some links directly incorporating the SONEPAR mark, the Respondent is clearly seeking to create an impression of an association with the Complainant, which does not represent a bona fide offering. Similarly, the use of the domain name <fr-sonepar.com> for fraud can not confer rights or legitimate interests on the Respondent.

Based on the evidence in the Complaint, the Panel finds that the aforementioned circumstances do not exist in this case and that the Respondent has no rights or legitimate interests in the disputed domain name.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy states that any of the following circumstances, in particular but without limitation, shall be considered evidence of the registration or use of the disputed domain names in bad faith:

- (i) Circumstances indicating that the Respondent has registered or acquired the disputed domain names primarily for the purpose of selling, renting, or otherwise transferring the disputed domain names' registrations to the Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of documented out-of-pocket costs directly related to the domain names; or
- (ii) The Respondent has registered the disputed domain names in order to prevent the owner of the trademark or service mark from reflecting the mark in corresponding domain names, provided that it has engaged in a pattern of such conduct; or
- (iii) The Respondent has registered the disputed domain names primarily for the purpose of disrupting the business of a competitor; or
- (iv) By using the disputed domain names, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites or other on-line location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites or location or of a product or service on its websites or location.

The Complainant has contended that the disputed domain names are being used by the Respondent with the intention to deceive the members of the public intentionally, with a view to trade upon or encash on the name, fame, reputation, image and goodwill acquired by the Complainant. Further that the Respondent has registered the disputed domain names with the ill intention just to take unfair advantage of the goodwill of the Complainant and to confuse the public at large.

The SONEPAR trademark was adopted and registered by by the Complainant well prior to the registration of the disputed domain names, which, together with the use of the disputed domain names, makes it extremely unlikely that the Respondent created the disputed domain names independently and without any knowledge of the Complainant's trademark.

This and the Panel's findings above, including evidence of the use for fraud, lead to the conclusion that the disputed domain names <fr-sonepar.com>, <fr-sonepar.info>, and <fr-sonepar.online> were registered and are used by the Respondent in bad faith. The Panel takes the view that the Respondent uses the disputed domain names to attempt to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of the Respondent's websites.

Therefore, the Panel concludes that the registration and use of the disputed domain names amount to the registration and use in bad faith. Paragraph 4(a)(iii) of the Policy is satisfied.

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 domain names <fr-sonepar.com>, <fr-sonepar.info>, and <fr-sonepar.online> be transferred to the Complainant.

/Vinod K. Agarwal/

Vinod K. Agarwal

Sole Panelist

Date: January 1, 2025