

ADMINISTRATIVE PANEL DECISION

AG2R la Mondiale Gestion d'Actifs v. Yu Yun
Case No. D2025-5181

1. The Parties

The Complainant is AG2R la Mondiale Gestion d'Actifs, France, represented by Scan Avocats AARPI, France.

The Respondent is Yu Yun, China.

2. The Domain Name and Registrar

The disputed domain name <almgam.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 11, 2025. On December 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 12, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on December 15, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

The Center verified that the 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 December 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 8, 2026.

The Center appointed Alissia Shchichka as the sole panelist in this matter on January 16, 2026. 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, AG2R LA MONDIALE GESTION D'ACTIFS, is a French joint stock company established in 2003 and operating in the asset management sector, with its registered office in Paris, France. The Complainant is a subsidiary of the AG2R LA MONDIALE Group, a leading actor in the field of insurance, retirement, health coverage, life insurance, savings, and social protection in France, serving more than 15 million individuals and over 500,000 corporate clients. The Group employs more than 10,000 staff members and operates both in France and internationally.

Within this group, the Complainant carries out asset management activities. According to its financial disclosures, the Complainant manages approximately EUR 27 billion in assets under management and generated revenues of approximately EUR 86.6 million in 2024. The Complainant operates primarily in the French and European asset management market and has received several professional and industry distinctions.

The Complainant claims common law or unregistered trademark rights in the mark ALMGA in the circumstances set out further below.

According to the Whois records, the disputed domain name was registered on July 11, 2025, and resolves to a website displaying pornographic content.

The Respondent, according to the disclosed Whois information for the disputed domain name, is located in China.

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 claims common law or unregistered trademark rights in the ALMGA trademark. In support of its claim to unregistered trademark rights, the Complainant asserts that ALMGA is the acronym of its corporate name ("AG2R LA MONDIALE GESTION D'ACTIFS"), registered under French law, and that the designation has acquired distinctiveness through long-standing and extensive use in connection with the Complainant's asset management activities. The Complainant submits that the trademark has achieved significant recognition among industry professionals and the relevant public, as evidenced by sustained commercial activity carried out under the ALMGA name, including substantial assets under management and significant revenues, consistent media coverage in leading financial publications, references in official and judicial materials, and multiple professional awards. The Complainant further submits that ALMGA has no dictionary meaning, is neither generic nor descriptive, and derives directly from its corporate name. According to the Complainant, these elements demonstrate that ALMGA functions as a source identifier and has acquired secondary meaning within the meaning of section 1.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

The Complainant asserts that the disputed domain name is confusingly similar to its unregistered trademark ALMGA, as it reproduces the mark in its entirety with the mere addition of a single letter "m", a minor alteration insufficient to prevent a finding of confusing similarity under the Policy. The addition of the generic Top-Level Domain ".com" is irrelevant for the purpose of this comparison.

The Complainant further argues that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not commonly known by the disputed domain name, and does not appear to hold any trademark rights corresponding to it. Moreover, the Respondent is not affiliated with, nor authorized by, the Complainant to register or use domain names incorporating the unregistered ALMGA trademark.

The Complainant submits that the Respondent has not used, nor made demonstrable preparations to use, the disputed domain name in connection with any bona fide offering of goods or services. Instead, the disputed domain name redirects Internet users to a pornographic website, which the Complainant submits cannot constitute legitimate or fair use.

Finally, the Complainant asserts that the disputed domain name was registered and is being used in bad faith. The Complainant submits that its prior common law or unregistered trademark ALMGA was in use for several years before the registration of the disputed domain name and had already acquired significant notoriety. In view of the Complainant's longstanding presence and reputation, the Complainant contends that the Respondent knew or should have known of the Complainant's rights at the time of registration.

The Complainant further argues that the Respondent's lack of rights or legitimate interests supports the conclusion that the disputed domain name could not have been registered in good faith. The registration of a domain name that is confusingly similar to a well-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. In addition, the Complainant submits that the Respondent's use of the disputed domain name to redirect Internet users to a pornographic website constitutes clear evidence of bad faith use, as it intentionally seeks to attract users by creating a likelihood of confusion with the Complainant's mark and results in the tarnishment of the Complainant's reputation within the meaning of paragraph 4(b) of the Policy.

The Complainants request that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

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

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

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 Panel finds the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

To establish unregistered or common law trademark rights for purposes of the UDRP, the complainant must show that its mark has become a distinctive identifier which consumers associate with the complainant's goods and/or services. Relevant evidence demonstrating such acquired distinctiveness (also referred to as

secondary meaning) includes a range of factors such as (i) the duration and nature of use of the mark, (ii) the amount of sales under the mark, (iii) the nature and extent of advertising using the mark, (iv) the degree of actual public (e.g., consumer, industry, media) recognition, and (v) consumer surveys.

Panels have consistently held that mere assertions of unregistered or common law rights are insufficient; rather, the complainant must submit specific and credible evidence demonstrating that the mark functions as a source identifier. Panels have also recognized that unregistered trademark rights may arise in civil law jurisdictions where acquired distinctiveness is established, including under national doctrines such as unfair competition or passing off.

In the present case, the Panel finds that the Complainant has provided sufficient evidence to demonstrate source-identifying capacity of the ALMGA trademark. The mark is an acronym derived from the Complainant's corporate name "AG2R LA MONDIALE GESTION D'ACTIFS" and has no apparent dictionary meaning. The evidence shows long-standing and consistent use of the mark in commerce in connection with asset management services, significant commercial operations conducted under the mark, sustained media coverage, references in official and judicial publications, and industry recognition through professional awards. Taken together, these circumstances establish that the mark is recognized by the relevant public as identifying the Complainant as the source of the services offered under that designation and therefore qualifies as an unregistered trademark for the purposes of the Policy.

The Panel finds the mark is recognizable 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.

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.

Indeed, the Complainant has confirmed that the Respondent is not affiliated with the Complainant, or otherwise authorized or licensed to use the unregistered ALMGA trademark or to seek registration of any domain name incorporating the trademark. The Respondent is also not known to be associated with ALMGA trademark, and there is no evidence showing that the Respondent has been commonly known by the disputed domain name. [WIPO Overview 3.0](#), section 2.3.

Furthermore, based on the available record, the Panel finds that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain, to misleadingly divert consumers or to tarnish the trademark or service mark at issue. [WIPO Overview 3.0](#), section 2.4.

Indeed, the evidence shows that the disputed domain name redirects users to the website with a pornographic content. The Panel notes there is no response to provide a reason for the registration and use

of the disputed domain name and therefore finds that the circumstances of this case affirm, on the balance of probabilities, the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant, as to the origin or affiliation of the website at the disputed domain name, which cannot constitute a bona fide offering of goods or services.

Accordingly, the Complainant has provided evidence supporting its prima facie claim that the Respondent lacks any 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.

Therefore, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The third element of paragraph 4(a) of the Policy requires that the Complainant demonstrate that the Respondent registered and is using the disputed domain name in bad faith.

In the present case, regarding the registration in bad faith, the Panel notes that the Complainant's unregistered trademark ALMGA substantially predate the registration of the disputed domain name. At the time of registration, the Complainant had already made extensive and continuous use of the ALMGA designation in connection with its asset management activities, including its use in corporate and financial reports, official publications, press releases, and on its website and professional social media channels, and had carried out substantial asset management operations under that designation involving significant assets under management. The Complainant had thereby acquired significant recognition among industry professionals and the relevant public.

The Panel further notes that ALMGA is the abbreviation of the Complainant's corporate name, that it is neither a generic nor a descriptive term, and that it has no dictionary meaning in English or French. The Panel therefore considers that the mark has a high degree of inherent distinctiveness. The disputed domain name reproduces the Complainant's unregistered ALMGA trademark in its entirety, with the mere addition of a single letter "m", a composition which the Panel considers insufficient to dispel confusion and instead indicative of an attempt to target the Complainant's mark. On the balance of probabilities, the Panel finds that such a choice cannot reasonably be coincidental.

As regards the use in bad faith, the Panel further notes that the disputed domain name resolves to a pornographic website. The use of a domain name confusingly similar to the Complainant's mark – and with no response to suggest otherwise – to redirect Internet users to pornographic content constitutes evidence of bad faith use, as it intentionally seeks to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademarks as to source, sponsorship, affiliation, or endorsement of its website, and results in the tarnishment of the Complainant's reputation by suggestion a connection between the Complainant and adult services. Under paragraph 4(b)(iv) of the Policy, this circumstance shall be evidence of the registration and use of a domain name in bad faith. [WIPO Overview 3.0](#), sections 3.1.4 and 3.12.

Moreover, the Respondent has provided no explanation or evidence to rebut the Complainant's assertions or to demonstrate any good-faith basis for its registration and use of the disputed domain name. The Respondent's lack of defense as to rights or legitimate interests, when combined with the targeting of a well-known mark, further supports a finding of bad faith.

The Panel therefore finds that, on the balance of probabilities, the Respondent has intentionally registered and is using the disputed domain name in bad faith in order to attract and confuse Internet users and to divert Internet traffic intended for Complainant and misdirect it to Respondent's website by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement, which constitutes bad faith for the purposes of the Policy.

Accordingly, the Panel finds that, in the circumstances of this case, the Respondent's registration and use of the disputed domain name constitute bad faith within the meaning of paragraph 4(b)(iv) of 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 <almgam.com> be transferred to the Complainant.

/Alissia Shchichka/

Alissia Shchichka

Sole Panelist

Date: January 30, 2026