

## **ADMINISTRATIVE PANEL DECISION**

AZUREVA v. Idah Idah

Case No. D2026-0424

### **1. The Parties**

The Complainant is AZUREVA, France, represented by Cabinet Germain & Maureau, France.

The Respondent is Idah Idah, Indonesia.

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

The disputed domain name <azurevavacances.com> is registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 3, 2026. On February 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 4, 2026, 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 (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 4, 2026, 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 February 5, 2026.

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 February 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 6, 2026.

The Center appointed Mario Soerensen Garcia as the sole panelist in this matter on March 12, 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 is a French company founded in 1952, specializing in holiday and accommodation services.

The Complainant owns the trademark AZUREVA, including but not limited to the following registrations:

| Trademark                                                                         | Jurisdiction               | Registration number | Registration date | Classes                                                                                         |
|-----------------------------------------------------------------------------------|----------------------------|---------------------|-------------------|-------------------------------------------------------------------------------------------------|
| azurèva                                                                           | France                     | 3448899             | September 6, 2006 | 16, 24, 25, 35, 36, 39, 41, 43                                                                  |
| azurèva                                                                           | International Registration | 927841              | February 23, 2007 | 39, 41, 43                                                                                      |
|  | France                     | 94508648            | February 23, 1994 | 3, 8, 9, 14, 16, 18, 20, 21, 22, 24, 25, 26, 28, 29, 30, 32, 33, 34, 35, 36, 39, 40, 41, 42, 43 |

The Complainant also owns the following domain names:

| Domain name              | Registration date |
|--------------------------|-------------------|
| <azureva.com>            | February 7, 2000  |
| <azureva.net>            | June 21, 2001     |
| <azureva-vacances.com>   | June 21, 2001     |
| <seminaires-azureva.com> | December 22, 2021 |
| <azureva-vacances.fr>    | December 30, 2022 |

The disputed domain name was registered on February 9, 2025, and resolves to a page that redirects Internet users to generated third-party pages.

#### 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.

The Complainant argues that the disputed domain name is confusingly similar to the trademark AZUREVA.

The Complainant alleges that there is no business affiliation between the Parties, nor any permission or license given to the Respondent by the Complainant to use AZUREVA marks. The Complainant argues that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

That being the case, the Complainant finds that the disputed domain name is likely to make Internet users assume that the disputed domain name offers goods/services supplied by the Complainant.

According to the Complainant, it has prior rights over the trademark AZUREVA and has not authorized the Respondent's registration and use of the disputed domain name.

The Complainant's intellectual property rights for the AZUREVA trademarks and domain names predate the registration of the disputed domain name.

The Complainant argues that the registration and use of the disputed domain name have been conducted in bad faith.

The Complainant requests the transfer of the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

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 the 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 name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

### **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 of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of the term "vacances" may bear on the assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 that 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 3.1](#), 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

There is no evidence that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name or that before any notice of the dispute the Respondent has made use of, or demonstrable preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services.

The composition of the disputed domain name carries a risk of implied affiliation and the addition of the term “vacances” makes the disputed domain name confusingly similar to other domain names owned by the Complainant, such as <azureva-vacances.com> and <azureva-vacances.fr>.

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.

In the present case, the Panel finds that the Respondent was aware of the Complainant’s trademarks as the disputed domain name incorporates the AZUREVA mark and is almost identical to the Complainant’s domain names. Besides, the Complainant’s trademark registrations and domain names predate the registration date of the disputed domain name.

The disputed domain name redirects to different third-party websites. The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites (or websites under its control) by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation or endorsement of such sites or the services advertised on such sites, within the meaning of paragraph 4(b)(iv) of the Policy.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes 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 <azurevacances.com> be transferred to the Complainant.

*/Mario Soerensen Garcia/*

**Mario Soerensen Garcia**

Sole Panelist

Date: March 26, 2026