

## ADMINISTRATIVE PANEL DECISION

JCDECAUX SE v. 张德高 (De Gao Zhang)

Case No. D2026-0913

### 1. The Parties

Complainant is JCDECAUX SE, France, represented by Nameshield, France.

Respondent is 张德高 (De Gao Zhang), China.

### 2. The Domain Name and Registrar

The disputed domain name <德高商标.com> (<xn--czrv6vpugy28c.com>) is registered with Chengdu West Dimension Digital Technology Co., Ltd. (the “Registrar”).

### 3. Procedural History

Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 3, 2026. On March 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 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) and contact information in Complaint. The Center sent an email communication to Complainant on March 6, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to Complaint. Complainant filed an amended Complaint in English on March 11, 2026.

On March 6, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On March 11, 2026, Complainant requested English to be the language of the proceeding. Respondent did not submit any comment on Complainant’s submission.

The Center verified that 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 Respondent in Chinese and English of Complaint, and the proceedings commenced on March 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 8, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on April 16, 2026.

The Center appointed Yijun Tian as the sole panelist in this matter on April 22, 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**

##### **A. Complainant**

Complainant, JCDECAUX SE, is a company incorporated in France. It is a world leading company in outdoor advertising. Since 1964, Complainant has provided outdoor advertising solutions in more than 80 countries and operates in the three principal segments of the outdoor advertising market: street furniture, transport advertising, and billboard advertising. As of 2024, Complainant reported annual revenues of approximately EUR 3.9 billion. Complainant is listed on the Euronext Paris stock exchange and is part of the Euronext 100 index. Complainant employs approximately 12,026 people worldwide, is present in more than 80 countries and 3,894 cities, and operates more than 1,091,811 advertising panels worldwide. Complainant also enjoys a strong reputation in China, where it operates approximately 150,000 advertising panels in 11 cities, reaching approximately 173 million people per day (Annexes 3 and 4 to the Complaint).

Complainant has exclusive rights in numerous trademarks containing the term “德高” (hereinafter the “德高 Marks”). Complainant owns numerous trademark registrations in China, including Chinese trademark 德高 Registration No. 4237784 registered on March 28, 2007, Chinese trademark 德高 Registration No. 4237785 registered on March 28, 2007, Chinese trademark 德高 Registration No. 4237802 registered on November 28, 2007, Chinese trademark 德高 Registration No. 4237801 registered on February 21, 2009, and Chinese trademark 德高 Registration No. 23261768 registered on March 14, 2018 (Annex 5 to the Complaint).

Complainant also owns a large domain name portfolio incorporating the distinctive wording JCDECAUX, including <jcdecaux.com>, registered since June 23, 1997 (Annex 6 to the Complaint).

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

Respondent is 张德高 (De Gao Zhang), China.

The disputed domain name <德高商标.com> (<xn--czrv6vpugy28c.com>) was registered on February 26, 2026.

The disputed domain name leads to an inactive webpage (passive holding).

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

##### **A. Complainant**

Complainant contends that the disputed domain name is confusingly similar to its 德高 Marks. The disputed domain name incorporates the 德高 Marks in their entirety, together with the additional term “商标” and the “.com” Top-Level Domain (“TLD”), which does not avoid confusing similarity.

Complainant contends that Respondent has no rights or legitimate interests in the disputed domain name, is not authorised to use Complainant's marks, and is not commonly known by the disputed domain name.

Complainant contends that the disputed domain name was registered and is being used in bad faith.

Complainant requests that the disputed domain name be transferred to it.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

### **6.1. Preliminary Issue: Language of the Proceeding**

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the Parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the Registration Agreement.

From the evidence presented on the record, no agreement appears to have been entered into between Complainant and Respondent to the effect that the language of the proceeding should be English. Complainant filed its Complaint in English, and has requested that English be the language of the proceeding for the following reasons:

- (a) English is one of the working languages of the Center and is widely used in international relations.
- (b) Requiring Complainant to translate the Complaint and supporting materials into Chinese would impose significant additional costs and unnecessary burden on Complainant, likely exceeding the overall cost of these proceedings.
- (c) The Center notified Respondent in both Chinese and English and afforded Respondent the opportunity to respond in Chinese.

Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.5.1).

Considering the following aspects, the Panel has decided that the language of the proceeding shall be English: (a) the disputed domain name incorporates the ".com" generic Top-Level Domain ("gTLD") and appears intended for Internet users generally; (b) English is one of the working languages of the Center and is widely used in international relations; (c) requiring translation of the Complaint and supporting materials into Chinese would impose unnecessary costs and burden on Complainant; (d) the Center has notified Respondent of the language of the proceeding in both Chinese and English, and (e) Respondent has indicated no objection to Complainant's request that English be the language of the proceeding.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

## **6.2 Substantive Issues: Three Elements**

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

Based on the available record, the Panel finds 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 Panel further finds that the disputed domain name incorporates the 德高 Marks in their entirety, together with the additional term “商标” and the “.com” gTLD. The addition of the term “商标” does not prevent a finding of confusing similarity. Accordingly, the disputed domain name is confusingly similar to Complainant's trademarks for purposes of the Policy. See [WIPO Overview 3.1](#), section 1.7.

Based on the available record, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied with the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

More specifically:

(i) There is no evidence that Respondent is using the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name incorporates Complainant's well-known 德高 Marks in their entirety, together with the additional term “商标”, and Complainant has not licensed, authorised, or otherwise permitted Respondent to use its marks or to register any domain name incorporating 德高 Marks.

(ii) There is no evidence that Respondent has been commonly known by the disputed domain name. The Whois information identifies the registrant as “张德高 (De Gao Zhang)”, which does not by itself establish rights or legitimate interests in the disputed domain name. While the disputed domain name contains the personal name element “德高”, the record contains no evidence that Respondent has used “德高” as a trademark or source identifier in trade or commerce, nor any evidence of registered or unregistered trademark rights in that name. The Panel therefore finds that Respondent has not demonstrated that it is

commonly known by the disputed domain name within the meaning of the Policy. See [WIPO Overview 3.1](#), section 2.3.

(iii) There is no evidence of legitimate noncommercial or fair use. The disputed domain name resolves to an inactive webpage. Passive holding of a domain name incorporating Complainant's marks does not confer rights or legitimate interests under the circumstances of this case, particularly where Respondent has provided no evidence of any bona fide use or demonstrable preparations to use the disputed domain name.

Based on the available record, 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 Respondent registered and is using the disputed domain name in bad faith. Complainant's 德高 Marks long predate the registration of the disputed domain name and are well established, including in China, where Complainant operates approximately 150,000 advertising panels in 11 cities, reaching approximately 173 million people per day. The disputed domain name incorporates the 德高 Marks in their entirety together with the additional term “商标”. In the absence of any explanation from Respondent, the Panel finds it more likely than not that Respondent had Complainant's 德高 Marks in mind at the time of registration.

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 3.1](#), section 3.2.1.

UDRP panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding. While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity or use of false contact details (noted to be in breach of its registration agreement). Taking the above factors into consideration, the Panel finds it implausible that the Respondent would make any good faith use of the disputed domain name. [WIPO Overview 3.1](#), section 3.3.

Having reviewed the record, the Panel notes that Complainant's 德高 Marks are distinctive and well established; Respondent has not filed a response or provided any evidence of actual or contemplated good-faith use; the disputed domain name resolves to an inactive webpage; therefore, it is difficult to conceive of any plausible good-faith use of the disputed domain name by Respondent that would not be illegitimate, including misleading Internet users as to source, sponsorship, affiliation, or endorsement. Accordingly, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. Therefore, the disputed domain name was registered and is being used in bad faith.

Based on the available record, the Panel finds the third element of the Policy has been established.

## **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 <德高商标.com> (<xn--czrv6vpugy28c.com>) be transferred to Complainant.

*/Yijun Tian/*

**Yijun Tian**

Sole Panelist

Date: May 18, 2026