

## ADMINISTRATIVE PANEL DECISION

Groupe Nice-Matin v. Name Redacted  
Case No. D2026-0915

### 1. The Parties

The Complainant is Groupe Nice-Matin, France, represented by DE BAECQUE BELLEC law firm, France.

The Respondent is Name redacted.<sup>1</sup>

### 2. The Domain Name and Registrar

The disputed domain name <groupenice-matin.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

### 3. Procedural History

The Complaint was filed in French with the WIPO Arbitration and Mediation Center (the “Center”) on March 3, 2026. On March 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 5, 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 (“Titulaire inconnu”) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 5, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

On March 5, 2026, the Center informed the parties in English and French, that the language of the registration agreement for the disputed domain name is English. On March 9, 2025, the Complainant submitted the amended Complaint translated into English. The Respondent did not submit any comment on the Complainant’s submission.

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<sup>1</sup> The Respondent appears to have used the name of a top manager of the Complainant when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted Respondent’s name from this Decision. However, the Panel has attached Annex 1 to this Decision with an instruction to the Registrar regarding the transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 March 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 2, 2026.

The Center appointed Fabrice Bircker as the sole panelist in this matter on April 10, 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, Groupe Nice-Matin, is a French company incorporated in 2014 and active in the field of newspaper publishing.

In particular, it publishes the print and online newspaper titled “Nice Matin”.

In this respect, the Complainant notably holds the French trademark NICE-MATIN which was filed on August 3, 2009, and was registered on January 8, 2010, under No. 3668759 (regularly renewed since then) in classes 16, 35, 38 and 41.

The online edition of the “Nice Matin” newspaper is notably available through the <nicematin.com> domain name.

The disputed domain name, <groupenice-matin.com>, was registered on November 26, 2025.

It resolves to a website entitled “La Matinale” and featuring news articles. This website purports to be operated by the Complainant, insofar as several of the Complainant’s corporate identifying details, as well as the name of its CEO, are replicated in the footer.

Very little is known about the Respondent, except that, according to the Whois database, its alleged name is identical to the Complainant’s company name and to the name of one of its managers, and it used in the registration details of the disputed domain name the Complainant’s address.

#### **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 contends that the disputed domain name is confusingly similar to its NICE-MATIN prior trademark, because it reproduces the latter, and the added elements do not prevent it from being recognizable.

Besides, the Complainant argues that the Respondent has no rights or legitimate interests in respect of the disputed domain name, in substance because:

- the Complainant's rights are prior to the disputed domain name,
- the Respondent has misappropriated the identity of the Complainant's management and is therefore not commonly known by the disputed domain name,
- the Respondent is making unfair use of the disputed domain name with the intent to divert consumers by creating confusion with the Complainant's prior trademark.

Lastly, the Complainant contends that the disputed domain name has been registered and is being used in bad faith, notably because:

- said disputed domain name was registered for the purpose of disrupting the Complainant's business,
- by using the disputed domain name, the Respondent is attempting to attract Internet users to its website by creating a likelihood of confusion with the Complainant's trademark, thereby seeking to take unfair advantage of the latter.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 NICE-MATIN 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.

Indeed, although the addition of other terms (here, "groupe" and a hyphen) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy as the NICE-MATIN trademark remains recognizable within the disputed domain name. [WIPO Overview 3.1](#), section 1.8.

Regarding the generic Top-Level Domain ("gTLD") ".com" in the disputed domain name, it is well established that gTLDs do not generally affect the assessment of domain names for the purpose of determining identity or confusingly similarity. [WIPO Overview 3.1](#), section 1.11.1.

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.

In particular, the Panel notes that:

- the composition of the disputed domain name, insofar as it reproduces the NICE-MATIN trademark with the generic term "groupe", and mirrors the Complainant's company name, coupled with its use for a website where the Respondent is seeking to impersonate the Complainant, signals the Respondent's intention to take unfair advantage of the likelihood of confusion between the Complainant and the disputed domain name as to the website's origin or affiliation with the Complainant,
- by using the Complainant's contact details and the name of one of its top managers in the registration details of the disputed domain name, as well as on the website associated with the disputed domain name, the Respondent is seeking to impersonate the Complainant,
- the disputed domain name is used in connection with a website of the same nature as that published by the Complainant, namely a news website, which misleadingly diverts consumers.

Obviously, such use of the disputed domain name does not amount to a legitimate noncommercial or fair use. On the contrary, such use is made to misleadingly deceive Internet users as to the nature of the source or affiliation of the disputed domain name and of the related website.

In this respect, panels have held that the use of a domain name for illegitimate activity such as identity theft, passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 notes that:

- the registration date and use of the NICE-MATIN trademark predate the registration of the disputed domain name by more than 15 years,
- the disputed domain name is not only confusingly similar to the Complainant's trademark, but also identical to its company name,
- the Respondent used the Complainant's contact details and the name of one of its managers when registering the disputed domain name,

- the disputed domain name resolves to a news website purporting to be operated by the Complainant, insofar as several of the Complainant's corporate identifying details are replicated in the footer,
- none of the Complainant's arguments have been rebutted by the Respondent, who has chosen not to participate in these proceedings.

In this Panel's view, these elements clearly show that the Respondent was necessarily aware of the Complainant's trademark when it registered the disputed domain name. As a consequence, the disputed domain name has been registered in bad faith.

Besides, it results from the above-mentioned conditions of use of the disputed domain name that the Respondent is using it to intentionally attempt to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

Furthermore, panels have held that the use of a domain name for illegitimate activity such as identity theft or passing off constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

In sum, this case clearly falls within the scope 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 <groupenice-matin.com> be transferred to the Complainant.

*/Fabrice Bircker/*

**Fabrice Bircker**

Sole Panelist

Date: April 19, 2026