

ADMINISTRATIVE PANEL DECISION

Compagnie de Saint-Gobain v. Jose Rodriguez, WebXpo Inc
Case No. D2026-1051

1. The Parties

The Complainant is Compagnie de Saint-Gobain, France, represented by Nameshield, France.

The Respondent is Jose Rodriguez, WebXpo Inc, United States of America.

2. The Domain Name and Registrar

The disputed domain name <mysaint-gobain.com> is registered with Hello Internet Corp (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 11, 2026. On March 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 16, 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 (NOT IDENTIFIED) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 16, 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 March 17, 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 March 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 30, 2026.

The Center appointed Levan Nanobashvili as the sole panelist in this matter on May 4, 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 specialized in the production, processing, and distribution of materials for the construction and industrial markets. Founded 350 years ago, the Complainant is currently one of the world's leading industrial groups, reporting a turnover of approximately EUR 46.6 billion in 2024 and employing 162,000 people.

The Complainant owns numerous registrations worldwide for SAINT-GOBAIN, including the following:

- 1) European Union trademark (word), Registration No. 001552843, registered on December 18, 2001, duly renewed, in International Classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40, and 42;
- 2) International Trademark (figurative), Registration No. 740184, registered on July 26, 2000, duly renewed, in International Classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40, and 42; and
- 3) United States of America (word), Registration No. 4669229, registered on January 13, 2015, in International Classes 3, 2, 12, 20, 37, 7, 11, 24, 22, 40, 38, 17, 19, 8, 42, 6, 1, 10, 21, 9, and 23.

The Complainant holds various domain names incorporating SAINT-GOBAIN mark, including <saint-gobain.com>.

The disputed domain name was registered on March 6, 2026. At the time of filing of the Complaint, the disputed domain name was redirecting to the Complainant's website "www.saint-gobain.com". At the time of the Decision, the disputed domain name does not resolve to an active website.

The Respondent is reportedly based in the United States of America.

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:

- (i) the disputed domain name is confusingly similar to the SAINT-GOBAIN mark;
- (ii) the Complainant's mark is well-known worldwide;
- (iii) the Complainant does not conduct any activity for, nor has any business with the Respondent;
- (iv) the Complainant has never granted a license or an authorization to the Respondent to use the Complainant's mark or apply for the registration of the disputed domain name;
- (v) the Respondent is not making a bona fide offering of goods or services by the disputed domain name, or a legitimate non-commercial or fair use of it;

- (vi) considering the distinctiveness and reputation of the Complainant's mark, it is reasonable to infer that the Respondent has registered the disputed domain name knowing of the Complainant's mark;
- (vii) at the time of filing of the Complaint, the disputed domain name resolved to the Complainant's website "www.saint-gobain.com". Therefore, the Respondent knew regarding the Complainant's mark;
- (viii) the Respondent registered the disputed domain name to take advantage of the good reputation of the Complainant's mark; and
- (ix) the disputed domain name is configured with Mail Exchange (MX) records, indicating its intended use for email communication.

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 that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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.

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 shall 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 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 other terms, in the present case the English pronoun "my", may bear on assessment of the second and third elements, the Panel finds that the addition of such a term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. See also *Air France v. Kitchkulture*, WIPO Case No. [D2002-0158](#) and *Sony Kabushiki Kaisha also trading as Sony Corporation v. Sin, Eonmok*, WIPO Case No. [D2000-1007](#).

The addition of the generic Top-Level Domain “.com” is a standard registration requirement and, as such, is disregarded under the first element confusing similarity test. [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.

The Respondent provided no evidence that it has used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, has been commonly known by the disputed domain name, or has made a legitimate noncommercial use thereof. The Respondent has not rebutted the Complainant’s contention that it has not authorized the Respondent to use the SAINT-GOBAIN mark, or that there is no relationship between them that would justify the Respondent’s registration and use of the Complainant’s trademark in the disputed domain name.

A significant number of panels have consistently found that use of a disputed domain name to redirect Internet users to the complainant’s own website cannot confer any rights or legitimate interests in the disputed domain name to the respondent. See *Conforama France v. Benjamin Kouassi*, WIPO Case No. [D2021-1166](#); *Ann Summers Limited v. Domains By Proxy, LLC / Mingchun Chen*, WIPO Case No. [D2018-0625](#); and *Carrefour v. WhoisGuard, Inc., WhoisGuard Protected / Robert Jurek, Katrin Kafut, Purchasing clerk, Starship Tapes & Records*, WIPO Case No. [D2017-2533](#).

The evidence on file demonstrates that, at the time the Complaint was filed, the disputed domain name redirected to the Complainant’s own website “www.saint-gobain.com”. Accordingly, the Panel finds that the Respondent was not making a bona fide offering of goods or services by the disputed domain name, nor was it making a legitimate non-commercial or fair use thereof.

Furthermore, the evidence on file demonstrates that the disputed domain name is configured with MX records, allowing the Respondent to use the disputed domain name for email communication. The Panel finds that such use fails to establish rights or legitimate interests, as any email sent from the disputed domain name may confuse Internet users as to the email’s true source. See *LogMeIn, Inc. v. Privacy Service Provided by Withheld for Privacy ehf / Joe Lavery, Must Have Marketing, LLC*, WIPO Case No. [D2021-2899](#) and *Facebook Inc. v. Jeremy Williams, 3 Man Group*, WIPO Case No. [D2019-1535](#).

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.

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.

The Panel notes that the Complainant's trademark registration predates the registration of the disputed domain name. A gap of several years between registration of the Complainant's trademark and the Respondent's registration of the disputed domain name containing the trademark at issue can indicate the bad faith registration. See *Hunza G Limited v. Nikos Kalouris*, WIPO Case No. [D2025-3956](#) and *Hi-TEC Sports International Holdings B.V. v. Thomas Birch, Finlay Nolan, Anna Akhtar, Tyler Reynolds, Keira Donnelly*, WIPO Case No. [D2024-1891](#).

The Panel notes that the addition of the English pronoun "my" to the Complainant's mark focuses the attention on the mark itself. Accordingly, there is significant likelihood that Internet users may be confused into believing the disputed domain name is associated with, or authorized by the Complainant. See *Sony Kabushiki Kaisha also trading as Sony Corporation v. Sin, Eonmok*, WIPO Case No. [D2000-1007](#).

At the time of the Decision, the disputed domain name does not resolve to an active page. However, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, the composition and prior use of the disputed domain name, and finds that, in the circumstances of this case, the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

While the evidence on file contains no evidence of the phishing activity, the Panel notes that the disputed domain name has been configured with MX records. This technical configuration enables the transmission of emails, creating a potential for phishing schemes that may impersonate the Complainant. The use of a confusingly similar domain for emails unauthorized by the trademark owner poses a significant risk to the Complainant. This risk is further underscored by the fact that, at the time the Complaint was filed, the disputed domain name resolved to the Complainant's own official website. Absent any legitimate explanation from the Respondent for this configuration, the Panel concludes that the risk of the deceptive email use, coupled with the unauthorized redirection, supports a finding of bad faith. See *IPSOS v. Ipsos Market, ipsosmarketsurvey*, WIPO Case No. [D2023-2856](#); *International Business Machines Corporation v. Jan Evermo*, WIPO Case No. [D2023-0778](#); and *LogMeIn, Inc. v. Privacy Service Provided by Withheld for Privacy ehf / Joe Lavery, Must Have Marketing, LLC*, WIPO Case No. [D2021-2899](#).

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 <mysaint-gobain.com> be transferred to the Complainant.

/Levan Nanobashvili/

Levan Nanobashvili

Sole Panelist

Date: May 18, 2026