

ADMINISTRATIVE PANEL DECISION

Clariane v. Amanda Buckman
Case No. D2026-1080

1. The Parties

The Complainant is Clariane, France, represented by Scan Avocats AARPI, France.

The Respondent is Amanda Buckman, United States of America.

2. The Domain Name and Registrar

The disputed domain name <clarianes.com> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 12, 2026. On March 13, 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 disclosed) 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 16, 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 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 20, 2026.

The Center appointed Halvor Manshaus 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 provides care services to the elderly and vulnerable, notably through the management of retirement homes and specialized clinics, and manages one of Europe's leading network of long-term care nursing homes, specialized clinics, assisted living facilities and shared housing for seniors, home care and hospital home care services. The Complainant was established in 2003 under the name KORIAN when four companies merged (FINGEST, SÉRIENCE, RÉACTI-MALT, and MEDIDEP).

On July 13, 2023, the Complainant changed its corporate name to CLARIANE. The Complainant is active in six European countries, operates more than 1,220 facilities and employs more than 60,000 people in Europe. In its Financial Report for the year 2024, the Complainant reports revenue of EUR 5,282 million, with 63,000 healthcare professionals caring for around 890,000 residents and patients during the year.

The Complainant holds trademark registrations comprising CLARIANE in several jurisdictions around the world, including:

- The European Union Trademark number 018686634, registered on September 28, 2022 for various goods and services in classes 16, 35, 36, 37, 39, 41, 42, 43, 44, and 45;
- The French trademark number 4856999, registered on March 30, 2022 for various goods and services in classes 16, 35, 36, 37, 38, 39, 41, 42, 43, 44, and 45. A change of legal form and name was recorded on February 22, 2024, reflecting the Complainant's renaming from KORIAN to CLARIANE.
- The United Kingdom trademark number UK00003813583, registered on February 24, 2023 for various goods and services in classes 16, 35, 36, 37, 38, 39, 41, 42, 43, 44, and 45.

The Complainant holds the domain name <clariane.com>, used to operate its official website, which was registered on August 11, 2013. The Complainant has devoted substantial resources to advertising and promoting its services, previously under the KORIAN marks and now under the CLARIANE marks, and its trademarks are regularly the subject of media coverage in the national and international press.

The disputed domain name was registered on January 27, 2026. The disputed domain name redirected to the Complainant's official website at <clariane.com> and was configured with mail exchange ("MX") records hosted by Proton AG; following a DSA notice sent by the Complainant on February 4, 2026, the registrar suspended the disputed domain name, which has since remained inactive.

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 trademark as it incorporates the trademark in its entirety with the mere addition of the letter "s". According to the Complainant, the addition of the letter does not prevent a finding of confusing similarity since the CLARIANE trademark remains clearly recognizable visible within the disputed domain name. The Complainant further argues that the addition of the letter "s" is likely to be perceived as a plural form of its trademark.

The Complainant further asserts that the Respondent has no rights or legitimate interest in respect of the disputed domain name. The Complainant argues that the use of the disputed domain name to redirect Internet users to the Complainant's official website cannot constitute a bona fide offering of goods or services, nor a legitimate non-commercial use. Further, the activation of MX records suggests that the

disputed domain name was created and used for fraudulent and malicious purposes, including phishing activities.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant argues that it is highly likely that the Respondent knew of the Complainant's trademark rights before registering the disputed domain name due to its strong reputation and leading position in France and Europe within the field of care services for dependent persons. The Complainant further contends that the Respondent's use of a privacy or proxy service to conceal her identity constitutes evidence of bad faith. Moreover, the Complainant argues that the activation of MX records indicates that the disputed domain name may have been intended to facilitate phishing or other fraudulent activities by creating the false impression of an association with the Complainant's trademark and reputation.

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 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.

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 3.1](#), section 1.7 and section 1.11.

Although the addition of other terms here, the final letter "s", may bear on 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 mark 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.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation or other types of fraud, 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 disputed domain name incorporate the Complainant's well-known trademark in its entirety, and that the Complainant's trademark registrations predate the registration of the disputed domain name. The Panel therefore finds it unlikely that the Respondent was unaware of the Complainant's trademark rights at the time of registering the disputed domain name, particularly given the recognition of the CLARIANE brand.

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.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. 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 composition and use of the disputed domain name indicate that the Respondent sought to take advantage of the Complainant's trademark. The activation of MX records supports an inference that the disputed domain name may be used for illegal activities, consistent with a finding of bad faith registration and use.

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 <clarianes.com> be transferred to the Complainant.

/Halvor Manshaus/

Halvor Manshaus

Sole Panelist

Date: May 18, 2026