ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
CLARIANE v. Alicia Chesneau, Alexia Domine, Douglas Gonçalves, Home Data
Case No. D2026-4106

1. The Parties

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

The Respondents are Alicia Chesneau, France; Alexia Domine, France; Douglas Gonçalves, Home Data, Brazil.

2. The Domain Names and Registrar[s]

The disputed domain names <clariane-event.com>, <clariane-events.com>, <clariane-gestion.com>, <clariane-patrimoine.com> and <clarianretail.space> are registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 11, 2026. On September 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 14, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Not disclosed) and contact information in the Complaint.

On September 16, 2026, the Complainant filed an amended Complaint requesting to add one additional domain name to the proceeding. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with this additional disputed domain name. On September 17, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for this additional disputed domain name which differed from the named Respondent (Not disclosed) and contact information in the amended Complaint.

The Center sent an email communication to the Complainant on September 17, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on September 22, 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 September 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 18, 2026. Email communications were sent to the Center on September 17, 2026, and October 18, 2026, from the Registrar-provided registrant email address for the disputed domain name <clarianretail.space>. In the latter communications, it was stated that the registrant no longer wished to maintain the disputed domain name and was available to resolve the matter voluntarily.

On October 19, 2026, the Center sent an email communication to the Parties inviting the Complainant to consider a suspension of the proceeding to implement a settlement agreement regarding the disputed domain name <clarianretail.space>. On October 23, 2026, the Complainant sent an email communication to the Center indicating that it was not willing to suspend the proceeding for purposes of an amicable settlement. On October 26, 2026, the Center acknowledged receipt of the Complainant's communication and indicated that it would proceed with the Panel appointment.

The Center appointed Luca Barbero as the sole panelist in this matter on November 2, 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 was established in 2003, under the name "Korian", through the merger of the four companies (Fingest, Sérience, Réacti-Malt and Medidep) and changed its company name to "Clariane" on July 13, 2023.

The Complainant manages a network of long-term care nursing homes, clinics, assisted living facilities and shared housing for seniors, home care and hospital home care services.

The Complainant is active in 6 European countries, has more than 1,220 facilities, and employs more than 60,000 people in Europe.

The Complainant is the owner of several trademark registrations for CLARIANE, including the following:

- European Union trademark registration No. 018686634 for CLARIANE (word mark), filed on April 12, 2022, and registered on September 28, 2022, in classes 16, 35, 36, 37, 39, 41, 42, 43, 44 and 45;

- French trademark registration No. 4856999 for CLARIANE (word mark), filed on March 30, 2022, and registered on October 28, 2022, in classes 16, 35, 36, 37, 38, 39, 41, 42, 43, 44 and 45;

- United Kingdom trademark registration No. UK00003813583 for CLARIANE (word mark), filed on July 26, 2022, and registered on February 24, 2023, in classes 16, 35, 36, 37, 38, 39, 41, 42, 43, 44 and 45;

- United Kingdom trademark registration No. UK00003833710 for CLARIANE (figurative mark), filed on September 27, 2022, and registered on February 24, 2023, in classes 16, 35, 36, 37, 39, 41, 42, 43, 44 and 45;

- European Union trademark registration No. 018768367 for CLARIANE (figurative mark), filed on September 27, 2022, and registered on July 12, 2023, in classes 16, 35, 36, 37, 39, 41, 42, 43, 44 and 45.

The Complainant also owns the domain name <clariane.com>, which was registered on August 11, 2013, and is used by the Complainant to promote its services under the trademark CLARIANE.

The disputed domain names were registered on the following dates:

<clariane-patrimoine.com>: August 27, 2026;
<clariane-event.com>: September 7, 2026;
<clariane-events.com>: September 9, 2026;
<clarianretail.space>: September 8, 2026;
<clariane-gestion.com>: September 13, 2026.

The disputed domain names <clariane-patrimoine.com> and <clariane-event.com> currently do not resolve to active websites. The disputed domain name <clariane-events.com> resolves to a landing page displaying the notice: “Your website is waiting to be published - Open your website and click 'Publish' to make it visible to the world”. The disputed domain names <clarianretail.space> and <clariane-gestion.com> resolve to Registrar’s parking pages. The disputed domain names have MX records configured, except <clariane-gestion.com>.

According to the evidence provided by the Complainant – which has not been contested by the Respondents:

- the disputed domain name <clariane-patrimoine.com> previously resolved to a website featuring the Complainant’s trademark and imitating the look and feel of the Complainant’s website, which was promoting investments in a purported residential project for elderly people. The website was promoted through an advertising campaign on Meta social media platforms. The disputed domain name was also configured with active MX records. Following correspondence between the Complainant and the Registrar, the disputed domain name was suspended and was put in the “clientHold” status;

- the disputed domain name <clariane-event.com> instead, originally resolved to a Registrar parking page and had MX records configured. The disputed domain name was suspended and put in “clientHold” as well after the Complainant sent a take down notice to the Registrar;

- the disputed domain names <clariane-events.com> and <clarianretail.space> initially resolved to a Registrar’s parking page and had MX records configured;

- the disputed domain name <clariane-gestion.com> previously resolved to a registrar parking page and did not have MX records configured.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the trademark CLARIANE in which the Complainant has rights as they reproduce the trademark in its entirety with the mere addition of the terms “patrimoine” (meaning “estate” in French), “event”, “events”, “retail” and “gestion” (meaning “management” in French), the omission of the letter “e” in the disputed domain name <clarianretail.space> and the generic Top-Level Domains (“gTLDs”) “.com” and “.space”.

The Complainant contends that the Respondents have no rights or legitimate interests in the disputed domain names because: i) the Respondents are not affiliated with the Complainant, and the Complainant has not licensed or otherwise permitted the Respondents to use the CLARIANE trademark or to register domain names incorporating said trademark; ii) the Respondents do not carry out any known business activities under the names “Clariane” or “Clarian” and do not hold any trademarks in respect of these names; and iii) the disputed domain names have not been used in connection with a bona fide offering of goods or services, nor for any legitimate non-commercial or fair use since at least one of them has been used to impersonate the Complainant’s website as part of a large-scale fraud campaign involving all the disputed domain names, and the configuration of MX records on four out of the five disputed domain names suggests that the disputed domain names were created and used for fraudulent and malicious purposes, including phishing activities.

The Complainant states that the Respondents registered the disputed domain names in bad faith since, considering i) the Complainant’s prior registration and use of the name “Clariane” and the trademark CLARIANE since 2023; ii) the distinctiveness of the trademark CLARIANE and its reputation in the field of care services for dependent persons as well as for care homes, healthcare facilities and real estate; iii) the fact that a simple online search using the keyword “Clariane” returns results only related to the Complainant and its business; iv) the disputed domain names encompass the Complainant’s trademark in combination with terms referrable to the Complainant’s business; and v) one of the disputed domain names was used to redirect users to a website impersonating the Complainant as part of a large-scale fraud campaign involving all the disputed domain names and fake ads on social media, the Respondents were clearly aware of the Complainant and its trademark at the time of registration of the disputed domain names.

The Complainant submits that the disputed domain name <clariane-patrimoine.com> was used in bad faith as it resolved before the Complainant’s take down activities to a website impersonating the Complainant, offering fake investment opportunities and promoted through a fake advertising campaign on Meta social media platforms. In this regard, the Complainant points out that the Respondents attempted to take advantage of the reputation of the Complainant’s trademark to defraud users visiting the website to which the disputed domain name <clariane-patrimoine.com> resolved.

The Complainant also claims that the circumstance that the other four disputed domain names have not been used in connection with an active website does not prevent a finding of bad faith under the doctrine of passive holding, considering i) the Complainant’s trademark CLARIANE is not a common word in French or English and is plenty distinctive; ii) the disputed domain names reproduce identically or almost identically the Complainant’s distinctive and well-known trademark CLARIANE together with purely descriptive terms; iii) there is no legitimate reason that could explain the registration of the disputed domain names; iv) the use of these disputed domain names would necessarily be fraudulent, as it would infringe upon the Complainant’s rights; v) four out of five of the disputed domain names were set up with the same MX records and could therefore be used as part of a phishing attack targeting the Complainant; and vi) all the disputed domain names were registered by the Respondents within the same period as part of a global phishing campaign targeting the Complainant.

The Complainant further states that the fact that the Respondents hid their identity in the public WhoIs records and apparently provided fake contact details when registering the disputed domain names further supports the conclusion that the Respondents registered the disputed domain names in bad faith.

B. Respondents

The Respondents did not submit a Response.

Two informal email communications were sent to the Center from the email address associated with the disputed domain name <clarianretail.space>, on September 17 and October 18, 2026, respectively confirming ownership of the disputed domain name and requesting clarifications on the matter, and indicating: "I no longer wish to maintain the disputed domain name and would like to resolve this matter voluntarily".

6. Discussion and Findings

6.1. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the Panel notes that the Complainant asserted that the disputed domain names are under common control based on the following circumstances:

(i) The five domain names at issue have the same construction, as they reproduce identically – or almost identically as far as the disputed domain name <clarianretail.space> is concerned – the trademark CLARIANE with the sole addition of a generic terms, namely the French term "patrimoine" (meaning "estate"), the English term "event" (in the plural and singular), the English term "retail" and the French term "gestion" (meaning "management"), under the gTLD ".com" or ".space".

(ii) The five disputed domain names have been registered few days apart, between August 27, 2026, and September 13, 2026.

(iii) All the disputed domain names are registered with the same registrar.

(iv) All the disputed domain names have been used in connection with the same hosting provider.

(v) All the disputed domain names are registered under privacy.

(vi) Four out of five of the domain names were initially configured with the same MX servers.

(vii) Based on the Registrar-provided registrant information, whilst the disputed domain name <clariane-patrimoine.com> is registered in the name of Alicia Chesneau and the disputed domain names <clariane-event.com>, <clariane-events.com> and <clariane-gestion.com> are registered in the name of Alexia Domine, the contact details provided for these distinct registrants contain the exact same French telephone and fax number and both registrants are located in the Provence-Alpes-Côte d'Azur region in France.

viii) The registrant of the disputed domain name <clarianretail.space> is Douglas Gonçalves, Home Data, but this name does not correspond with the name indicated as sender name of the two informal email communications sent to the Center from the registrant email address provided for this disputed domain name, in the first of which it was stated: "The domain belongs to me". Therefore, the Complainant submits that the actual holder of the disputed domain name <clarianretail.space> is not the person identified as registrant in the Registrar-disclosed data.

ix) A comparable discrepancy arises in respect of the disputed domain names registered under the name "Alexia Domine", since an email communication was sent to the Complainant from the email address disclosed by the Registrar for that registrant, indicating a sender name different from that disclosed by the Registrar for the disputed domain names <clariane-event.com>, <clariane-events.com> and <clariane-gestion.com>. The Complainant therefore states that, since the nominal identities appearing in the registration data do not correspond to the persons actually exercising control over the disputed domain names, the use of different registrant names should not be regarded as evidence that the disputed domain names are independently owned or controlled.

x) The email communications sent to the Center and to the Complainant from the persons controlling the disputed domain name <clarianretail.space> and the disputed domain names <clariane-events.com> and <clariane-gestion.com> display notable similarities in wording and approach since, in both cases, the sender first asserted ownership of the relevant domain name(s) and then professed not to understand the reason for the proceedings, using substantially the same formulation:

"what is the issue?" / "What is the issue with my domains?"

The Complainant contends that those similarities constitute an additional behavioral indication which, considered together with the common registration pattern, close registration dates, common registrar and hosting provider, matching technical configuration and the inconsistencies in the disclosed registrant identities, supports a finding of common control.

xi) Three different identifiers appear in connection with the disputed domain name <clarianretail.space>, since the registrant name is not reflected in the Registrar-provided email address and does not correspond to the name indicated in the "sender name" field of the emails sent from such email address, and the same applies to the disputed domain names <clariane-event.com>, <clariane-events.com> and <clariane-gestion.com>. The Complainant states that these inconsistencies further diminish the probative value of the nominal differences between the disclosed registrants and are consistent with the use of different identities in connection with the disputed domain names operated as part of the same coordinated scheme.

The Panel finds that the elements highlighted by the Complainant and referenced above demonstrate a common control of the disputed domain names by the Respondents.

As regards fairness and equity therefore, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondents") in a single proceeding.

6.2. Substantive Issues

According to paragraph 15(a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

(i) that the disputed domain names registered by the Respondents are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) that the Respondents have no rights or legitimate interests in respect of the disputed domain names; and

(iii) that the disputed domain names have been registered and are 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 names. 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. Indeed, the Complainant has provided evidence of ownership of valid trademark registrations for the word mark CLARIANE.

The disputed domain names entirely reproduce the CLARIANE mark, with the mere omission of the last letter "e" as far as the disputed domain name <clarianretail.space> is concerned. Accordingly, the disputed domain names are confusingly similar to the CLARIANE mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of the dictionary terms "patrimoine" (meaning "estate" in French), "event", "events", "retail" and "gestion" (meaning "management" in French) 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. WIPO Overview 3.1, section 1.8.

In addition, the gTLDs ".com" and ".space" can be disregarded under the first element test, being a standard registration requirement. WIPO Overview 3.1, section 1.11.1.

Therefore, 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 Respondents 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 Respondents lack rights or legitimate interests in the disputed domain names. The Respondents have not rebutted the Complainant's prima facie showing and have not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

The Panel notes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondents and the Complainant. The Respondents are not licensees of the Complainant, nor have the Respondents otherwise obtained an authorization to use the Complainant's trademark. Moreover, there is no element from which the Panel could infer the Respondents' rights over the disputed domain names, or that the Respondents might be commonly known by the disputed domain names.

In addition, there is no evidence to suggest that the disputed domain names have been used by the Respondents in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

The disputed domain names all currently resolve to inactive websites or parking pages. As stated in the landmark case *Teachers Insurance and Annuity Association of America v. Wreaks Communications Group*, WIPO Case No. D2006-0483, "absent some contrary evidence from Respondent, passive holding of a Domain Name does not constitute legitimate non commercial or fair use".

Based on the evidence provided by the Complainant – which has not been challenged by the Respondents -, the disputed domain name <clariane-patrimoine.com> was previously used to redirect users to a website featuring the Complainant's CLARIANE mark, imitating the look and feel of the Complainant's official website and advertising purported investment opportunities in a residential project for elderly people. The website was promoted through an advertising campaign on social media which was not authorized by the Complainant. The Panel finds that the Respondents intended to impersonate the Complainant through the registration and use of the disputed domain name <clariane-patrimoine.com>, with the purpose of attracting users for commercial gain, by misleading them into believing that they were visiting a website operated by the Complainant. Panels have categorically held that the use of a domain name for illegal activity, including copycat sites and passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

In addition to the above, the Panel finds that the disputed domain names, encompassing the Complainant's trademark in combination with terms referrable to the Complainant's business, are inherently misleading since they suggest an affiliation with the Complainant. Even where a domain name consists of a trademark plus an additional term UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. WIPO Overview 3.1, section 2.5.1.

Therefore, the Panel finds the second element of the Policy has also 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 in light of: i) the Complainant's use of the name "Clariane" and the CLARIANE mark since 2023 in connection with the Complainant's services in the field of care services for dependent persons as well as for care homes, healthcare facilities and real estate, which have also been promoted online through the website "www.clariane.com"; ii) the Complainant's global reach on the Internet and on search engines; iii) the composition of the disputed domain names, reproducing the CLARIANE mark identically or – as far as <clarianretail.space> is concerned – almost identically, in combination with the descriptive terms "patrimoine", "event", "events", "retail" and "gestion" referrable to the Complainant's business; and iv) the use of the Complainant's CLARIANE mark on the website to which the disputed domain name <clariane-patrimoine.com> resolved, the Respondents were likely aware of, and intended to target, the Complainant and its trademark at the time of registration of the disputed domain names.

The Panel finds that, by using the disputed domain name <clariane-patrimoine.com> in connection with a website promoting investment opportunities through the use of the Complainant's mark and the imitation of the Complainant's official website, the Respondent intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant and its mark as to the source, sponsorship, affiliation or endorsement of the website and the services promoted therein, according to paragraph 4(b)(iv) of the Policy.

The other four disputed domain names previously resolved to registrar parking pages and, currently, all the disputed domain names resolve to inactive websites or parking pages. Panels have found that the non-use of a domain name does not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark CLARIANE and the composition of the disputed domain names and, considering the failure of the Respondents to submit a response or provide any evidence of actual or contemplated good-faith use, finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

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 names <clariane-event.com>, <clariane-events.com>, <clariane- gestion.com>, <clariane-patrimoine.com> and <clarianretail.space> be transferred to the Complainant.

/Luca Barbero/
Luca Barbero
Sole Panelist
Date: November 16, 2026