

ADMINISTRATIVE PANEL DECISION

GROUPE CANAL + v. Sky Wits

Case No. DGE2026-0003

1. The Parties

Complainant is GROUPE CANAL +, France, represented by Nameshield, France.

Respondent is Sky Wits, South Africa.

2. The Domain Name and Registry

The disputed domain name <canalplus.ge> is registered with Caucasus Online LLC (the .GE Registry).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 27, 2026. On February 27, 2026, the Center transmitted by email to the .GE Registry a request for registry verification in connection with the disputed domain name. On March 2, 2026, the .GE Registry 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 and contact information in the Complaint. The Center sent an email communication to Complainant on March 4, 2026, providing the registrant and contact information disclosed by the .GE Registry, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on March 5, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .GE Domain Name Dispute Resolution Policy (the .GE Policy), the Rules for .GE Domain Name Dispute Resolution Policy (the .GE Rules), and the WIPO Supplemental Rules for .GE Domain Name Dispute Resolution Policy (the Supplemental Rules).

In accordance with the .GE Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on March 12, 2026. In accordance with the .GE Rules, paragraph 5, the due date for Response was April 1, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on April 7, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on April 13, 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 .GE Rules, paragraph 7.

4. Factual Background

Complainant is a company organized under the laws of France that is active in the media industry.

Complainant has provided evidence that it is the registered owner of numerous trademarks relating to its company name and brand CANAL PLUS, including, but not limited to, the following:

- Word trademark CANAL PLUS, International registration (World Intellectual Property Organization (“WIPO”)), registration number: 509729, registration date: March 16, 1987, status: active;
- Word trademark CANAL PLUS, International registration (WIPO), registration number: 619540, registration date: May 30, 1994, status: active.

Moreover, Complainant demonstrated to own since 2006 the domain name <canalplus.com> which resolves to Complainant’s official website at “www.canalplus.com”, promoting Complainant’s products and services in the media industry internationally.

Respondent, according to the Registrar verification, is located in South Africa. The disputed domain name was registered on February 5, 2024; it resolves to a commercial domain name trading platform at “www.sedo.com” where it is offered for online sale at EUR 2,999.

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

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the .GE Policy for a transfer of the disputed domain name. Notably, Complainant contends to be the leading French audiovisual media group and a top player in the production of pay-tv, with 16.2 million subscribers worldwide.

Complainant submits that the disputed domain name is identical to Complainant’s CANAL PLUS trademark, as it incorporates the latter in its entirety, without any addition or deletion. Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Complainant has not granted any license or authorization to Respondent to make any use of Complainant’s CANAL PLUS trademark, or to apply for registration of the disputed domain name, (2) Respondent is not related in any way with Complainant, and has no business with Complainant whatsoever, (3) Respondent is not known by the disputed domain name, and (4) the disputed domain name is offered for sale for an amount far in excess of its reasonable costs. Finally, Complainant argues that Respondent has registered or is using the disputed domain name in bad faith since (1) the latter is identical to Complainant’s distinctive CANAL PLUS trademark, (2) Respondent could not have ignored Complainant’s trademark at the moment of the registration of the disputed domain name, and (3) the disputed domain name is offered to the general public for an amount well in excess of Respondent’s reasonable out-of-pocket costs associated therewith.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Under paragraph 4(a) of the .GE Policy, Complainant carries the burden of proving:

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

- (ii) that Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered or is being used in bad faith.

Respondent's default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the .GE Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the .GE Rules, the Panel may draw such inferences from Respondent's failure to submit a Response as it considers appropriate.

A. Identical or Confusingly Similar

First, 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 Complainant's CANAL PLUS trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.¹

Complainant has shown rights in respect of its CANAL PLUS trademark for the purposes of the .GE Policy. [WIPO Overview 3.1](#), section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, with no additions or alterations whatsoever. Accordingly, the disputed domain name is identical to Complainant's CANAL PLUS trademark for the purposes of the .GE Policy. [WIPO Overview 3.1](#), section 1.7. Moreover, it has been held in many UDRP decisions and has become a consensus view among UDRP panels that the applicable Top-Level Domain ("TLD") in a domain name is generally viewed as a standard registration requirement and as such is disregarded under the first element test, though the meaning of such TLD may be relevant to a panel assessment of the second or third element of the UDRP. Accordingly, the existence of the country-code TLD ".ge" does not dispel the finding of identity between Complainant's CANAL PLUS trademark and the disputed domain name.

The Panel, therefore, finds the first element of the .GE Policy has been established.

B. Rights or Legitimate Interests

Second, paragraph 4(c) of the .GE Policy provides a list of circumstances in which 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 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 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 .GE Policy or otherwise.

¹Given the similarities between the .GE Policy and the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the Panel finds it appropriate to apply UDRP jurisprudence, including reference to the WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview, 3.1"](#)). See *Région Ile-de-France v. Il De France LTD*, WIPO Case No. [DGE2024-0001](#).

Respondent has not been authorized to use Complainant's CANAL PLUS trademark, either as a domain name or in any other way. Also, there is no evidence to consider that Respondent's name would somehow correspond with the disputed domain name and Respondent does not appear to have any trademark rights associated with the terms "canal" and/or "plus" on its own. Finally, Respondent so far obviously has neither used the disputed domain name for a bona fide offering of goods or services nor for a legitimate noncommercial or fair purpose, but rather to offer it on a commercial domain name trading platform for online sale. In this context, UDRP panels have recognized that holding a domain name for resale can be bona fide and is not per se illegitimate under the UDRP (see [WIPO Overview 3.1](#), section 2.1), but have also found that the mere registration of such a domain name does not by itself automatically confer rights or legitimate interests (see [WIPO Overview 3.1](#), section 2.10.1). Moreover, given that the disputed domain name is identical to Complainant's undisputedly well-reputed CANAL PLUS trademark, it carries, as such, a high risk of implied affiliation with Complainant and its trademark which is why offering it for online sale cannot constitute fair use and, thus, cannot confer rights or legitimate interests therein. [WIPO Overview 3.1](#), section 2.5.1.

The Panel, therefore, finds the second element of the .GE Policy has been established, too.

C. Registered or Used in Bad Faith

Third, the Panel notes that, for the purposes of paragraph 4(a)(iii) of the .GE Policy, paragraph 4(b) of the .GE Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name in bad faith.

In the case at hand, the Panel notes (1) the nature of the disputed domain name which wholly incorporates Complainant's CANAL PLUS trademark, with no additions or alterations whatsoever, (2) the undisputed reputation which Complainant's CANAL PLUS trademark enjoys, and (3) the absence of any circumstances in the case file as to why Respondent needed to rely specifically on Complainant's identical trademark in the disputed domain name if not to somehow unduly profit from the reputation connected thereto. UDRP panels widely agree that those circumstances allow to conclude that Respondent has registered and/or acquired the disputed domain name primarily to sell it to Complainant for valuable consideration in excess of Respondent's out-of-pocket costs related to the disputed domain name (here EUR 2,999) as set forth by paragraph 4(b)(i) of the .GE Policy (see [WIPO Overview 3.1](#), section 3.1.1), which, in turn, is evidencing even registration and use of the disputed domain name in bad faith.

The Panel, therefore, finds that Complainant has established the third element of the .GE Policy, too.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the .GE Policy and 15 of the .GE Rules, the Panel orders that the disputed domain name, <canalplus.ge>, be transferred to Complainant.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: April 27, 2026