

ADMINISTRATIVE PANEL DECISION

GIE AG2R v. User has not completed their account details
Case No. D2025-0406

1. The Parties

The Complainant is GIE AG2R, France, represented by Scan Avocats AARPI, France.

The Respondent is “User has not completed their account details”, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <transat-ag2r.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 31, 2025. On February 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 4, 2025, by email to the Center its verification response disclosing contact information for the disputed domain name which differed from the contact information in the Complaint. The Registrar informed the Center that they “aren’t able to share that information (registrant name / organization) as the registrant never completed their account information”.

The Center sent an email communication to the Complainant on February 17, 2025, providing the registrant contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on February 21, 2025.

The Center verified that the Complaint together with the amendment to the 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 February 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 19, 2025.

The Center appointed Rebecca Slater as the sole panelist in this matter on March 24, 2025. 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, also known as Group AG2R La Mondiale, is a French Economic Interest Group. It is the leading social protection group insuring persons and their property in France. The Complainant was created by industrialists in 1905. It currently has over 12 policy holders and protected beneficiaries, over 383,000 corporate clients, nearly 110 collective agreements, and over 10,000 expert employees. The Complainant is comprised of several governance entities that represent policyholders throughout France.

The Complainant also has a reputation as a partner and promoter of sport. It has a particularly strong reputation in relation to sailing, as the first partner of the “Transat AG2R La Mondiale” (since 2021, “Transat Paprec”) sailing race. The race is held every two years and has an international reputation.

The Complainant (including through its governance entities) has a portfolio of trade mark registrations, including:

- French Trade Mark Registration No. 98730134 for TRANSAT AG2R word mark (registered April 28, 1998);
- French Trade Mark Registration No. 3708504 for LA TRANSAT AG2R LA MONDIALE semi-figurative mark (registered January 29, 2010);
- European Union Mark Registration No. 008261166 for AG2R LA MONDIALE semi-figurative mark (registered March 1, 2010); and
- French Trade Mark Registration No. 4914383 for AG2R word mark (registered November 18, 2022).

The Complainant also holds a large portfolio of domain names containing the TRANSAT AG2R and AG2R trade marks, including <transatag2r.fr> (registered March 17, 2005).

The Respondent is an individual apparently located in Indonesia. The Respondent did not submit a response, and, consequently, little information is known about the Respondent.

The website at the disputed domain name redirects to a website which appears to host dating or adult content. The website appears to have payment functionality.

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 the Complainant's trade marks. The disputed domain name incorporates the entire TRANSAT AG2R trade mark, with the addition of a hyphen. The disputed domain name also reproduces the distinctive elements of the Complainant's other trade marks (being “TRANSAT” and “AG2R”).
- The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized, licensed, contracted or otherwise permitted by the Complainant to register or use a domain name incorporating the Complainant's trade marks. The Respondent is not related

to the Complainant in any way. To the best of the Complainant's knowledge, the Respondent is not currently and has never been known as "TRANSAT AG2R".

- The disputed domain name was registered and is being used in bad faith by the Respondent. It is highly likely that the Respondent knew of the existence of the Complainant's prior intellectual property rights at the time the disputed domain name was registered due to the following: (a) the existence and length of the Complainant's trade mark and domain name registrations; (b) the notoriety of the Complainant's brand, including that Internet searches for "TRANSAT AG2R" or "AG2R" will return results relating to the Complainant; (c) the disputed domain name is almost identical to the TRANSAT AG2R trade mark; (d) the expression AG2R is not a common expression, but an arbitrary name; and (e) the use of a privacy service. These factors indicate opportunistic bad faith. The disputed domain name is being used for an adult website with dating and gambling content. The Respondent is clearly using the disputed domain name to take advantage of the Complainant's reputation and trade marks.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

1. the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. the disputed domain name has been registered and is being used in bad faith.

The onus of proving these elements is on the Complainant.

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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of each of the AG2R and TRANSAT AG2R trade marks is reproduced within the disputed domain name. (The disputed domain name is arguably identical to the TRANSAT AG2R trade mark, as the only addition is a hyphen.) Accordingly, the disputed domain name is confusingly similar to each trade mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Additionally, the Panel finds that the LA TRANSAT AG2R LA MONDIALE trade mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the LA TRANSAT AG2R LA MONDIALE trade mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 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 3.0](#), 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 Panel notes that the composition of the disputed domain name carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1. The Complainant has not authorized the Respondent to use its trademarks and there is no evidence that the Respondent has ever been commonly known by the disputed domain name.

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 3.0](#), section 3.2.1.

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 it unlikely that the disputed domain name was registered without knowledge of the Complainant and its trade marks, given the reputation of the Complainant and the composition of the disputed domain name. The Respondent’s goal in registering and using the disputed domain name appears, on the balance of probabilities, to be to attract Internet users for taking unfair advantage of the Complainant’s trade mark. This finding is reinforced by the Respondent’s use of the dispute domain name to host a website which will likely generate revenue for the Respondent (as the website appears to contain payment functionality). This amounts to “opportunistic bad faith” under the Policy.

In the circumstances, the use of a privacy service and not providing complete registrant and contact details when registering the disputed domain name further support an inference of bad faith. [WIPO Overview 3.0](#), sections 3.2.1 and 3.6.

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 <transat-ag2r.com> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: April 3, 2025