

## **ADMINISTRATIVE PANEL DECISION**

SEB S.A. v. Juan Carlos

Case No. D2025-0903

### **1. The Parties**

Complainant is SEB S.A., France, represented by CSC Digital Brand Services Group AB, Sweden.

Respondent is Juan Carlos, Chile.

### **2. The Domain Name and Registrar**

The disputed domain name <groupeseb.com> (the “Disputed Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 5, 2025. On March 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 6, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 March 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 8, 2025.

The Center appointed Colin T. O’Brien as the sole panelist in this matter on April 14, 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

Complainant is a worldwide reference in small domestic appliances (including kitchen electric goods, home and personal care together with cookware products). Complainant's brand portfolio includes 31 of the most well-known brands in their respective industries, including KRUPS, WMF, MOULINEX, and Tefal / T-fal, one of the world's most popular cookware brands and most desirable brands overall. In addition, Complainant employs 31,000 people and has a presence across 150 countries. Groupe SEB also maintains 44 industrial sites along with 1,200 retail stores. In 2023, Complainant reported sales of EUR 8,006 million and net profit of EUR 386 million.

Complainant maintains a strong online presence and promotes its brands through the use of its various domain names, chief among them <groupeseb.com>. According to SimilarWeb.com, Complainant's domain name ranks 5,430th in France and 75,432nd worldwide. Complainant's website also received an average of 771.5 K visits during the three-month period November 2024 - January 2025.

Complainant is the owner of the following trademark registrations:

| TRADEMARK  | JURISDICTION/<br>TM OFFICE  | REGISTRATION<br>NUMBER | REGISTRATION<br>DATE | CLASS(ES)   |
|------------|-----------------------------|------------------------|----------------------|---|
| GROUPE SEB | International/<br>WIPO      | 894757                 | January 26 2006      | 06, 07, 08, 09, 10, 11, 16,<br>20, 21, 35, 37, 41 |
| GROUPE SEB | France/ INPI                | 3374966                | August 2, 2005       | 06, 07, 08, 09, 10, 11, 16,<br>20, 21, 35, 37, 41 |
| GROUPE SEB | United<br>Kingdom/<br>UKIPO | UK00800894757          | August 6, 2007       | 06, 07, 08, 09, 10, 11, 16,<br>20, 21, 35, 37, 41 |

The Disputed Domain Name was registered on December 11, 2024, and it has been inactive since the time of filing the Complaint.

#### 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 by virtue of its trademark and service mark registrations, Complainant is the owner of GROUPE SEB trademarks. The Disputed Domain Name is a purposeful misspelling of Complainant's GROUPE SEB trademark and must be considered confusingly similar to the Complainant's trademark. As the Disputed Domain Name differs from Complainant's trademark by just an additional letter "s", it must be considered a prototypical example of typosquatting - which intentionally takes advantage of Internet users that inadvertently type an incorrect address - often a misspelling of the complainant's trademark - when seeking to access the trademark owner's website. This means that a deliberate misspelling of a trademark registered as a domain name, which is intended to confuse Internet users, must be confusingly similar by design.

Respondent is not sponsored by or affiliated with Complainant in any way. Nor has Complainant given Respondent permission to use Complainant's trademarks in any manner, including in domain names. Furthermore, Complainant has not licensed, authorized, or permitted Respondent to register domain names incorporating Complainant's trademark. Respondent is not commonly known by the Disputed Domain Name, which evidences a lack of rights or legitimate interests. In the instant case, the Registrant is "Juan Carlos", which does not resemble the Disputed Domain Name in any manner.

Respondent is using the Disputed Domain Name to direct Internet users to a website that resolves to a blank page and lacks content. Respondent has failed to make use of this Disputed Domain Name's website and has not demonstrated any attempt to make legitimate use of it, which evidences a lack of rights or legitimate interests in the Disputed Domain Name. While no evidence has been found that the Disputed Domain Name has actively been used as part of fraud, the presence of MX records on the Disputed Domain Name strongly implies that it could be used as part of a phishing or impersonation scheme in the future.

Respondent registered the Disputed Domain Name on December 11, 2024, which is significantly after Complainant filed for registration of its GROUPE SEB trademark, and also significantly after Complainant's first use of the term "Groupe SEB" in 1973.

By registering a domain name that incorporates a typosquatted version of Complainant's GROUPE SEB trademark, Respondent has created a domain name that is visually identical to Complainant's trademark, as well as its domain name. As such, Respondent has demonstrated a knowledge of and familiarity with Complainant's brand and business. It is clear that the Respondent knew of and targeted Complainant's trademark, and Respondent should be found to have registered and used the Disputed Domain Name in bad faith.

## **B. Respondent**

Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

Complainant has demonstrated it owns long-standing globally registered trademark rights in the GROUPE SEB mark. The Disputed Domain Name incorporates a misspelling of the GROUPE SEB mark, namely with the addition of the letter "s" to GROUPE which does not prevent a finding of confusing similarity between the marks and the Disputed Domain Name. See sections 1.7 and 1.9 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

Accordingly, the Disputed Domain Name is confusingly similar to marks in which Complainant has rights.

### **B. Rights or Legitimate Interests**

Complainant has presented a prima facie case that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name and has not been commonly known by the Disputed Domain Name. The fact that Respondent obtained the Disputed Domain Name years after Complainant had begun using its globally famous GROUPE SEB mark indicates that Respondent sought to piggyback on the mark for illegitimate reasons.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#).

Respondent has provided no evidence of any rights or legitimate interests in the Disputed Domain Name. Furthermore, the nature of the Disputed Domain Name, comprising Complainant's mark and with a misspelling, indicates an awareness of Complainant and its marks and intent to take unfair advantage of such, which does not support a finding of any rights or legitimate interests.

In the absence of any evidence rebutting Complainant's prima facie case indicating Respondent's lack of rights or legitimate interests in respect of the Disputed Domain Name, the Panel finds that Complainant has satisfied paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

The Disputed Domain Name was registered many years after Complainant first registered and used its globally famous GROUPE SEB mark. Considering the evidence on the record provided by Complainant with respect to the extent of use of its globally known GROUPE SEB mark, the typosquatting of Complainant's mark in the Disputed Domain Name, combined with the absence of any evidence provided by Respondent to the contrary, it is sufficient to satisfy the Panel that, at the time the Disputed Domain Name was registered, Respondent undoubtedly knew of Complainant's its globally known GROUPE SEB mark, and knew that he had no rights or legitimate interests in the Disputed Domain Name. Prior UDRP panels have held that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See section 3.1.4 of the [WIPO Overview 3.0](#).

There is no benign reason for Respondent to have registered the Disputed Domain Name.

The Panel finds that the only plausible basis for registering and passively holding the Disputed Domain Name is for illegitimate and bad faith purposes. In view of section 3.3 of the [WIPO Overview 3.0](#), given the above considerations and especially the nature of the Disputed Domain Name consisting of a misspelling of Complainant's mark, the Panel finds that the totality of the circumstances supports a finding of bad faith, regardless of the current inactive state of the Disputed Domain Name.

Furthermore, Complainant provided evidence on record that Respondent has configured MX records for the Disputed Domain Name. The presence of MX records gives rise to the possibility that Respondent intended, or intends, to use the Disputed Domain Name to send fraudulent emails as part of a phishing scheme and as such, reinforces the Panel's view of the Respondent's bad faith.

Given these circumstances, the Panel finds the requirement of paragraph 4(a)(iii) of the Policy that the Disputed Domain Name was registered and is being used in bad faith by the Respondent is met.

Accordingly, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) 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 <groupeesseb.com> be transferred to Complainant.

*/Colin T. O'Brien/*

**Colin T. O'Brien**

Sole Panelist

Date: April 28, 2025