

## **ADMINISTRATIVE PANEL DECISION**

Baron Rouge v. Yahel Galtier, Maison Shirak  
Case No. D2025-1416

### **1. The Parties**

The Complainant is Baron Rouge, France, represented by Coblenz Avocats, France.

The Respondent is Yahel Galtier, Maison Shirak, France.

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

The disputed domain name <maisonbaronrouge.com> is registered with GoDaddy.com, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 7, 2025. On April 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 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 April 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 7, 2025. On April 17, 2025, the Complainant submitted a supplemental filing to the Center.

The Center appointed Jane Seager as the sole panelist in this matter on May 22, 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 is a French company specializing in artist management, music and audiovisual production, and publishing, as well as the sale of clothing and accessories.

The Complainant is the owner of a number of trademarks for BARON ROUGE and MAISON BARON ROUGE, including the following:

- French Trademark Registration No. 4424148, BARON ROUGE, registered on July 27, 2018;
- French Trademark Registration No. 4493010, MAISON BARON ROUGE, registered on February 8, 2019;
- International Trademark Registration No. 1830879, MAISON BARON ROUGE (figurative), registered on September 17, 2024.

The disputed domain name was registered on March 1, 2024. At the time of submission of the Complaint, the disputed domain name resolved to a Registrar-provided parking page displaying sponsored links. On October 17, 2024, the disputed domain name was listed for sale via GoDaddy.com for EUR 44,072.60.

On October 31, 2024, the Complainant sent a cease-and-desist letter to the Respondent requesting, inter alia, a transfer of the disputed domain name. The Parties then engaged in a series of communications, which did not result in the transfer of the disputed domain name.

On April 15, 2025, the Respondent sent an email communication to the Complainant's representatives expressing willingness to transfer the disputed domain name in exchange for a payment of EUR 1,000. The Complainant did not accept the Respondent's offer. On April 16, 2025, the Respondent appears to have withdrawn its settlement offer and indicated that its counsel would take over this matter.

#### **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.

The Complainant asserts rights in the trademarks BARON ROUGE and MAISON BARON ROUGE. The Complainant submits that the disputed domain name is identical or confusingly similar to its trademarks.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant asserts that the Respondent is in no way affiliated with the Complainant, nor has the Complainant granted any authorization for the Respondent to use its trademarks. The Complainant submits that the Respondent's use of the disputed domain name to point to a parking page displaying sponsored links signals an intent to derive commercial gain from there being a perceived association between the disputed domain name and the Complainant.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant notes that the disputed domain name reproduces the Complainant's MAISON BARON ROUGE trademark in its entirety and submits that the Respondent must have had the Complainant's prior trademark rights in mind when registering the disputed domain name. The Complainant submits that the Respondent registered the disputed domain name with a view to obtaining money from the Complainant. The Complainant further submits that by using the disputed domain name to resolve to a parking page displaying sponsored links, the Respondent has attempted to obtain commercial gain from Internet users seeking the

Complainant online who arrive at the parking page to which the disputed domain name resolves. The Complainant asserts that the Respondent's conduct in pre-Complaint exchanges concerning the disputed domain name indicate that the Respondent intended to prolong discussions in order to withhold the disputed domain name for a longer period of time.

The Complainant requests transfer of the disputed domain name.

## **B. Respondent**

Apart from the email communications between the Parties as described under section 4 above, the Respondent did not formally reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **6.1. Procedural Matter: Admissibility of the Complainant's Supplemental Filing**

The Rules contemplate the submission of a single Complaint and Response. Paragraph 12 of the Rules states that the Panel may request, in its sole discretion, further statements or documents from either of the Parties. The admissibility of unsolicited supplemental filings is subject to the Panel's discretion, provided under paragraph 10 of the Rules. In all such cases, UDRP panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its Complaint or Response (e.g., owing to some "exceptional" circumstance); see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.6.

In the present case, the Complainant's Supplemental Filing primarily seeks to address the Respondent's offer to sell the disputed domain name to the Complainant, which was only made after the Complaint had been filed.

In light of the above, the Panel has determined to admit the Complainant's unsolicited Supplemental Filing to the record. The Panel notes, in this regard, that its exclusion from the record would not have substantially altered the outcome of the present case.

### **6.2. Substantive Matters**

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) The disputed domain name was registered and is 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 name. [WIPO Overview 3.0](#), section 1.7.

The Panel finds that the Complainant has established rights in the trademarks BARON ROUGE and MAISON BARON ROUGE, the registration details of which are set out above. [WIPO Overview 3.0](#), section 1.2.1.

The Complainant's BARON ROUGE and MAISON BARON ROUGE trademarks are reproduced in the disputed domain name in their entirety, altered only by the omission of the spaces between the words making up the Complainant's mark. The Complainant's trademarks are clearly recognizable in the disputed domain name. The Panel finds that the disputed domain name is identical or confusingly similar to the Complainant's trademarks. [WIPO Overview 3.0](#), section 1.7.

The Panel finds that 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.

Noting that the disputed domain name corresponds directly to the Complainant's MAISON BARON ROUGE trademark, the Panel finds that there is a reasonable likelihood that the disputed domain name would capture Internet-user traffic seeking the Complainant online, and in turn deriving commercial gain from a perceived association between the disputed domain name and the Complainant's trademark. In the circumstances of the present case, the Panel finds that the Respondent's use of the disputed domain name to resolve to a parking page displaying sponsored links does not amount to a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy.

The Respondent is identified as "Yahel Galtier, Maison Shirak". There is no evidence to suggest that the Respondent is commonly known by the disputed domain name pursuant to paragraph 4(c)(ii) of the Policy.

Nor is the Respondent making any legitimate noncommercial or fair use of the disputed domain name further to paragraph 4(c)(iii) of the Policy. Rather, the evidence suggests that the Respondent registered the disputed domain name with a view to selling the disputed domain name to the Complainant, as the owner of the MAISON BARON ROUGE trademark (as is covered in further detail in the third element findings below).

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 finds that 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.

As noted above, the disputed domain name was listed for sale via GoDaddy.com with a purchase price of EUR 44,072.60. In light of the nature of the disputed domain name itself, which corresponds directly to the Complainant's MAISON BARON ROUGE trademark, the Panel considers it likely that the Respondent was aware of the Complainant and its rights when registering the disputed domain name, and did so with a view to profit from the resale of the disputed domain name, either to the Complainant, or to a third party. This view is reinforced by the Respondent's direct request to the Complainant for payment in the amount of EUR 1,000 for the transfer of the disputed domain name. The Panel therefore finds that the Respondent registered the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant who is the owner of the MAISON BARON ROUGE trademark, or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's out-of-pocket costs directly related to the disputed domain name, in bad faith pursuant to paragraph 4(b)(i) of the Policy.

The Panel further notes that the disputed domain name has been used to point to a parking page displaying sponsored links. Internet users seeking the Complainant online were likely to be misled to the parking page to which the disputed domain name resolved, which would have resulted in the generation of click-through revenue from the links displayed on the web page. The Panel finds that by using the disputed domain name in such a manner, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the goods and services advertised therein, in bad faith according to paragraph 4(b)(iv) of the Policy.

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 <maisonbaronrouge.com> be transferred to the Complainant.

*/Jane Seager/*

**Jane Seager**

Sole Panelist

Date: June 5, 2025