

ADMINISTRATIVE PANEL DECISION

Espace Rencontre Angele Merici v. Miles Rampel
Case No. D2025-1551

1. The Parties

The Complainant is Espace Rencontre Angele Merici, France, represented by Cabinet REYNAL-PERRET, France.

The Respondent is Miles Rampel, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <couventdemalet.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 16, 2025. On April 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 17, 2025, the Registrar 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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 28, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on April 29, 2025.

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 May 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2025. The Respondent sent three informal email communications

to the Center on April 28, May 10, and May 12, 2025, but did not submit a formal Response.¹

On May 10, 2025, the Respondent requested a suspension of the proceeding. On May 12, 2025, the Center informed the Complainant that it may request a suspension of the proceeding by May 17, 2025. The Complainant did not submit a request for suspension. Accordingly, the Center notified the Commencement of Panel Appointment Process on May 28, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on June 4, 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 was created in 2011. It operates the religious convent Couvent de Malet located in Saint Côme d'Olt on the Chemin de Saint-Jacques, where it provides accommodation and religious services in partnership with the congregation of the Ursulines sisters that has been in this convent since 1806.

The Complainant is the owner of the French trademark COUVENT DE MALET with registration No. 5072216, registered on November 8, 2024, for services in International Classes 35, 41, 43 and 45 (the "COUVENT DE MALET trademark").

The disputed domain name was registered by the Respondent on June 14, 2018. It currently resolves to a website that includes many of the design elements of the Amazon e-commerce platform and states "*567LUCK : One Gateway for the Most Up-to-Date Smart City Education & Development Information*". At the time of filing of the Complaint, the disputed domain name resolved to a website that promoted hotel accommodation services and the organization of religious meetings by replicating the content related to the Ursuline sisters, the Complainant and the Couvent de Malet (which content was available on the disputed domain name until 2016, when it was operated by the Ursuline sisters), but also included sexual content and a link to a pornographic website.

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 states that the disputed domain name is identical to its COUVENT DE MALET trademark, because it incorporates this trademark and the name of the convent where the Complainant operates.

The Complainant submits that the disputed domain name has been used for a website that promotes hotel accommodation services and the celebration of religious ceremonies and notes that it is an exact copy of the former website of the Ursuline sisters who previously owned the disputed domain name, including the entire presentation and the photographs of the convent and the contact details of the Complainant, but with added sexual content.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not commonly known by the disputed domain name, has no connection with the Complainant and has not been authorized by the same to use the COUVENT DE MALET trademark.

¹On May 10, 2025, the Respondent stated, "I would like to suspend the present dispute and explore settlement talks" and on May 12, 2025, the Respondent stated, "I would like to explore settlement talks".

According to the Complainant, the sole purpose of the Respondent is to harm the Complainant by using content of a sexual nature that is contrary to the values and aims of the Complainant, which are focused on welcoming pilgrims motivated by a desire for introspection and spirituality.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It points out that the sexual content and external pornographic links on the associated website damage its reputation and tarnishes the COUVENT DE MALET trademark by misleading Internet users that the Complainant operates or endorses the website at the disputed domain name and the sexual and pornographic content there, especially since the Respondent copied the name and domain name of the convent and the entire content of the prior website of the religious congregation, and indicated the Complainant's contact details. The Complainant adds that several of its customers complained about the content found on the Respondent's website.

B. Respondent

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

6. Discussion and Findings

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 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 the COUVENT DE MALET trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. This trademark was registered after the registration of the disputed domain name. However, as noted in section 1.1.3 of the [WIPO Overview 3.0](#), the fact that a domain name may have been registered before a complainant has acquired trademark rights does not by itself preclude a complainant's standing to file a UDRP case, nor a panel's finding of identity or confusing similarity under the first element.

The entirety of the COUVENT DE MALET trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the COUVENT DE MALET trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel therefore 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.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The disputed domain name is identical to the Complainant's trademark and to the name of the convent where the Complainant provides its services, which carries a high risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1. The evidence in the case shows that the associated website copied the content of the previous website at the disputed domain name from the period between 2012 and 2016 when the same was owned and operated by the Ursuline sisters which have occupied the Couvent de Malet for more than two hundred years. Notably, the website also indicated the contact details of the Complainant. This shows that the Respondent was well aware of the Couvent de Malet and of the Complainant and its operations there in the period until 2016 - before the Respondent registered the disputed domain name and the Complainant registered its trademark. The Respondent has not denied any of the above and has not provided any contrary evidence.

Considering the above, the Panel finds that the Respondent has illegitimately attempted to impersonate the Complainant in order to attract visitors and potential business to the website at the disputed domain name by exploiting the goodwill of the Complainant and its nascent and registered trademark rights for commercial gain. Such conduct cannot give rise to rights or legitimate interests in the disputed domain name.

Furthermore, the website at the disputed domain name also included sexual content and a link to a pornographic website that could potentially harm the Complainant's reputation.

The Panel therefore 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.

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.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

As discussed in the previous section, the disputed domain name carries a high risk of implied affiliation with the Complainant, and this risk is further increased by the fact that it resolved to a website that copied the content of the previous website at the disputed domain name from the period between 2012 and 2016 when it was operated by the Ursuline sisters and indicated the Complainant's contact details. The Respondent has not denied any of this, although it made three informal communications to the Center in the course of this proceeding.

Considering the above, the Panel accepts that the Respondent was well aware of the Complainant at the time it registered the disputed domain name although the Complainant registered its trademark several years later, and that by registering and using the disputed domain name, the Respondent intentionally attempted to impersonate the Complainant and to unfairly capitalize on its nascent and registered trademark rights in

order to attract, for commercial gain, Internet users to the website at the disputed domain name. Section 3.8.2 of the [WIPO Overview 3.0](#).

Moreover, the Panel finds that the sexual content on the website is further evidence of the Respondent's bad faith.

The Panel therefore 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 <couventdemalet.com> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: June 12, 2025