

## **ADMINISTRATIVE PANEL DECISION**

**Chequers & Associés v. domi nolo, chequers capital europe**  
**Case No. D2025-1820**

### **1. The Parties**

The Complainant is Chequers & Associés, France, represented by Legi-Mark, France.

The Respondent is domi nolo, chequers capital europe, France.

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

The disputed domain name <chequerscapital-europe.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 7, 2025. On May 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 8, 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 (Unknown Respondent) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 8, 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 May 12, 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 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 4, 2025.

The Center appointed Nathalie Dreyfus as the sole panelist in this matter on June 6, 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, Chequers & Associés, is a French investment firm founded in 1972 and headquartered in Paris, France. With additional offices across the country, the Complainant operates as an independent private equity firm, specializing in the management of investment funds.

The Complainant has submitted evidence of ownership of numerous trademark registrations for the CHEQUERS / CHEQUERS CAPITAL trademarks across various jurisdictions:

- French trademark CHEQUERS CAPITAL No. 3440392, registered on July 12, 2006, duly renewed and covering services in classes 35 and 36;
- French trademark CHEQUERS No. 3086411, registered on March 2, 2001, duly renewed and covering services in classes 35 and 36;
- International trademark CHEQUERS No. 763952, registered on July 26, 2001, duly renewed, covering services in classes 35 and 36, and designating the United Kingdom, Benelux, Switzerland, Germany, Spain and Italy;
- European Union trademark CHEQUERS No. 016527921, registered on March 30, 2017, and covering services in classes 35 and 36; and
- United Kingdom trademark CHEQUERS No. UK00916527921, registered on March 30, 2017, in classes 35 and 36.

The Complainant also registered the following domain name:

- <chequerscapital.com> registered on January 29, 2001.

The disputed domain name, <chequerscapital-europe.com>, was registered on March 20, 2025. The disputed domain name has been used to send fraudulent emails. As of the date of this Decision, the disputed domain name does not resolve to an active website.

The Respondent is identified as Domi Nolo, with an organization name “chequers capital europe” and an address listed in France, according to the information provided by the Registrar. However, the Complainant claims this address to be fictitious.

#### **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 <chequerscapital-europe.com> is identical or confusingly similar to trademarks in which it holds prior rights, namely the CHEQUERS and CHEQUERS CAPITAL trademarks. It claims that the disputed domain name reproduces these trademarks in their entirety, with the addition of a geographic term [here, “europe”] that does not eliminate the likelihood of confusion.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that no license, authorization, or other permission has been granted to the Respondent to use the CHEQUERS or CHEQUERS CAPITAL trademarks or to register a domain name incorporating those terms. According to the Complainant, the Respondent is not affiliated with or endorsed by the Complainant in any manner.

The Complainant also alleges that the disputed domain name was registered and is being used in bad faith. In particular, it submits that the Respondent was likely aware of the Complainant and its business activities at the time of registration, given the Complainant's reputation and online presence. The Complainant claims that the disputed domain name has been used to impersonate the Complainant and to send fraudulent emails, including by using the name of one of its employees. It further states that the address provided by the Respondent is fictitious.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions and is therefore in default.

## **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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name <chequerscapital-europe.com> incorporates the Complainant's CHEQUERS CAPITAL trademark in its entirety. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms such as "europe" and a hyphen may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

In particular, the Complainant has stated that it has never granted the Respondent any license, authorization, or other permission to register or use the CHEQUERS or CHEQUERS CAPITAL trademarks. The Respondent is not affiliated with the Complainant, and there is no indication that the Respondent is commonly known by the disputed domain name.

Moreover, the disputed domain name does not resolve to an active website but is configured with mail exchange (MX) records, and has been used to send fraudulent emails impersonating the Complainant and its representatives, including by using the name of a manager employed by the Complainant. The emails were allegedly used to mislead recipients into believing they were engaging with the Complainant, with the aim of soliciting fraudulent financial investments.

Panels have held that the use of a domain name for impersonation and fraud, including the sending of deceptive emails purporting to originate from the complainant, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name <chequerscapital-europe.com>, which reproduces the Complainant's CHEQUERS CAPITAL trademark in its entirety, with the mere addition of the geographic term "europe".

The disputed domain name has been used for impersonation and fraudulent purposes, in particular to send misleading emails using the address [...]@chequerscapital-europe.com, falsely identifying the sender as a manager employed by the Complainant. These emails included fake subscription documents bearing the Complainant's name and logo and were allegedly aimed at deceiving recipients into making fictitious financial investments. Therefore, the Panel finds that it is implausible that the Respondent was unaware of the Complainant's prior rights at the time of registration.

Panels have held that the use of a domain name for illegal activity, here, claimed impersonation, fraud, and phishing constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Additionally, the Respondent provided a fictitious postal address, which does not exist and used the modified version of the Complainant's name when registering the disputed domain name likely to benefit from confusion with the Complainant. These elements further support a finding of bad faith.

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 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 <chequerscapital-europe.com> be transferred to the Complainant.

*/Nathalie Dreyfus/*

**Nathalie Dreyfus**

Sole Panelist

Date: June 20, 2025