

## **ADMINISTRATIVE PANEL DECISION**

MR.BRICOLAGE v. web master, Expired domain caught by auction winner.\*\*\*Maybe for sale on Dynadot Marketplace\*\*\*

Case No. D2025-2034

### **1. The Parties**

The Complainant is MR.BRICOLAGE, France, represented by CASALONGA, France.

The Respondent is web master, Expired domain caught by auction winner.\*\*\*Maybe for sale on Dynadot Marketplace\*\*\*, Hong Kong, China.

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

The disputed domain name <mrbricolagerelais.com> is registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 22, 2025. On May 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 23, 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 (Anonymous third party) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 30, 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 June 3, 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 June 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 2, 2025.

The Center appointed Evan D. Brown as the sole panelist in this matter on July 7, 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 purveyor of goods and services relating to do-it-yourself gardening, decoration, and home improvement. It owns the trademark MR. BRICOLAGE, for which it enjoys the benefits of registration, including European Union Reg. No. 008266686, registered on March 25, 2014.

According to the Whois records, the disputed domain name <mrbricolagerelais.com> was registered on September 19, 2024. The Respondent has used the disputed domain name to display a page offering the disputed domain name for sale. A direct search on the Registrar's website reveals that the disputed domain name is listed for sale at approximately EUR 3,000.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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 has been registered and is being used in bad faith. The Panel finds that all three of these elements have been met in this case.

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

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. The Complainant has demonstrated its rights in the MR. BRICOLAGE mark by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the MR. BRICOLAGE mark in its entirety (apart from ".") with the additional term "relais", which does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's MR. BRICOLAGE mark. See [WIPO Overview 3.0](#), section 1.8. The MR. BRICOLAGE mark remains recognizable for a showing of confusing similarity under the Policy.

It is standard practice when comparing a disputed domain name to a complainant's trademarks to not take the extension into account. See [WIPO Overview 3.0](#) at 1.11.1.

The Panel finds that the Complainant has established this first element under the Policy.

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

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production shifts to the Respondent. See [WIPO Overview 3.0](#), section 2.1.

On this point, the Complainant asserts, among other things, that: (1) it has no relationship whatsoever with the Respondent; (2) no license, permission, or authorization to use the Complainant's marks was ever granted to the Respondent by the Complainant; (3) the disputed domain name does not contain the Respondent's name or organization, or a name commonly used to identify the Respondent, and nothing in the registrar-provided information indicates that the Respondent is or has been commonly known by this name; and (4) reproducing the Complainant's prior trademarks for the purpose of reselling the disputed domain name does not constitute rights or legitimate interests.

The Panel finds that the Complainant has made the required prima facie showing. The Respondent has not presented evidence to overcome this prima facie showing. And nothing in the record otherwise tilts the balance in the Respondent's favor.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

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

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

In this case, the Panel finds the following factors particularly probative:

- The disputed domain name was registered on the same day the Complainant filed its European Union trademark applications for MR. BRICOLAGE RELAIS and two days after French applications were filed for the same mark, which strongly suggests the Respondent was aware of and deliberately targeted the Complainant.
- The Complainant provided evidence that the Respondent has been involved in at least a half dozen other domain name disputes involving marks of other companies, suggesting a pattern of bad-faith conduct.
- The disputed domain name is offered for sale for approximately EUR 3,000, which likely exceeds the out-of-pocket costs and indicates an intent to profit from the Complainant's trademark.
- The use of a privacy service to conceal the Respondent's identity further supports an inference of bad faith.

Taken together, these facts support a finding that the disputed domain name was registered and is being used in bad faith, within the meaning of paragraph 4(b) of the Policy.

The Panel finds that the Complainant has established this third element under 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 <mrbricolagerelais.com> be transferred to the Complainant.

*/Evan D. Brown/*

**Evan D. Brown**

Sole Panelist

Date: July 21, 2025