

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. asd sdd, asdfsadfwqe,
a a, jack her
Case No. D2025-2300

1. The Parties

The Complainant is Compagnie Générale des Etablissements Michelin, France, represented by Dreyfus & associés, France.

The Respondents are asd sdd, asdfsadfwqe, United Kingdom, a a, Hong Kong, China, and jack her, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <michelinshop.icu>, <michelintop.icu>, <michelintopvip.icu>, <michelinvip.icu>, <michelinvip01.icu>, <michelinvip02.icu>, <michelinvip03.icu> and <michelin2025.icu> are registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 12, 2025. On June 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Not disclosed) and contact information in the Complaint.

The Center sent an email communication to the Complainant on June 13, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on June 16, 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 Respondents of the Complaint, and the proceedings commenced on June 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on July 23, 2025.

The Center appointed Taras Kyslyy as the sole panelist in this matter on July 25, 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 tire company, providing also digital services, maps and guides to help enrich trips and travels, and developing high technology materials that serve the mobility industry. The Complainant is headquartered in Clermont-Ferrand, France, is present in 170 countries, has more than 124,000 employees and operates 117 tire manufacturing facilities and sales agencies in 26 countries, including in the United States of America. The Complainant was named No. 1 Best Large Employer in the United States of America in Forbes magazine's 2018 "America's Best Large Employers" list, with 88 total awards for initial quality from J.D. Power & Associates, four times more awards than all other tire manufacturers combined, and ranking highest in "original equipment tires" category in the United States of America for 2018.

In 1926, the Complainant's trip guide "MICHELIN Guide" began to award stars for fine dining establishments. During the rest of 20th century, thanks to its serious and unique approach, the Complainant's trip guide became best-sellers without equals: the guide now rates over 30,000 establishments in over 30 territories across three continents, and more than 30 million MICHELIN Guides have been sold worldwide since.

The Complainant owns numerous MICHELIN trademark registrations around the world, including for instance Hong Kong, China trademark registration No. 302941939, registered on March 28, 2014, and the United Kingdom trademark registration No. UK00907333834, registered on May 14, 2009.

The Complainant operates a number of domain names reflecting its trademark in order to promote its services, including for instance <michelin.com>, <michelinvip.com> and <michelinshop.com>.

The disputed domain names were registered as follows: <michelinshop.icu> on May 5, 2025, <michelintop.icu> on May 5, 2025, <michelintopvip.icu> on April 30, 2025, <michelinvip.icu> on April 24, 2025, <michelinvip01.icu> on April 27, 2025, <michelinvip02.icu> on April 27, 2025, <michelinvip03.icu> on April 30, 2025 and <michelin2025.icu> on April 24, 2025.

The disputed domain names <michelinvip01.icu>, <michelinvip02.icu>, <michelinvip03.icu>, <michelinshop.icu> and <michelintop.icu> directed to a page reproducing the Complainant's logo, in particular its official mascot, the Michelin Man, without any authorization and displaying an identification interface that collects personal data.

The disputed domain names <michelin2025.icu>, <michelintopvip.icu> and <michelinvip.icu> directed to inactive pages.

At the time of the Decision, the disputed domain names do not resolve to active websites.

Email servers were configured on the disputed domain names <michelinvip03.icu> and <michelintopvip.icu>.

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 names.

Notably, the Complainant contends that the disputed domain names are identical or confusingly similar to the Complainant's trademark. The disputed domain names reproduce the Complainant's trademark in its entirety which previous panels have considered to be "well-known" or "famous". The disputed domain names reproduce the Complainant's trademark with the addition of the generic terms "vip", "top" and "shop", along with the numbers "01", "02", "03" and "2025". This is insufficient to avoid any likelihood of confusion. These terms suggest that the website will provide information relating to the Complainant's business and its special VIP products, which might lead Internet users to be influenced by the confusing similarity between the disputed domain names and the Complainant's trademark, as well as with the legitimate domain name of the Complainant. Adding a descriptive term to the Complainant's trademark does not influence the similarity between the trademark and the disputed domain names. The numerical terms are insufficient to avoid any likelihood of confusion. The numerical suffix does not have any impact on the overall impression of the disputed domain names dominated by the Complainant's trademark. The disputed domain names are virtually identical to the Complainant's official domain names. Regarding the ".icu" generic Top-Level Domain (gTLD) in the disputed domain names, the addition of the gTLD suffix does not affect the likelihood of confusion.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondents are neither affiliated with the Complainant in any way nor have been authorized by the Complainant to use and register its trademark, or to seek registration of any domain name incorporating said mark. Furthermore, the Respondents have no prior rights or legitimate interests in the disputed domain names. The registration of the Complainant's trademarks preceded the registration of the disputed domain names for years. In the absence of any license or permission from the Complainant to use widely-known trademarks, no actual or contemplated bona fide or legitimate use of the domain disputed names could reasonably be claimed. The disputed domain names are so identical to the famous Complainant's trademark, that the Respondents cannot reasonably pretend they were intending to develop a legitimate activity through the disputed domain names. The Respondents cannot assert that, before any notice of this dispute, they were using, or had made demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services. The Respondents were not accurately disclosing their relationship with the trademark by falsely suggesting that they were the trademark owner and that their websites were official websites. The Respondents never answered the Complainant's cease-and-desist letters despite the Complainant's reminders. Furthermore, email servers were configured on the disputed domain names <michelinvip03.icu> and <michelintopvip.icu> and thus, there might have been a risk that the Respondents were engaged in a phishing scheme.

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. It is implausible that the Respondents were unaware of the Complainant when they registered the disputed domain names. The Complainant is well-known throughout the world. As the composition of the disputed domain names entirely reproduces the Complainant's trademark while the additional terms "vip" and "shop" directly target the Complainant's official domain names, it cannot be inferred that the Respondents were unaware of the Complainant when they registered the disputed domain names. The Complainant's trademark registrations significantly predate the registration date of the disputed domain names. Given its goodwill and renown, and the nature of the disputed domain names, the Respondents could simply not have chosen the disputed domain names for any reason other than to deliberately cause confusion amongst Internet users as to its source in order to take unfair advantage of the Complainant's goodwill and reputation, which constitutes bad faith.

In the absence of any license or permission from the Complainant to use such widely-known trademark, no actual or contemplated bona fide or legitimate use of the disputed domain names could reasonably be

claimed. As the disputed domain names are confusingly similar to the Complainant's trademark and its official domain names, a likelihood of confusion is presumed, and such confusion will inevitably result in the diversion of Internet traffic from the Complainant's site to the Respondents' sites. The composition of the disputed domain names evidences an intent to misleadingly divert consumers by taking unfair advantage of the goodwill and reputation of the Complainant's trademark. The initial fraudulent website, reproduced the Complainant's trademark, logo and its official mascot, usurping Michelin's identity, and displayed an identification interface that collects personal data, misleading in that way Internet users into believing it is operated by the Complainant, which presents a high security risk to its customers especially having in mind some of the disputed domain names were configured with email servers. The Respondents aimed at stealing valuable information such as an email address and a password or a telephone number, which might suggest that this site was used to steal personal data from the Complainant's clients. It is more likely than not, that the Respondents' primary motive in registering and using the disputed domain names was to capitalize on or otherwise take advantage of the Complainant's trademark rights, through the creation of initial interest of confusion. The disputed domain names currently resolve to inactive pages. Nevertheless, this state of inactivity does not mean that the disputed domain names are used in good faith. The passive holding does not preclude a finding of bad faith. The Respondents registered the disputed domain names to prevent the Complainant from using its trademarks in the disputed domain names. The Respondents are trying to benefit from the fame of the Complainant's trademark.

B. Respondents

The Respondents did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

As regards common control, the Panel notes the similar composition of the disputed domain names, the short period of time within which the disputed domain names were registered, the use of the same Registrar, the similar pattern of the websites associated with the respective disputed domain names, and that the registrants provided incorrect contact information as evidenced by courier records of the Written Notice.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

B. 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 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 Panel finds the entirety of the MICHELIN mark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms here, "shop" in <michelinshop.icu>, "top" in <michelintop.icu>, "top" and "vip" in <michelintopvip.icu>, "vip" in <michelinvip.icu>, "vip" and "01" in <michelinvip01.icu>, "vip" and "02" in <michelinvip02.icu>, "vip" and "03" in <michelinvip03.icu> and "2025" in <michelin2025.icu> may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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.

C. 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 names. 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 names such as those enumerated in the Policy or otherwise.

The available evidence does not confirm that the Respondent is commonly known by the disputed domain names, which could demonstrate its rights or legitimate interests (see, e.g., *World Natural Bodybuilding Federation, Inc. v. Daniel Jones TheDotCafe*, WIPO Case No. [D2008-0642](#)).

The Complainant did not license or otherwise agree for use of its prior registered trademarks by the Respondent, thus no actual or contemplated bona fide or legitimate use of the disputed domain names could be reasonably claimed (see, e.g., *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#)).

The disputed domain names <michelinvip01.icu>, <michelinvip02.icu>, <michelinvip03.icu>, <michelinshop.icu>, <michelintop.icu> used to direct Internet users to a website reproducing the Complainant's logo, in order to make the Internet users believe they were actually accessing the Complainant's website. Past UDRP panels confirmed that such actions prove registrant has no rights or

legitimate interests in a disputed domain name (see *Daniel C. Marino, Jr. v. Video Images Productions, et al.*, WIPO Case No. [D2000-0598](#); *Houghton Mifflin Co. v. The Weathermen, Inc.*, WIPO Case No. [D2001-0211](#)).

Noting the risk of implied affiliation between the disputed domain names and the Complainant's well-known trademark, to which they are confusingly similar, the Panel finds that there is no plausible fair use to which the disputed domain names could be put that would not have the effect of being somehow connected to the Complainant (see, e.g., *Instagram, LLC v. Super Privacy Service LTD c/o Dynadot / Zayed*, WIPO Case No. [D2019-2897](#)).

The Panel finds the second element of the Policy has been established.

D. 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 names prominently featuring the Complainant's well-known trademark with the addition of minor non-distinctive elements. The mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. The Panel is convinced that the Complainant's trademark is well established through long and widespread use and the Complainant has acquired a significant reputation and level of goodwill in its trademark both in France and internationally. Thus, the Panel finds that the disputed domain names confusingly similar to the Complainant's trademark were registered in bad faith. [WIPO Overview 3.0](#), section 3.1.4.

According to paragraph 4(b)(iv) of the Policy the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith: by using the domain name, [the respondent] has intentionally attempted to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location. In this case, the disputed domain names <michelinvip01.icu>, <michelinvip02.icu>, <michelinvip03.icu>, <michelinshop.icu> and <michelintop.icu> were resolving to websites featuring the Complainant's trademark and falsely pretending to be the Complainant's official website, to intentionally attract Internet users by creating a likelihood of confusion with the Complainant's trademark as to the source of the website and its products. The Panel finds the above confirms the disputed domain names were registered and used in bad faith.

The non-use of the disputed domain names does not prevent a finding of bad faith under the doctrine of passive holding. In this regard the Panel takes into account (i) the high degree of distinctiveness and reputation of the Complainant's trademark, (ii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the failure of the Respondent to address the Complainant's cease-and-desist letter, (iv) the Respondent's concealing its identity while registering the disputed domain names, and (v) the implausibility of any good faith use to which the disputed domain names may be put. [WIPO Overview 3.0](#), section 3.3. Thus, the Panel finds that the disputed domain names <michelin2025.icu>, <michelintopvip.icu> and <michelinvip.icu> were also registered and used in bad faith.

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 names <michelinshop.icu>, <michelintop.icu>, <michelintopvip.icu>, <michelinvip.icu>, <michelinvip01.icu>, <michelinvip02.icu>, <michelinvip03.icu> and <michelin2025.icu> be transferred to the Complainant.

/Taras Kyslyy/

Taras Kyslyy

Sole Panelist

Date: July 29, 2025