

ADMINISTRATIVE PANEL DECISION

Holding Le Duff “HLD” v. Ross Bill, Oasis LLC

Case No. D2025-2331

1. The Parties

The Complainant is Holding Le Duff “HLD”, France, represented by Scan Avocats AARPI, France.

The Respondent is Ross Bill, Oasis LLC, United States of America.

2. The Domain Name and Registrar

The disputed domain name <gropueleduff.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 June 13, 2025. On June 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 16, 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 June 23, 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 25, 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 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 22, 2025.

The Center appointed Ahmet Akgüloğlu as the sole panelist in this matter on August 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 is a France-based restaurant and food manufacturing company that has been operating since 1976. The Complainant owns numerous restaurants such as Brioche Dorée, Del Arte, and La Madeleine, and operates in more than 100 countries.

The Complainant owns the GROUPE LE DUFF and LE DUFF trademarks in several jurisdictions, including European Union Trademark registrations number 001146851, registered on June 20, 2000, and number 010685816, registered on July 31, 2012, French Trademark registration number 99786142, filed on April 13, 1999, and International Trademark registration number 1390842, registered on October 2, 2017, designating the United States of America.

The Complainant also owns numerous domain names consisting of the GROUPE LE DEFF and LE DUFF trademarks. The Complainant claims that it owns the domain names <groupeleduff.com>, <groupeleduff.fr>, <groupeleduff.net>, <groupeleduff.co>, <groupeleduff.co.uk>, <groupeleduff.eu>, <groupe-leduff.eu>, <groupeleduff.us>, <leduff.eu>, <leduff.net>, <le-duff.com>, <leduff-group.com>, <leduff-group.eu>, <leduff-group.fr>, <leduff-group.net> and <leduff-group.us>.

The disputed domain name was registered by the Respondent on September 13, 2024. When the Complaint was filed, the disputed domain name resolved to a parking site containing advertising links. At the time of this Decision, the disputed domain name resolves to an inactive 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.

(a) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant asserts that the disputed domain name is confusingly similar to the Complainant's well-known GROUPE LE DUFF and LE DUFF trademarks. The Complainant states that the disputed domain name incorporates the entirety of the Complainant's GROUPE LE DUFF trademark with an inversion of the letters "P" and "U". The Complainant states that the disputed domain name also incorporates the entirety of the Complainant's LE DUFF trademark with the addition of the word "gropue" which is the word "groupe" with two reversed letters and since the word "groupe" is a generic term, it does nothing to avoid confusing similarity. According to the Complainant, the term ".com" is a generic Top-Level Domain ("gTLD") and should be disregarded during the evaluation of confusing similarity.

(b) The Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant claims that it has never granted the Respondent any authorization or permission to register or to use its GROUPE LE DUFF and LE DUFF trademarks and the Respondent has no affiliation with the Complainant. The Complainant also asserts that the Respondent is not known by GROUPE LE DUFF or LE DUFF trademarks.

(c) The disputed domain name was registered and is being used in bad faith.

The Complainant asserts that its trademarks are well known and used in commerce since 1976, and since the Respondent registered the disputed domain name after the registration dates of the Complainant's well-known trademarks, it is unlikely that the Respondent did not know about the Complainant's trademarks. The Complainant further asserts that the disputed domain name resolves to a parking site containing advertising links that are unrelated to the Complainant's business. Therefore, the Complainant uses the disputed

domain name to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademarks.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy requires that the complainant prove each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (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 will proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied in this proceeding.

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. It is uncontested to the Panel that the Complainant has rights in GROUPE LE DUFF and LE DUFF trademarks as a result of its registrations in different jurisdictions.

The Panel finds the marks are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The disputed domain name incorporates the Complainant's LE DUFF trademark in its entirety, and when a domain name wholly incorporates a Complainant's registered trademark, that is sufficient to establish confusing similarity for purposes of the Policy.

Moreover, the disputed domain name was formed by replacing the order of the letters "P" and "U" in the first word of the Complainant's GROUPE LE DUFF trademark. UDRP Panels consider the domain names that consist of a common, obvious, or intentional misspelling of a trademark to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.0](#), section 1.9.

Consequently, the disputed domain name is confusingly similar to the Complainant's trademarks as it wholly incorporates the Complainant's LE DUFF trademark and contains a misspelled version of the "groupe" element featured in the Complainant's GROUPE LE DUFF mark.

The Panel also ignored the gTLD extension ".com" since it is viewed as a standard registration requirement and suggested as disregarded under the first element similarity test. [WIPO Overview 3.0](#), section 1.11.1

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.

The evidence presented demonstrates that the Complainant is the owner of multiple registrations for GROUPE LE DUFF and LE DUFF trademarks used in the disputed domain name.

It is accepted by the Panel that the Respondent has not been authorized by the Complainant to use of its GROUPE LE DUFF or LE DUFF trademarks. The Panel finds no indication that the Respondent is commonly known by the disputed domain name and the Respondent has not submitted any evidence to the contrary. The Respondent is not making a legitimate noncommercial or fair use of the disputed domain name as it resolved to a parking site containing advertising links.

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 has registered the disputed domain name in bad faith since it is proven that the Complainant’s trademarks are widely recognized in its respective sector and have a strong presence on the Internet. Furthermore, the disputed domain name is a misspelling of the Complainant’s domain name <groupeleduff.com>, which indicates that Respondent was aware of the Complainant and its trademarks at the time of registering the disputed domain name. The Respondent chose to register the disputed domain name despite being aware of the Complainant’s trademarks, thereby acting in bad faith. The Respondent intends to take advantage of the Complainant’s reputation by causing confusion among consumers. Therefore, the Panel agrees that the Respondent registered and is still using the disputed domain name in bad faith.

The disputed domain name resolved to a parking site containing advertising links when the Complaint was filed, as evidenced in Annex H of the Complaint. The Panel finds that 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.

The disputed domain name currently resolves to an inactive website. Previous UDRP Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

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 <gropueleduff.com> be transferred to the Complainant.

/Ahmet Akgülođlu/

Ahmet Akgülođlu

Sole Panelist

Date: August 22, 2025