

ADMINISTRATIVE PANEL DECISION

ONET SA v. florival pina magrinho

Case No. D2025-2360

1. The Parties

The Complainant is ONET SA, France, represented by Cabinet Beau de Loménie, France.

The Respondent is florival pina magrinho, Spain, represented by Vitoria de Lerma Asociados, Spain.

2. The Domain Names and Registrar

The disputed domain names <onetproprete.com> and <onetproprete.net> are registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in French with the WIPO Arbitration and Mediation Center (the “Center”) on June 16, 2025. On June 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names that differed from the named Respondent (Registration Private, Domains by Proxy LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 18, 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 in French on June 20, 2025.

On June 18, 2025, the Center informed the parties in English and French that the language of the Registration Agreements for the disputed domain names is English. On June 20, 2025, the Complainant confirmed its request that French be the language of the proceeding. On July 18, 2025, the Respondent requested that English be the language of the proceeding.

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 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2025. On June 30, 2025, the Center received an email communication from a lawyer who claimed to represent the Respondent, requesting copies of the annexes to the Complaint. On July 9, 2025, the Center received an email communication from a third party named P-HM Propreté. On July 14, 2025 the due date for Response was extended to July 18, 2025 pursuant to paragraph 5(b) of the Rules, per the Respondent's request. The Response was filed with the Center in English on July 18, 2025.

The Center appointed Matthew Kennedy as the sole panelist in this matter on July 29, 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 part of the ONET Group, founded in 1860, and operates in the cleaning sector. Its current name was derived in 1950 from the words "Office nouveau du Nettoyage" (which may be translated as "New Cleaning Office"). The Complainant holds multiple trademark registrations, including the following:

- French trademark registration number 1522256 for ONET, a renewal of registration number 1122098, registered on April 27, 1979, specifying goods and services in multiple classes, including certain goods used for cleaning and cleaning services;
- French trademark registration number 3376887 for ONET, registered on August 25, 2005, specifying goods and services in multiple classes including certain goods used for cleaning and cleaning services;
- French trademark registration number 3544021 for a semi-figurative ONET PROPLETE-MULTISERVICE mark, registered on December 14, 2007, specifying goods and services in multiple classes, including certain goods used for cleaning and cleaning services;
- European Union trademark number 005752894 for ONET, registered on July 14, 2008, specifying services in multiple classes, including cleaning services; and
- International trademark registration number 1047179 for ONET, registered on October 24, 2008, designating multiple jurisdictions, and specifying goods and services in multiple classes, including certain goods used for cleaning and cleaning services.

The above trademark registrations are current. The Complainant has also used the domain name <onet.fr>, which since as early as February 2008 redirected to the domain name <groupeonet.com>, which resolves to a website that presents the ONET Group and its services. The Complainant is also a member of the Assistance Services group, which registered the domain name <onet-proprete.com> in 1998. In 2021, the National Intellectual Property Office of France ("INPI") issued a trademark opposition decision in which it found that the Complainant's prior trademark registration number 3550283 for ONET had acquired a particular reputation for cleaning services (OPP 21-4069 / CAR).

The Respondent is an individual based in Spain, although his contact address for one of the disputed domain names is in France. According to evidence presented by the Complainant, the Respondent registered a cleaning business in France in 1991 that was deregistered in 1992.

The disputed domain names were registered on September 8, 2010. According to archived screenshots presented by the Complainant, as at February 1, 2011 the disputed domain name <onetproprete.com> redirected to the domain name <groupeproprete.com>, which resolved to a website for PropretéIDF, a company based in Paris offering expert cleaning services. As at October 20, 2021 and February 4, 2023, the same disputed domain name redirected to the domain name <qualipropre.com>, which resolved to a website

for Qualipropre SL, a cleaning company with offices in Alicante and Merida in Spain, and Paris in France. As at May 30, 2024 and September 13, 2024, the same disputed domain name redirected to the domain name <p-hm.com>, which resolved to a website for P-HM Propreté, a company based in Paris offering cleaning services. There is no evidence on file that the disputed domain name <onetproprete.net> resolved to any active website at these times.

On April 2, 2025, the Complainant sent a cease-and-desist letter to P-HM Propreté. At the time of this Decision, each disputed domain name resolves to a landing page that displays Pay-Per-Click (“PPC”) links related to professional cleaning products, among other things. A button is displayed for Internet users who wish to acquire the corresponding disputed domain name.

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 confusingly similar to its ONET and ONET PROPRETE-MULTISERVICE marks.

The Respondent has no rights or legitimate interests in respect of the disputed domain names. The results of Google searches for the terms “onet propreté” relate to the Complainant or its company group. The Respondent holds no relevant trademark rights. All active and deregistered French companies with a trade name containing “Onet Propreté” belong to the Complainant’s group. The Complainant has not authorized the Respondent to register the disputed domain names. The Respondent has been director of a cleaning company in France with a different name. At present, the disputed domain names resolve to landing pages displaying PPC links related to cleaning products, which is not a legitimate use.

The disputed domain names have been registered and are being used in bad faith. The Respondent knew of the Complainant and its trademarks when he registered the disputed domain names. The Complainant has a strong reputation in the cleaning sector. The Respondent has worked in this same sector. The disputed domain name <onetproprete.com> formerly redirected to websites of other cleaning companies. After the Complainant sent a cease-and-desist letter to P-HM Propreté, the redirection changed. Both disputed domain names now resolve to landing pages displaying PPC links.

B. Respondent

The Respondent contends that the Complainant has not satisfied any of the three elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends that the disputed domain names are not confusingly similar to the Complainant’s trademarks. The distinctive part of those trademarks is the name ONET itself with no other elements. The Complainant uses two logos on its own websites and the expression “Onet Plus Proches Plus Forts” but it does not use its registered semi-figurative ONET mark. Nor does the Complainant use the expression “Onet Propreté”, which is not the distinctive part of any of its trademarks. The non-use of the semi-figurative ONET mark means that it cannot be used to prevent use by another party. The Complainant never used the domain name <onetproprete.com> to identify itself or its services.

The name “Onet” can be interpreted in different ways. As Onet-le-Château is a place in France, the disputed domain names will be perceived by the French public as references to cleaning at that place. The disputed domain names aurally resemble the phrase “on est propreté” (meaning “we are clean”). The element “net” can mean different things in various languages, such that the disputed domain names will be perceived as “one net propreté”, meaning one unique net related to cleaning services. The words may have other

meanings not related to the ONET mark at all. The INPI trademark opposition decision did not conclude that the Complainant's mark was well-known. The press articles presented by the Complainant are directed to professionals not the general public. The Complainant only has ordinary trademark protection. The Complainant uses the ONET mark in respect of a wide range of services so that it is not specifically associated with cleaning services. Even then, according to its website, the Complainant's use of its ONET mark is focused on cleaning services for professional companies and specific sectors. There is no way that an individual such as the Respondent would know of this company when he registered the disputed domain names. Nor is it clear that any reference to "net" or "propreté" is directly associated with the Complainant or its activity.

The Respondent has rights and legitimate interests in respect of the disputed domain names. These include the use of "Onet" as a place name, "propreté" (meaning "cleaning") as a dictionary term, "net" as a word with many meanings, "On est propre[é]" (meaning "we are clean" or "we are brilliant" and phonetically very similar). The disputed domain names were registered in good faith because of these meanings. A search of the TMView database shows that many registered trademarks in class 37 include "net" or "propreté". The Complainant's trademark rights cannot prevent registration or use of generic terms, even in relation to cleaning services. The fact that the top Google search results for the terms in the disputed domain names all relate to the Complainant shows that they have not created any actual confusion and have not affected the Complainant. There has been no attempt to divert, confuse, or mislead Internet users.

The disputed domain names were not registered and have not been used in bad faith. The Respondent registered the disputed domain names over ten years ago and has never attempted to sell them to the Complainant or anyone else. He has never prevented the Complainant from reflecting a mark in a domain name. He has never disrupted the Complainant's business or confused users for commercial gain. The Respondent states that he had no knowledge of the Complainant at the time of registration of the disputed domain names and they have never been used in any way to target or exploit the Complainant's rights. The Respondent registered the disputed domain names without any knowledge of the Complainant's existence or alleged rights. The Respondent has had no contact and has no relation with the Complainant. Passive holding shall not automatically be considered bad faith. The Complainant's mark is not globally famous, and it has provided no trademark office or court decision to prove its specific reputation in any territory.

Although the Respondent was registered as an entrepreneur in the INPI database in 1991, his company was deregistered in 1992. The Respondent himself is not developing any commercial activity that may enter into competition with, or disrupt, the Complainant's activity. The database extract presented by the Complainant also refers to another individual engaged in a real estate business that is not the Respondent. The Complainant alleges that the Respondent has some kind of relationship with P-HM Propreté on the basis that a disputed domain name sporadically redirected to that company's website during several months. The Respondent is not related to that company. The Respondent did not use the disputed domain names to promote products competitive with the Complainant's products, or any products at all. Over the last 15 years, the Wayback Machine has only archived the website associated with the disputed domain names <onetproprete.com> four times, which is strong evidence of its non-use for commercial purposes. Further, P-HM Propreté's services are addressed to residential properties and condominiums, unlike the very specific professional services provided by the Complainant. That company is not in competition with the Complainant. The fact that a disputed domain name redirected for a short time to the website of P-HM Propreté did not affect the commercial activity of the Complainant.

6. Discussion and Findings

6.1. Preliminary Issues

A. Language of the Proceeding

The language of the Registration Agreement for the disputed domain names is English. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise

in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint and amended Complaint were filed in French. The Complainant requested that the language of the proceeding be French for several reasons, including that the Respondent's contact address for one of the disputed domain names is in France, the disputed domain names include a French word, an online company search indicates that the Respondent has directed at least two French companies, one disputed domain name formerly displayed links to websites in French, and the Complainant believes there is a connection between the Respondent and P-HM Propreté, which is a French company.

The Response was filed in English. The Respondent opposed the Complainant's language request and instead requested that the language of the proceeding be English for several reasons, including that English is the language of the Registration Agreements, the disputed domain names are registered with generic Top-Level Domains ("gTLDs") with no territorial connection, and the Respondent has no link with the French company P-HM Propreté and no specific relation currently with France.

The Panel notes that the Response provides a detailed reply to the allegations in the Complaint, showing that the Respondent has in fact understood the Complaint.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English but that the Complaint and amended Complaint will be accepted as filed in French without translation.

B. Submission from a Third Party

The notification of Complaint was sent, inter alia, to the contact email address shown on a website to which one of the disputed domain names formerly redirected – as provided by the Complainant in the Complaint. The operator of that website, P-HM Propreté, chose to file a written submission.

P-HM Propreté submits that it has no connection to the party named as Respondent in the original Complaint (i.e., Registration Private, Domains by Proxy LLC). P-HM Propreté denies that it has ever registered, controlled, or used the disputed domain names, not even for a limited period of time, and it submits that the evidence annexed to the Complaint does not show otherwise. It has never taken steps to make the disputed domain names redirect to its website. It does not oppose the transfer of the disputed domain names to the Complainant but objects to any fees or costs being charged to it in the context of this proceeding.

The Panel recalls that the Registrar has verified that the registrant of the disputed domain names is a party other than P-HM Propreté. The Panel takes note of P-HM Propreté's submission and will weigh the evidence to which it refers in the record according to its relevance, materiality, and weight. The Panel confirms that P-HM Propreté is not liable for any part of the filing fee in this proceeding and that the Rules make no provision for orders for costs. Moreover, the Panel notes there is nothing in the record of this proceeding confirming any direct relationship between P-HM Propreté and the Respondent.

6.2 Substantive Issues

Paragraph 4(a) of the Policy provides that a complainant must demonstrate each of the following elements with respect to each of the disputed domain names:

(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 burden of proof of each element is borne by the Complainant.

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. See [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of an ONET trademark for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.2.1. It is unnecessary to consider the Complainant's other marks.

The entirety of the ONET mark is reproduced within the disputed domain names at their respective initial elements. Despite the addition of the French word "propre" (meaning "cleanliness"), the ONET mark remains recognizable within the disputed domain names. The only additional element in the disputed domain names is a gTLD (either ".com" or ".net") which, as a standard requirement of domain name registration, may be disregarded in the assessment of confusing similarity for the purposes of the first element of the Policy. Accordingly, the disputed domain names are confusingly similar to the ONET mark for the purposes of the Policy. See [WIPO Overview 3.0](#), sections 1.7, 1.8, and 1.11.1.

The Respondent argues that the name "Onet" can be interpreted in different ways, including as a geographical term. However, the Panel recalls that the test for confusing similarity typically involves a side-by-side comparison of the disputed domain names and the textual components of the relevant trademark. The ONET mark is recognizable within both disputed domain names in such a comparison.

Therefore, 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. See [WIPO Overview 3.0](#), section 2.1.

In the present case, the Complainant submits that it has not authorized the Respondent to register the disputed domain names, which incorporate its ONET trademark. The disputed domain names now resolve to landing pages displaying PPC links related to, inter alia, professional cleaning products, which are a type of good covered by, or closely related to, the goods and services in respect of which the Complainant has registered and uses its ONET mark. This indicates that the disputed domain names and the PPC links capitalize on the goodwill and reputation of the ONET trademark to attract Internet users and divert them to the landing page and, potentially, the linked websites. Accordingly, the Panel does not find that these circumstances constitute a use of the disputed domain names in connection with a bona fide offering of

goods or services. See [WIPO Overview 3.0](#), section 2.9. Given that this use is for the commercial gain of the Respondent, if he is paid to direct traffic, or for the commercial gain of the linked websites, or both, this does not constitute a legitimate noncommercial or fair use of the disputed domain names either.

Further, the Registrar has confirmed that the Respondent's name is "florival pina magrinho", which does not resemble the disputed domain names. Nothing on the record indicates that the Respondent has been commonly known by the disputed domain names.

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.

Turning to the Respondent, he argues that "Onet" may be used as a reference to the place Onet-le-Château. However, he does not use either disputed domain name in connection with that meaning. He points out that "net" and "propreté" are dictionary words but this does not account for the letter "o" that precedes them in the disputed domain names, and the dictionary meaning of "propreté" does not explain the inclusion of "Onet". The disputed domain names do not contain the phrase "on est propre" (meaning "we are clean"). The Respondent also argues that the disputed domain names will be perceived as "one net propreté" or in accordance with other meanings not related to ONET at all. However, there is no reason to believe that the disputed domain names could be perceived as "one net propreté", which is spelt differently and merely constitutes a random string of words in English and French. In sum, the Respondent has not demonstrated any rights or legitimate interests in respect of the disputed domain names and, hence, has not rebutted the Complainant's prima facie showing.

Based on the record, 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. The fourth of these circumstances is as follows:

"(iv) by using the [disputed] 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] web site or location."

In the present case, the disputed domain names were registered in 2010, years after the registration of the Complainant's trademarks. The disputed domain names wholly incorporate the ONET mark as their respective initial elements and combine them with the French word "propreté" (meaning "cleanliness"), which describes a sector in which the Complainant was already using its mark at that time. The Complainant provides evidence of its reputation at that time, including French economic and financial press reports that it had turnover just under EUR 1 million in 2004, over 46,000 employees in 2005, and turnover of EUR 307 million in the second half of 2007. A report in "Les Echos" described ONET Groupe as number 1 in the cleaning sector in France in 2007, while a regional newspaper reported that it had 180 agencies and 8 regional offices offering industrial cleaning services in 2009. The Complainant had used ONET on a website since as early as February 2008. This evidence indicates that the Complainant already enjoyed a significant reputation in its ONET mark in France and online by the time of registration of the disputed domain names. The Respondent argues that these articles appeared in specialized press not directed at the general public. However, even if he did not read them, the content of the articles attests to the Complainant's widespread use of its mark at the relevant time in France, where the Respondent listed his contact address for the disputed domain name <onetproprete.net>. In any event, the combination of the Complainant's arbitrary mark with a term describing the Complainant's business sector indicates an awareness of the mark and the business. Further, given that, soon after registration, one of the disputed domain names redirected to another cleaning business website in Paris, it is more likely that the Respondent was familiar with this sector

and the Complainant's business within it at the time of registration, whatever differences there may have been between their respective clients' profiles. It may also be noted that the Respondent had previously operated his own cleaning business in France, although many years earlier. The Respondent also argues that the Complainant uses its mark in respect of a wide range of other services. However, this does not lessen the Respondent's evident awareness of the Complainant's cleaning services. The Respondent provide no credible alternative explanation for his registration of the disputed domain names. For all these reasons, the Panel finds that the Respondent was aware of the Complainant and its ONET mark at the time when it registered the disputed domain names.

As regards use, the disputed domain names resolve to landing pages displaying PPC links related to, inter alia, professional cleaning products, which are a type of good closely related to a type of service with which the Complainant has registered and uses its ONET mark (i.e., cleaning services). An INPI trademark opposition decision found that the Complainant's ONET mark had a particular reputation in France for cleaning services in 2021 based on evidence including turnover, online presence, and press articles. The top results of Google searches in 2025 for the terms "onet" and "onet propreté" relate to the Complainant or its company group. Despite the Respondent's denial, the disputed domain names clearly attempt to attract Internet users searching for the Complainant's cleaning services and to divert them to the Respondent's landing pages. While there are no instances of actual confusion on the record, an intention to divert traffic is sufficient. The Respondent's use is intentional and for commercial gain. Accordingly, the Panel finds that these circumstances fall within the terms of paragraph 4(b)(iv) of the Policy.

The disputed domain name <onetproprete.com> was formerly used to redirect to the websites of other cleaning service providers as recently as 2021 to 2024. These circumstances also fall within the terms of paragraph 4(b)(iv) of the Policy and are a further indication of bad faith.

The Respondent argues that the Complainant's delay in filing the Complaint suggests that the Complainant did not consider the disputed domain names a legitimate threat or infringing use. However, it is not clear from the record whether the Complainant was aware of the disputed domain names prior to April of this year, shortly before it initiated this dispute. In any case, mere delay between the registration of a domain name and the filing of a complaint does not bar a complainant from filing a case nor from potentially prevailing on the merits. See [WIPO Overview 3.0](#), section 4.17.

Therefore, the Panel finds that the Complainant has established the third element of the Policy.

D. Costs

The Respondent requests an order for costs. The Panel notes that the Rules make no provision for costs orders in favor of any party.

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 <onetproprete.com> and <onetproprete.net> be transferred to the Complainant.

/Matthew Kennedy/

Matthew Kennedy

Sole Panelist

Date: August 8, 2025