

ADMINISTRATIVE PANEL DECISION

Television Francaise 1 v. Jean Michel, trafficlive
Case No. D2025-2567

1. The Parties

The Complainant is Television Francaise 1, France, represented by AARPI Scan Avocats, France.

The Respondent is Jean Michel, trafficlive, France.

2. The Domain Name and Registrar

The disputed domain name <tf1business.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 July 1, 2025. On July 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 1, 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 July 11, 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 July 15, 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 July 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 8, 2025.


The Center appointed Elise Dufour as the sole panelist in this matter on August 18, 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 Television Francaise 1 ("TF1"), a leading European company in the field of production and broadcasting of television programs. Founded in 1974, the Complainant operates the first and oldest television channel in France under the brand TF1.

Since 1987, TF1 has been part of the TF1 Group, which includes several generalist and thematic television channels, as well as production and distribution companies in the film and television industries. Over the years, the Complainant has expanded its activities both in France and internationally, producing and broadcasting original programs in the fields of news, entertainment, current affairs, and fiction. The Complainant has also developed its digital services, notably through its platform "MYTF1," which provides access to replays and video-on-demand services. Finally, it should be noted that the Complainant has created a subsidiary called "TF1 Business Solutions" dedicated to its B2B business.

The Complainant is the registered owner of numerous trademarks consisting of or including the wording TF1 in France and abroad, many of which have been registered since the early 1980s, including the following trademarks:

-  International semi-figurative trademark including the verbal term TF1 registered on July 30, 1990, under No. 556537 (duly renewed) in classes 9, 16, 25, 28, 35, 38 and 41; and
- French word trademark TF1 registered on November 22, 1984 under No. 1290436 (duly renewed) in classes 1 – 42.

The Complainant is also notably the owner of the following domain names that it uses, all related to its activities and registered before the disputed domain name:

- <tf1.com>, domain name registered on April 2, 1998;
- <tf1.fr>, domain name registered on December 3, 1995; and
- <tf1.eu>, domain name registered on March 9, 2006.

The disputed domain name was registered on May 7, 2025. The Respondent uses a privacy service to conceal its identity.

The disputed domain name does not resolve to an active website at present. However, at the time of filing the Complaint, the disputed domain name was configured with MX servers, which allowed it to be used for sending emails.

The Complainant sent a DSA Notice to the hosting provider in order to have these services deleted and a cease-and-desist notice to the Respondent regarding the infringing use of the "TF1" trademark. Despite reminders, the Respondent has not replied to date.

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 is confusingly similar to its well-established TF1 trademarks. The addition of the generic Top-Level Domain ".com" has no distinguishing effect and should be disregarded. The Complainant argues that the disputed domain name fully incorporates its TF1 mark, with the mere addition of the descriptive term "business," which directly refers to its B2B

activities and to its subsidiary TF1 Business Solutions. The Complainant stresses that, according to established UDRP precedent, the combination of a trademark with a descriptive term does not prevent a finding of confusing similarity but rather increases the risk of confusion by creating a direct association with the Complainant.

The Complainant further submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has never been commonly known by the disputed domain name and has no relationship with the Complainant, whether as distributor, licensee, or business partner. The Complainant emphasizes that it has never authorized or permitted the Respondent to use its TF1 marks in any manner, including in a domain name. Nor has the disputed domain name ever been used for a bona fide offering of goods or services. The Respondent's failure to reply to the Complainant's cease-and-desist letter further supports the absence of any legitimate interests.

Finally, the Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith. It is implausible that the Respondent was unaware of the Complainant's long-standing and well-known TF1 trademarks, which have been registered and actively used since the 1980s, enjoy a worldwide reputation, and were recognized as well-known. In addition, the Respondent appears to be located in France, where TF1 enjoys exceptional renown, and even provided a false address at the time of registration, further evidencing bad faith. The disputed domain name reproduces the name of the Complainant's subsidiary TF1 Business Solutions and was configured with MX servers enabling the sending of fraudulent emails impersonating the Complainant. The Respondent also used a privacy service to conceal its identity and failed to respond to the Complainant's formal notices. These factors, combined with the passive holding of the disputed domain name and the likelihood of consumer confusion, demonstrate opportunistic bad faith both at the time of registration and in the subsequent use of the disputed domain name.

B. Respondent

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

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 Panel finds the entirety of the TF1 trademark is reproduced within the disputed domain name. The only difference between the trademark and the disputed domain name is the addition of the term "business". Although the addition of this term 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 trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Further, the generic Top-Level Domain ".com" is a standard registration requirement and is typically disregarded under the first element.

Accordingly, the disputed domain name is confusingly similar to the trademark for the purposes of the Policy.

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 Respondent, in not responding to the Complaint, has failed to invoke any of the circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests in the disputed domain name. This entitles the Panel to draw any such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. As seen above, the composition of the disputed domain name, wholly incorporating the Complainant’s well-known trademark together with terms that refer to the Complainant’s B2B activities carries a risk of implied affiliation. See section 2.5.1, [WIPO Overview 3.0](#).

Also, the lack of evidence on record showing that the Respondent has been commonly known by the disputed domain name, is a further indication that the Respondent lacks rights or legitimate interests in the disputed domain name.

In addition to that and in spite of an apparent inactive use of the disputed domain name, active mail servers have been configured at the disputed domain name which could be used to send emails. Indeed such use would not be considered here a bona fide offering of goods or services nor legitimate noncommercial or fair use under the Policy considering the circumstances of this case.

Based on the available 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

This case presents the following circumstances which indicate under the balance of probabilities bad faith registration and use of the disputed domain name:

a) the composition of the disputed domain name reproducing the Complainant’s well-known trademark and name and incorporating the term “business” which refers to “TF1 Business Solutions” (previous UDRP panels have consistently found that 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. See [WIPO Overview 3.0](#), section 3.1.4);

b) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain name;

c) the configuration of MX servers in relation to the disputed domain name which could indicate the use of the disputed domain name likely in connection with fraudulent emails;

d) the Respondent's choice to retain a privacy protection service; and

e) the indication of what appear to be false contact details, not being the Center fully able to deliver Written Notice to the Respondent.

In addition to that, 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. Having reviewed the available record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Based on the available record, 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 <tf1business.com> be transferred to the Complainant.

/Elise Dufour/

Elise Dufour

Sole Panelist

Date: September 1, 2025