

## **ADMINISTRATIVE PANEL DECISION**

Compagnie Générale des Etablissements Michelin v. Carolina Rodrigues,  
Fundacion Comercio Electronico  
Case No. D2025-2738

### **1. The Parties**

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

The Respondent is Carolina Rodrigues, Fundacion Comercio Electronico, Panama.

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

The disputed domain name <micheling.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 10, 2025. On July 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 11, 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 (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 15, 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 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 Respondent of the Complaint, and the proceedings commenced on July 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 8, 2025.

The Center appointed Gill Mansfield as the sole panelist in this matter on August 15, 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 leading tyre company and the top selling tyre brand worldwide. It has headquarters in France and is present in 170 countries. It has more than 124,000 employees and operates 117 tyre manufacturing facilities and sale agencies in 26 countries. It has a history that dates back to 1889.

The Complainant launched the world-renowned MICHELIN Guide in 1920 to help motorists plan their trips and in 1926 began awarding stars to fine dining establishments. The MICHELIN Guides now rates over 30,000 establishments in over 30 territories across three continents, and more than 30 million MICHELIN Guides have been sold worldwide.

The Complainant has trademark registrations for the MICHELIN mark which include (inter alia):

United States of America trademark registration number 892045 for MICHELIN (word mark) registered June 2, 1970, in class 12.

United States of America trademark registration number 4126565 for MICHELIN (word mark) registered April 10, 2012, in classes 36, 37 and 39.

Panama trademark registration number 039677 for MICHELIN (word mark) registered on August 4, 1986, in class 12.

The Complainant operates a website through which it promotes its goods and services at the domain name <michelin.com>. That domain name was registered on December 1, 1993.

The disputed domain name was registered on August 27, 2024, and at the time of the Complaint, resolved to a parked page with pay-per-click (PPC) links.

#### **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 identical or confusingly similar to the Complainant's MICHELIN mark. It asserts that the disputed domain name reproduces the MICHELIN trademark, which other panels have found to be famous or well-known, in its entirety. It submits that the structure of the disputed domain name enhances the false impression that the disputed domain name is related to the Complainant and may be perceived as an official domain name. That the structure of the disputed domain name, which reproduces the Complainant's mark with the mere addition of the letter "g" is likely to confuse Internet users into believing that that disputed domain name will direct them to the Complainant's website, or at least that it is endorsed by, or affiliated to the Complainant. It also submits that the extension ".com" should not be taken into consideration when examining the identity or similarity between the Complainant's mark and the disputed domain name.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. It states that the Respondent is not affiliated with the Complainant in any way and has not been authorised by the Complainant to use or register its trademark, or any domain name incorporating the

MICHELIN trademark. It argues that the Respondent has no prior rights or legitimate interests in the disputed domain name, noting that the registration of the MICHELIN trademark precedes the registration of the disputed domain name by years. It submits that the disputed domain name resolves to a parked page displaying commercial links and consequently it is implausible to assert that there has been any bona fide offering of goods or services associated with the disputed domain name by the Respondent. It asserts that the Respondent is likely to receive PPC revenue from the links and that this type of activity does not constitute a legitimate interest. The Complainant also points to the fact that it attempted to contact the Respondent by sending a cease-and-desist letter via email, and that in spite of several reminders the Respondent has not replied. The Complainant contends that in the light of this it is clear that the Respondent does not have any legitimate interest with respect to the disputed domain name. It also submits that the Respondent appears to be linked to an entity known for registering domain names in which it has no interest and trying to sell them to the owners of corresponding trademarks, or using them for parked pages, and that the Respondent has been involved in several UDRP proceedings where it failed to establish any rights or legitimate interests in respect of the domain names which are the subject of those proceedings.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It asserts that the Complainant is well-known throughout the world. It points to the composition of the disputed domain name, which entirely reproduces the Complainant's trademark with addition of the letter "g". It also refers to the fact that the Complainant's trademark registrations significantly pre-date the registration of the disputed domain name and that a quick trademark search, or search via any search engine for MICHELIN, would have revealed the existence of the Complainant and its trademark. It argues that taking into account the worldwide reputation of the Complainant it is hard to believe that the Respondent was unaware of the existence of the Complainant and its trademark at the time that the disputed domain name was registered. The Complainant submits that the disputed domain name could not have been chosen for any reason other than to deliberately cause confusion amongst Internet users as to its source and to take unfair advantage of the Complainant's goodwill and reputation. Finally, the Complainant asserts that using the disputed domain name to direct Internet users to a webpage displaying pay-per-click links (including links for automotive products and tyres) which are likely to generate revenue constitutes bad faith under the Policy.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, and
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

### **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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The applicable Top-Level Domain (“TLD”) in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1. As such, the TLD “.com” in the disputed domain name is disregarded for the purposes of the first element confusing similarity test.

Although the addition of other terms (here, the addition of a “g” at the end of MICHELIN) 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 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.

## **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 Panel finds that the Respondent is not affiliated with the Complainant in any way and has not been authorised by the Complainant to use or register its trademark, or any domain name incorporating the Complainant’s trademark.

The Respondent is also not commonly known by the disputed domain name. The Panel notes that the name disclosed by the Registrar is “Carolina Rodrigues, Fundacion Comercio Electronico”. There is no evidence of use, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, or of legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert customers. In fact, at the time that the Complaint was filed the disputed domain name resolved to a parked page with PPC links that redirect Internet users to third-party websites.

The use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where, as in this case, such links compete with or capitalise on the reputation and goodwill of the complainant’s mark or otherwise mislead Internet users, [WIPO Overview 3.0](#), section 2.9.

The Panel also notes the composition of the disputed domain name. The use of the entirety of the Complainant’s MICHELIN trademark with just the addition of a “g” at the end of MICHELIN creates the false impression that the disputed domain name is connected with the Complainant, or is in some way related to, associated, or affiliated with the Complainant and its MICHELIN mark.

As such the Panel finds that the composition of the disputed domain name is such as to carry a risk of implied affiliation that cannot constitute fair use, as it effectively impersonates the Complainant, or suggests affiliation with, or sponsorship or endorsement by, the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Under paragraph 14(b) of the Rules, the Panel may draw from the lack of response of the Respondent such inferences as it considers appropriate. The Panel is of the view that the lack of response from the Respondent corroborates the absence of any rights or legitimate interests of the Respondent in the disputed domain name.

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 the long history of the Complainant's brand and that the Complainant's trademark registrations significantly predate the registration of the disputed domain name by the Respondent. The Panel finds that the Complainant's MICHELIN trademark is a world-famous mark with significant goodwill and reputation worldwide.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. WIPO Overview section 3.1.4.

Given the worldwide reputation of the MICHELIN mark and the composition of the disputed domain name, it is implausible that the Respondent was not aware of the Complainant's trademark at the time the disputed domain name was registered.

As already noted above by the Panel, the record shows that the disputed domain name resolves to a parked page containing PPC advertising links. This constitutes bad faith under paragraph 4(b)(iv) of the Policy. The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation or endorsement.

Having reviewed the available record, the Panel finds that the Respondent has been involved in previous UDRP proceedings which have resulted in adverse findings against the Respondent and the transfer of the disputed domain names in question. Consequently, the Panel also finds that there is a pattern of abusive domain name registrations and bad faith on the part of the Respondent under paragraph 4(b)(ii) of the Policy.

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 <micheling.com> be transferred to the Complainant.

*/Gill Mansfield/*

**Gill Mansfield**

Sole Panelist

Date: August 29, 2025