

ADMINISTRATIVE PANEL DECISION

Thales Group v. Earl Abel
Case No. D2025-2893

1. The Parties

The Complainant is Thales Group, France, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Earl Abel, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <thalesgroup.click> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 22, 2025. On July 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 22, 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 (Domain Administrator, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 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 July 23, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 19, 2025.

The Center appointed Alfred Meijboom as the sole panelist in this matter on August 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 French multinational aerospace and defense corporation specialized in electronics, which was initially founded in 1893 under the name “Compagnie Française Thomson-Houston”, and was rebranded as “Thales” in 2000. The Complainant engages in the manufacture, marketing, and sale of electronic equipment and systems for aeronautics, naval, and defense sectors. The Complainant maintains more than 500 offices and facilities worldwide, has more than 81,000 employees on five continents, and EUR 18.4 billion in revenue.

The Complainant is owner of trademark registrations for THALES across various jurisdictions, including:

- French trademark THALES with registration number 1525967 of April 25, 1989, for goods and services in classes 9, 35, 38, 40, 41 and 42;
- United States trademark THALES with registration number 3087138 of May 2, 2006, for goods and services in classes 9, 13, 28, 38, 42, and 45; and
- United States trademark THALES with registration number 3017144 of November 22, 2005, for goods and services in classes 9, 35, 38, and 42.

The Complainant has been providing information about its THALES brand and products since November 7, 2000, from its main website under the domain name <thalesgroup.com>, which website received an average of more than 1 million visitors in December 2024. The Complainant has further registered its THALES trademark as domain names in combination with the term “group” with different top-level domains (“TLDs”), including <thalesgroup.fr>, <thalesgroup.co.uk>, <thalesgroup.info>, and <thalesgroup.tel>.

The Respondent registered the disputed domain name on November 12, 2024. The disputed domain name is passively held. The disputed domain name is, however, set up with mail exchanger (MX) records, which the Complainant alleges to show that the disputed domain name may be actively used for email purposes.

The Complainant sent the Respondent a cease and desist letter on May 27, 2025, followed by a second notice on June 10, 2025, and a third notice on June 17, 2025, alleging that the disputed domain name infringes the Complainant’s trademark rights and breaches the UDRP, and asking for, inter alia, voluntary transfer of the disputed domain name. The Respondent has not responded to this letter.

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 the Complainant’s THALES trademarks, to which it merely added the generic, descriptive term “group”, while the TLD “.click” should not be taken into account in comparing the Complainant’s trademark and the disputed domain name. See section 1.11.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”).

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent was not sponsored by or affiliated with the Complainant in any way, and the Complainant has not given the Respondent permission to use the THALES trademarks in any manner, including in a domain name, nor is the Respondent commonly known by the disputed domain name. Furthermore, the Complainant alleges that it has not licensed, authorized, or permitted the Respondent to register a domain name incorporating the Complainant’s THALES trademarks.

According to the Complainant, the disputed domain name was registered in bad faith, because, at the time of the registration of the disputed domain name, the Complainant and its THALES trademarks were already known internationally, with trademark registrations across numerous countries. The Complainant alleges that the Respondent, by registering a domain name that comprises the entirety of the Complainant's trademark in conjunction with a term that directly relates to the Complainant as a "Group" of companies, it has created a domain name that is confusingly similar to Complainant's trademark, and identical to its <thalesgroup.com> domain name, which demonstrate a prior knowledge of and familiarity with the Complainant's brand and business. The Complainant also alleges that the disputed domain name currently is not being used, which passive holding constitutes a factor in finding bad faith registration and use of the disputed domain name, and which the Complainant considers an indication of an intention to hold the disputed domain name for some future active use in a way which would be competitive with or otherwise detrimental to the Complainant. In addition, the Complainant submits that the disputed domain name has been set up with MX records which shows that the disputed domain name may be actively used for email purposes. According to the Complainant, emails emanating from the disputed domain name could not reasonably be used for any good faith purpose given the close similarity of the disputed domain name with the Complainant's THALES trademarks that would be difficult to discern in an email. Therefore, the Complainant considers it more likely that the disputed domain name may be actively used to facilitate fraudulent activity such as phishing, impersonating or passing off as the Complainant. The Complaint also alleges that the Respondent has ignored the Complainant's attempts to resolve this dispute outside of this administrative proceeding, which may be considered a factor in finding bad faith registration and use of the disputed domain name. The Complainant concludes that, on balance of the facts set forth above, it is more likely than not that the Respondent knew of and targeted the Complainant's THALES trademarks, and the Respondent should be found to have registered and used the disputed domain name in bad faith.

B. Respondent

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

6. Discussion and Findings

The Respondent did not file a Response. However, as set out in [WIPO Overview 3.0](#), section 4.3, the consensus view of UDRP panels is that the respondent's default does not automatically result in a decision in favor of the complainant. The Complainant must still establish each of the three elements required by paragraph 4(a) of the Policy. Although the Panel may draw appropriate inferences from the Respondent's default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in this proceeding. Paragraph 14(b) of the Rules provides that, in the absence of exceptional circumstances, the panel shall draw such inferences as it considers appropriate from a failure of a party to comply with a provision or requirement of the Rules. The Panel finds that in this case there are no such exceptional circumstances.

Under the Policy, the Complainant must prove that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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 are 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 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 trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's THALES trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 the 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.

More particularly, in absence of a Response which could elucidate the Respondent's current passive holding of and possible future intentions with the disputed domain name, the Panel is unable to conceive of any basis upon which the Respondent could sensibly be said to have any rights or legitimate interests in respect of 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.

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.

In the present case, the Panel is satisfied that the Respondent must have been aware of the Complainant's THALES trademarks, which are distinctive and had been registered and used internationally for more than 20 years prior to the registration of the disputed domain name, and which must be considered well-known trademarks at the time of registration of the disputed domain name. The finding that the Respondent must have been aware of the Complainant and its THALES trademarks is further reinforced by the fact that the disputed domain name, with the exception of the TLD, is identical to the Complainant's domain name used for its main website.

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, (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 distinctiveness and reputation of the Complainant's THALES trademark, the composition of the disputed domain name, and the Respondent's lack to respond to the Complainant's cease and desist letters and the Complaint, 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.

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 <thalesgroup.click> be transferred to the Complainant.

/Alfred Meijboom/

Alfred Meijboom

Sole Panelist

Date: September 1, 2025