

ADMINISTRATIVE PANEL DECISION

AXA SA v. Guillermo Magana
Case No. D2025-2898

1. The Parties

The Complainant is AXA SA, France, represented by Plasseraud IP, France.

The Respondent is Guillermo Magana, Mexico.

2. The Domain Name and Registrar

The disputed domain name <axaltd.org> (the “Disputed Domain Name”) is registered with Wild West Domains, 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 23, 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 (No information) 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 amendment to the Complaint on July 23, 2025.

The Center verified that the Complaint together with the amendment to the 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 August 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 26, 2025.

The Center appointed Michael D. Cover as the sole panelist in this matter on September 1, 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 one of the world leaders in insurance, saving and asset management and employs 154,000 people worldwide. The Complainant operates in 50 countries across Africa, Asia-Pacific, Europe, and the Middle East, North and South America.

The Complainant is the proprietor of AXA trademarks throughout the world, including the following registered trademarks:

- International Registration No. 490030 AXA dated December 5, 1984 in Classes 35, 36 and 39;
- International Registration No. 1519781 AXA (& design) dated May 29, 2019 in Classes 35, 36, 37, 39, 44 and 45; and
- European Union Trademark No. 373894 AXA registered on July 29, 1998 in Classes 35 and 36.

The Complainant is also the proprietor of various domain names, including:

<axa.com> registered on October 24, 1995;

<axa.fr> registered on May 19, 1996; and

<axa.net> registered on November 2, 1997.

The Disputed Domain Name was registered on October 23, 2023.

The Disputed Domain Name is passively held and resolves to a page which is not accessible.

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 and that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark, in which the Complainant has rights.

Identical or Confusingly Similar

Notably, the Complainant contends that the Disputed Domain Name is confusingly similar to the Complainant's registered trademark AXA, in which the Complainant has rights, noting that its AXA trademark is famous and notorious.

The Complainant continues that the addition of the letters "Ltd" does not prevent the finding of confusing similarity between the Disputed Domain Name and the Complainant's trademark as it is a generic and non-distinctive abbreviation of the term "limited", a term that Internet users would certainly not remember comparing to the well-known and distinctive term "AXA". On the contrary, submits the Complainant, Internet users are even more likely to think that this is an official Complainant's website.

Finally, the addition of the generic Top-Level Domain (“gTLD”) “.org” is considered a standard requirement for domain name registration and should therefore not be taken into account in the panel’s comparison of the trademark and domain name (section 1.11.1, WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#))).

The Complainant concludes that the Disputed Domain Name is confusingly similar to the trademarks in which the Complainant has prior rights.

No Rights or Legitimate Interests

The Complainant sets out that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

Firstly, states the Complainant, the Complainant has never licensed or otherwise permitted the Respondent to use its AXA trademarks or to register any domain name including the above-mentioned trademarks and then to register the Disputed Domain Name. For this first reason, says the Complainant, the Respondent has no prior rights and/or legitimate interests in justifying the use of the Complainant’s trademarks. The Complainant submits that the Respondent has clearly adopted the Complainant’s AXA trademark, which has acquired a substantial reputation around the world, for its own use and incorporated it into the Disputed Domain Name without the Complainant’s authorization.

Secondly, continues the Complainant, the Respondent has not been commonly known by the Disputed Domain Name or even associated with the term “AXA”, whereas the AXA trademark appears to be well known.

Thirdly, submits the Complainant, the Respondent is not making legitimate non-commercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Indeed, the Disputed Domain Name is passively held and leads to a page which is not accessible. Passive holding of a domain name does not constitute “legitimate non-commercial use” of it, submits the Complainant.

The Complainant concludes that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

Registered and Used in Bad Faith:

The Complainant states that the Disputed Domain Name was registered and is being used in bad faith.

The Complainant submits that the Respondent obviously was aware of the Complainant’s well-known AXA trademark at the time that the Respondent registered the Disputed Domain Name and that it demonstrates that the Respondent did not need the Disputed Domain Name but that it chose and registered the Disputed Domain Name in bad faith in order to take predatory advantage of the Complainant’s reputation.

With regard to use in bad faith, the Complainant submits this is also evident, as the Disputed Domain Name is passively held and leads to a page which is not accessible, even though the Disputed Domain Name was registered in October 2023, nearly two years ago.

The Complainant summarizes that the Complainant’s trademarks have a strong reputation and are widely known, as evidenced in the present Complaint (Annexes 5 to 10), the Disputed Domain Name reproduces the AXA trademark entirely, the Complainant never authorized the registration of the Disputed Domain Name and that the only purpose of the Respondent is to take undue advantage of the Complainant’s reputation, as evidenced by the fact that the Respondent is not seriously interested in actively using the Disputed Domain Name in good faith, as it is leading to a page which is not accessible even though it was registered in October 2023, so almost two years ago.

Consequently, concludes the Complainant, it clearly appears that the Disputed Domain Name was registered intentionally and is being used in bad faith by the Respondent without any rights or legitimate interests.

The Remedy Requested by the Complainant

The Complainant requests that the Panel decide that the Disputed Domain Name be transferred to the Complainant.

B. Respondent

The Respondent did not reply to the Complainant's contentions

6. Discussion and Findings

The Complainant must establish on the balance of probabilities that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, that the Respondent has no rights or legitimate interests in the Disputed Domain Name and 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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark 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.

Although the addition of other terms, here the term "Ltd", 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.

It is also well-established in prior UDRP decisions that the applicable gTLD, in this case ".org", is a standard registration requirement and is to be ignored in considering confusing similarity.

The Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's registered trademark AXA, in which the Complainant has rights, and that 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.

In particular, the Respondent has not demonstrated, before notice of the dispute, use or demonstrable preparations to use the Disputed Domain Name in connection with a bona fide offering of goods or services, that the Respondent has been commonly known by the Disputed Domain Name or that the Respondent is making legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

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.

Previous panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's AXA 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.

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 <axaltd.org> be transferred to the Complainant.

/Michael D. Cover/

Michael D. Cover

Sole Panelist

Date: September 4, 2025