

ADMINISTRATIVE PANEL DECISION

Compagnie Generale des Etablissements Michelin v. Phil Howard
Case No. D2025-3318

1. The Parties

The Complainant is Compagnie Generale des Etablissements Michelin, France, represented by Tmark Conseils, France.

The Respondent is Phil Howard, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <michelinstarsmenu.com>, <michelinstarsmenu.com>, and <michelinstarsrecipe.com> are registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 18, 2025. On August 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 20, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (UNKNOWN) and contact information in the Complaint.

The Center sent an email communication to the Complainant on August 21, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on August 26, 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 September 1, 2025. In accordance with the Rules,

paragraph 5, the due date for Response was September 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 28, 2025.

The Center appointed Martin Schwimmer as the sole panelist in this matter on October 6, 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 owns trademark registrations for MICHELIN in many jurisdictions around the world related to tire production and sales as well as road maps and various guide publications in the field of restaurants. The Complainant is notably the holder of the following registered trademarks:

- International Trademark Registration MICHELIN No.1254506 of December 10, 2014;
- United States of America Trademark Registration MICHELIN No. 5775734 of June 11, 2019; and
- European Union Trademark Registration MICHELIN No.013558366 of April 17, 2015.

These trademarks cover products and services relating to tourism, hospitality, restaurant and gastronomy, and in particular "multimedia publications in electronic form available online from databases in the field of travel, tourism and gastronomy or for services of editing and publication of guides".

The Complainant has also registered and used various domain names incorporating the trademark MICHELIN such as, among others <michelin.com> registered on December 1, 1993 and sub-domain <guide.michelin.com>. These domain names reflect the trademark MICHELIN and relate to the Complainant's activities in the tires industry as well as in the field of gastronomy or travel.

The Complainant is also the owner of the corporate name Compagnie Generale Des Etablissements Michelin, including MICHELIN, registered in the Commerce Register in France since July 1, 1955 under the No. 855 200 887.

The disputed domain names were registered on July 25, 2025.

According to the Complainant and based on the evidence provided, all of the disputed domain names resolve to a webpage that displays the MICHELIN trademark, including a registered trademark symbol (®), and a depiction of the Complainant's "Michelin Man". The webpage also includes a background photograph showing plates depicting fine dining.

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 the following: The Complainant is a corporation organized under the laws of France that operates a business with a presence in many countries selling tires, and the authoritative Guide Michelin that ranks fine dining establishments by awarding "Michelin Stars". The Complainant has used and promoted its trademark MICHELIN for more than a century.

The Complainant owns worldwide numerous trademark registrations for MICHELIN. The trademark MICHELIN is without doubt considered as well-known in accordance with Article 6bis of the Paris Convention in the Convention countries due to its old and intensive use. The Complainant's trademark MICHELIN indeed has acquired a significant and indisputable reputation.

The Complainant, which was created in 1889, enjoys a strong reputation in the field of tire manufacturing for cars, trucks, motorcycles and planes. Indeed, the Complainant is a well-known company that designs, manufactures, and markets tires for several vehicle industries (car, truck, aviation).

It is also highly involved into travel publications (maps, guides, atlases, computerized products) and vehicle racing (Formula One and Motorcycle Grand Prix, Superbike) and rallies. While the MICHELIN brand is well known for its tires, the company is therefore also famous for its annual Michelin Guide. Michelin began publishing the travel/gastronomy guide in Europe in 1900 to encourage new drivers to take road trips to local attractions. Among other things, the guide included anonymous European restaurant reviews that focused on the quality and flavor of food served, as well as mastery of culinary technique and personality of the dishes. Michelin Star is a rating system used by the Complainant since 1926 to grade restaurants on their quality. In 1926, the guide began to award "stars" for fine dining establishments, initially marking them only with a single star. Five years later (1931), a hierarchy of zero, one, two, and three stars was introduced, and in 1936, the criteria for the starred rankings were published. Thanks to its serious and unique approach for almost a century, the Michelin Guides became best-sellers without equals: the guide now rates over 30,000 establishments in over 30 territories across the world and more than 30 million Michelin Guides have been sold worldwide since. The Complainant has therefore notably established its strong reputation through the famous "Guide Michelin" that selects restaurants and hotels around the world.

The number of "Michelin Stars" has become a reference and a standard when assessing a restaurant. Michelin stars are now considered a hallmark of fine dining by many of the world's top chefs. The stars are not easy to obtain and are awarded to the best restaurants in each particular city in the guide. Star recipients gain immense prestige and exposure along with the honor, and many restaurant owners also see an increase in business after receiving Michelin stars.

Given the fame, the extensive reputation and notoriety throughout the world of the distinctive trademark MICHELIN, the public would expect the owner and user of the disputed domain names to be the Complainant or associated with.

All of the disputed domain names incorporate the Complainant's MICHELIN trademark and the addition of the generic Top-Level Domain such as ("gTLD") ".com" or ".net" does not eliminate the identity or confusing similarity between the Complainant's registered MICHELIN trademark and the disputed domain names, having no distinguishing capacity.

The disputed domain names incorporate entirely the Complainant's well-known mark MICHELIN, which is indisputably the prominent and essential character of the disputed domain names. The MICHELIN mark is recognizable in the disputed domain names, the inclusion of the term "star(s)", "recipe", "menu" in combination with the Complainant's well-known and valuable trademark MICHELIN, reinforce the risk of confusion insofar as the Michelin Guide is a book dedicated to the world of catering and rewards the talent of head cook.

In addition, the terms mentioned above in combination with the Complainant's well-known and valuable trademark MICHELIN reinforce the risk of confusion in the minds of Internet users as these terms precisely target one its core businesses, i.e., the Michelin Guide which awards stars to chefs who have cooked dishes that are interesting in terms of taste.

The Complainant has not authorized any third party to identify itself to the public as MICHELIN or in a domain name. The Respondent has impermissibly taken advantage of the Complainant's commercial interest in its mark MICHELIN. The Respondent registered the disputed domain names because of their connection to the Complainant, its trademark and goods and services in restaurant/gastronomy. This position is fully confirmed by the use of these disputed domain names which resolve to a page distinctively displaying the MICHELIN mark in connection with culinary activities of the Michelin Guide and the reproduction of the Michelin Bibendum or "Michelin Man".

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 entirety of the mark is reproduced within the disputed domain names. The addition of "star", "stars", "menu", "recipe", does not prevent a finding of confusing similarity. Furthermore, the Top-Level Domains are typically disregarded. [WIPO Overview 3.0](#), section 1.11.1. ("The applicable Top-Level Domain ('TLD') in a domain name (e.g., '.com', '.club', '.nyc') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.").

Accordingly, the disputed domain names are confusingly similar to the mark 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 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 names. 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 names such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for illegitimate activity, here claimed unauthorized impersonation/passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 that the Respondent registered multiple disputed domain names that include the trademark MICHELIN, all including "star(s)" which are clear references to the renowned Michelin Guide to restaurants and the stars that it awards restaurants all over the world. The Respondent also used the disputed domain names to resolve to an impersonating website that displayed the trademark MICHELIN along with a registered trademark symbol in connection with culinary activities of the Michelin Guide and the reproduction of the Michelin Bibendum or "Michelin Man".

Panels have held that the use of a domain name for illegitimate activity, here, claimed, impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes 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 names <michelinstarmenu.com>, <michelinstarsmenu.com>, and <michelinstarsrecipe.com> be transferred to the Complainant.

/Martin Schwimmer/

Martin Schwimmer

Sole Panelist

Date: November 8, 2025