

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. Chris Briscoe
Case No. D2025-3322

1. The Parties

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

The Respondent is Chris Briscoe, United States of America, self represented.

2. The Domain Names and Registrar

The disputed domain names <michelininspections.com> and <michelininspections.net> are registered with Wix.com Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 19, 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 27, 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 (Wix.com Ltd.) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 29, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

The Respondent on August 29, 2025 sent two informal communications to the Center. On the same day, the Center informed the Parties that if they would like to explore settlement options, the Complainant should submit a request for suspension. The Complainant requested the suspension of the proceedings on September 3, 2025. The Center suspended the proceedings on the same day. The Complainant requested the Center to reinstitute the proceedings and filed an amended Complaint on the same day, September 3, 2025. The Center reinstated the proceedings accordingly.

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 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2025. On the same day, the Respondent sent an email communication to the Center, and the Center invited the Respondent to confirm if this might be treated as his final response. The Respondent filed a Response on September 11, 2025.

The Center appointed Marina Perraki as the sole panelist in this matter on September 17, 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 tire company, headquartered in France, commercially present in 170 countries with more than 124,000 employees and operating 117 tire manufacturing facilities and sales agencies in 26 countries. The Complainant is also known for its Michelin Guide, awarding stars for fine dining establishments, which was first launched in 1920.

The Complainant holds numerous trademark registrations for the MICHELIN mark, including the international trademark registration no. 771031, registered on June 11, 2001 for goods and services in international classes 5, 7, 8, 9, 10, 11, 12, 16, 17, 18, 20, 21, 24, 25, 39, and 42 and the European Union trademark registration no. 001791243, filed on August 3, 2000 and registered on October 24, 2001, for goods in international classes 6, 7, 12, 17, and 28.

The Complainant is also the owner of a number of domain name registrations, including the domain name <michelin.com>, registered on December 1, 1993.

The disputed domain names were both registered on June 20, 2025 and resolve to the same websites displaying a message “[o]pening in never”. Email servers have been configured on the disputed domain name <michelininspections.com>.

The Complainant sent a cease and desist letter to the Respondent through the Registrar on July 2, 2025, to which they received no response.

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.

B. Respondent

The Respondent, between August 29 and September 11, 2025, sent email communications to the Center, confirming the receipt of the Complainant’s cease and desist letter sent through the Registrar and stating he had reached out to the Complainant without getting a response back, and he would not use the disputed domain names, however, he would not transfer the disputed domain name to the Complainant for free because the Complainant should cover the Respondent’s costs for registering the disputed domain names, and the Complaint should be dropped. The Respondent further stated that he had already created a new website with other domain versions back in August or early September, and had instructed the Registrar to lock up or freeze the disputed domain names so that no one could use them. The Respondent also explained that he is a one-person home inspector in the United States of America, and legally registered the disputed domain names.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which the Complainant must satisfy with respect to the disputed domain names:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have 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 names. 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. Accordingly, the disputed domain names are 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 "inspections", 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 names 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 names. There is no record showing the disputed domain name has been used for a bona fide offering of goods or services nor a legitimate noncommercial or fair use. Although the Respondent claims to be a home inspector, the Respondent's name as confirmed by the Registrar has nothing to do with Michelin and there is no explanation from the Respondent why he would choose to include the term "Michelin" in the disputed domain names. Therefore, 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.

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.

The Panel agrees with previous panels that the Complainant's MICHELIN trademark is well known (see for example *Compagnie Générale des Etablissements Michelin v. World Industrial*, LNQ WIPO Case No. [D2019-0553](#), and *Compagnie Générale des Etablissements Michelin v. Kanoksak Puangkham* WIPO Case No. [D2018-2331](#)). Considering the MICHELIN mark had been widely used and registered by the Complainant at the time of the disputed domain names' registrations and enjoyed reputation, the Panel finds it more likely than not that the Respondent had the Complainant's trademark in mind when registering the disputed domain names which incorporate the entirety of the Complainant's trademark (*Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net*, WIPO Case No. [D2000-0226](#)).

Having reviewed the available record, the Panel finds the non-active use of the disputed domain names does not prevent a finding of bad faith use 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.

The Panel notes a) the reputation of the Complainant's MICHELIN trademark, b) the fact that the Respondent has not provided any evidence of actual or contemplated good-faith use of the disputed domain names, and c) the composition of the disputed domain names, which entirely incorporate the Complainant's trademark. Further, while the Panel understands "inspections" may relate to the Respondent's claim to be a home inspector (the Panel however notes there is no evidence provided by the Respondent to support this claim), the Respondent has not explained why he chose the term "Michelin" in registering the disputed domain names. Considering the well-known nature of the Complainant's trademark, it is more likely than not that the Respondent attempted to take advantage of the reputation of the Complainant's trademark in registering the disputed domain names. Taking all the above into account, the Panel finds that in the circumstances of this case the passive holding of the disputed domain names 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 names <michelininspections.com> and <michelininspections.net> be transferred to the Complainant.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: October 1, 2025