

ADMINISTRATIVE PANEL DECISION

Damien Colcanap, Il est Content v. Masud Rana
Case No. D2025-3473

1. The Parties

The Complainant is Damien Colcanap, Il est Content, France, represented by 3 BEES ONLINE, France.

The Respondent is Masud Rana, Bangladesh.

2. The Domain Name and Registrar

The disputed domain name <jeffpanacloc.com> is registered with UdomainName.com LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 26, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 27, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. On August 28, 2025, the Center sent a request for amendment of the Complaint to the Complainant. On August 29, 2025, the Complainant submitted an amended Complaint.

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 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2025. The Response was filed with the Center on September 11, 2025. The Complainant sent an unsolicited supplemental filing on September 11, 2025. The Respondent replied on September 11, 2025, and in a separate email sent on the same day, he submitted a settlement proposal. On September 12, 2025, the Center set the Complainant a deadline until September 16, 2025, to request a suspension of the proceeding. As the Complainant did not request a suspension, the Center informed the parties on October 2, 2025, that it would proceed to the Panel appointment.

The Center appointed Andrea Mondini 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 is a French ventriloquist and stand-up comedian who has been performing full time since 2009 using the stage name Jeff Panacloc ("Panacloc" corresponds to his real surname written back to the front). See "en.wikipedia.org/wiki/Jeff_Panacloc".

The Complainant owns the French registration no 4409144 for the trademark JEFF PANACLOC which was registered on November 20, 2017.

The disputed domain name had been originally registered on July 16, 2010 by a service provider acting for the Complainant. After its expiry due to inadvertent non-renewal, it was re-registered by a third party and then acquired by the Respondent in a public auction on August 24, 2025.

In an exchange of emails which took place on August 26, 2025, (i) the Complainant requested that the Respondent cease using the disputed domain name and transfer it voluntarily to the Complainant within seven days; (ii) the Respondent answered that he bought the disputed domain name from an auction and was not prepared to transfer it free of cost; (iii) the Complainant insisted that the disputed domain name be transferred, otherwise he would initiate UDRP proceedings; and (iv) the Respondent still refused a transfer free of cost.

According to the evidence submitted with the Complaint, the disputed domain name resolves to a parking page with sponsored pay-per-click ("PPC") links referring to comedy and live entertainment services.

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 as follows:

The disputed domain name is identical to the trademark in which the Complainant has rights, because it incorporates this trademark in its entirety, and the addition of the generic Top-Level Domain ("gTLD") ".com" does not affect the assessment of similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Respondent has not been authorized by the Complainant to use this trademark, is not commonly known by the disputed domain name and has no trademark rights in it. Rather, the disputed domain name is currently used to host a parking page with sponsored links, which does not constitute a bona fide offering of goods or services.

The Respondent acquired the disputed domain name in bad faith after the Complainant's trademark was registered. The Respondent is using the disputed domain name in bad faith by hosting a parking page with sponsored links and requesting from the Complainant a payment for its transfer.

In his supplemental filing, the Complainant rebutted the Respondent's good faith assertions by stating that the Respondent had created a website impersonating an individual named "Louis Jeff Panacloc" which was online around August 26, 2025, and was taken down after the Complainant contacted the Respondent. That website promoted fake events such as "civic and ecological gatherings", and ticketing services with a dedicated email [...]@jeffpanacloc.com to collect user information. The Respondent did not submit evidence of a credible auction platform. Rather the impersonation website was already set up and indexed by Google shortly after the acquisition. The disputed domain name was previously registered by a third party service provider linked to the Complainant and had expired without renewal due to that service provider's mismanagement.

B. Respondent

On September 11, 2025, the Respondent submitted a Response stating in essence that he acquired the disputed domain name in good faith through a legitimate public auction conducted by an accredited registrar. The Respondent has legitimate interests because this acquisition was a part of his activities in domain name investment and SEO projects. The disputed domain name was not registered in bad faith, but was acquired for USD 2,150 via a transparent and legitimate auction. Any temporary parking page was a default registrar page automatically applied by the auction platform, and the Respondent has no control or benefit from such links. The Respondent never contacted the Complainant to offer the disputed domain name for sale. The Respondent also stated that he remained open to amicable discussion with the Complainant.

In his supplemental filing, the Respondent stated that he never created or operated a fraudulent event ticketing platform, and that any temporary pages that may have appeared under the disputed domain name were mere demo placeholder content.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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 is being used in bad faith.

6.1. Procedural issue - Supplemental filings

In his supplemental filing, the Complainant in essence provided additional allegations and evidence that the website posted under the disputed domain name prior to the notice of the dispute was offering ticketing services for fake events using the Complainant's trademark. In the Panel's view, these allegations and evidence are relevant to rebut the Respondent's defense that he never used the disputed domain name in bad faith. Therefore, the Panel decides to admit both the Complainant's supplemental filing and also the Respondent's supplemental filing responding thereto.

6.2. Substantive issues

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 Panel finds the entirety of the mark JEFF PANACLOC is identically reproduced within the disputed domain name.

The addition of the gTLD “.com” in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

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 for a complainant to prove that 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.

According to the Whois information, the disputed domain name had been originally registered on July 16, 2010. The Complainant stated that the disputed domain name was previously registered by a third-party service provider linked to the Complainant and had expired without renewal due to that service provider's mismanagement. The Respondent has submitted credible evidence that he acquired the disputed domain name in an auction for USD 2,150 on August 24, 2025. However, this does not of itself confer to the Respondent any rights or legitimate interests in the disputed domain name. Nor does the Respondent's intent to use the disputed domain name for “domain name investment and SEO projects” grant the Respondent any rights or legitimate interests: The disputed domain name includes the Complainant's real surname written back to the front, and as such it is highly unusual and distinctive. Because the disputed domain name is identical to the Complainant's trademark, the disputed domain name itself suggests a connection or affiliation between the Complainant and the Respondent which in fact does not exist.

For completeness, the Panel also notes that after notification of the Complaint the disputed domain name now resolves to a website with a disclaimer that the disputed domain name is not owned or operated by the Complainant, and that the disputed domain name was purchased at auction and may be used for some yet unknown future project. The Respondent has not made specific claims regarding such changed use as support for any rights or legitimate interests in the disputed domain name. In any event, the Panel notes that the composition of the disputed domain name, as well as the prior evidenced use and timing of the change in use, leads to the conclusion that the current website use is pretextual and does not amount to prior use, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services.

Based on the available record, 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. [WIPO Overview 3.0](#), section 3.2.1.

In the view of the Panel, noting that that the Complainant's trademark predates the acquisition of the disputed domain name by the Respondent, and considering that the disputed domain name is identical to the Complainant's highly unusual stage name, it is inconceivable that the Respondent could have acquired the disputed domain name without knowledge of the Complainant. In the circumstances of this case, this is evidence of registration in bad faith.

In his supplemental filing, the Complainant alleged and submitted credible evidence that, prior to the notice of the dispute, the Respondent had used the disputed domain name to promote events and offering ticketing services with a dedicated email, although those events were not organized by the Complainant. Under these circumstances, the Respondent's argument that this was mere demo placeholder content is not credible. Panels have held that the use of a domain name for illegal activity such as in the present case using the Complainant's stage name and trademark to purport to sell tickets for events that are not organized by the Complainant constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. In any event, also the later use of the disputed domain name as a parking page featuring PPC links referring to competing comedy and live entertainment services constitutes used in bad faith because the Respondent thereby intentionally attempts to attract, for commercial gain, Internet users to its web site, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its web site in the sense of Policy, paragraph 4(b)(iv).

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <jeffpanacloc.com> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: October 9, 2025