ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Compagnie Générale des Etablissements Michelin v. Mich Tech, Mich Igan
Case No. D2025-3489

1. The Parties

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

The Respondent is Mich Tech, Mich Igan, United States of America.

2. The Domain Name and Registrar

The disputed domain name <michelintoken.live> is registered with Nicenic International Group Co., Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 28, 2025. On August 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 28, 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 (Not disclosed) 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 Complainant filed an amended Complaint on September 1, 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 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 26, 2025. A third party, Michigan Technological University submitted an email on September 29, 2025 attaching a letter and the

Written Notice sent by the Center, it argued that it had “no connection” with the disputed domain name and therefore it was “not the correct entity to respond” to the Complaint.

The Center appointed Dawn Osborne as the sole panelist in this matter on September 30, 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 operating since 1889. Headquartered in Clermont-Ferrand, France, present in 170 countries, with more than 124,000 employees, it operates 117 tire manufacturing facilities and sales agencies in 26 countries. It was named No. 1 Best Large Employer in United States of America (“United States” or “U.S.”) in Forbes magazine’s 2018 “America's Best Large Employers” list, with 88 total awards for initial quality from J.D. Power & Associates, four times more awards than all other tire manufacturers combined, and ranking highest in “original equipment tires” category in the U.S. for 2018.

The Complainant is also present in North America, where its subsidiary is located. Headquartered in Greenville, S.C., United States, Michelin North America has approximately 23,500 employees and operates 35 production facilities in the United States, and Canada.

The MICHELIN Guide was first launched in 1920 in order to help motorists plan their trips - thereby boosting car sales and in turn, tire purchases. In 1926, the guide began to award stars for fine dining establishments, initially marking them only with a single star. Five years later, a hierarchy of zero, one, two, and three stars was introduced, and in 1936, the criteria for the starred rankings were published. For the first time, the MICHELIN Guide included a list of hotels in Paris, France lists of restaurants according to specific categories, as well as the abandonment of paid-for advertisements in the guide. During the rest of 20th century, thanks to its serious and unique approach, the MICHELIN Guides became best-sellers without equals: the guide now rates over 30,000 establishments in over 30 territories across three continents, and more than 30 million MICHELIN Guides have been sold worldwide.

The Complainant and its MICHELIN trademarks enjoy a worldwide reputation. The Complainant owns numerous MICHELIN trademark registrations around the world. The Complainant is in particular the owner of the following trademark registrations:

• International trademark MICHELIN No. 771031, designating among others China, Egypt, Morocco, Russian Federation, and Singapore, registered on June 11, 2001, duly renewed and covering goods and services in classes 5, 7, 8, 9, 10, 11, 12, 16, 17, 18, 20, 21, 24, 25, 39, and 42;
• U.S. trademark MICHELIN No. 4126565, registered on April 10, 2012, duly renewed and covering services in classes 36, 37, and 39;
• U.S. trademark MICHELIN No. 892045, registered on June 2, 1970, duly renewed and covering goods in class 12; and
• U.S. trademark MICHELIN No. 3329924, registered on November 6, 2007, duly renewed, for services in class 39.

In addition, the Complainant is also the owner of <michelin.com> registered on December 1, 1993.

The disputed domain name was registered on August 12, 2025. It has been used in a cyberattack where the Respondent gained access to the Complainant’s social media accounts via a marketing company used by the Complainant and used the disputed domain name in a scam impersonating the Complainant for fraudulent purposes. Specifically, the Respondent posted messages containing a link to a website in connection with the disputed domain name and requested users’ sensitive financial data, attempting to deceive Internet users into making their digital wallets vulnerable to phishing. At the time of filing of the Complaint, the disputed domain name resolved to a website indicating that “This site can’t be reached”.

Although the WhoIs details of the disputed domain name suggest a connection with Michigan Technological University, that University replied to the Complaint by letter saying they have no connection with the disputed domain name and are not the correct Respondent in this matter.

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 dispute domain name is confusingly similar to the Complainant's prior MICHELIN mark merely adding the generic word "token" and the generic Top-Level Domain ("gTLD") ".com", neither of which prevent confusing similarity between the disputed domain name and the Complainant's mark.

The Respondent is not commonly known by the disputed domain name and has not been authorised by the Complainant to use the Complainant's mark.

The disputed domain name which does not point to an active site has been used in a fraudulent scam and impersonation of the Complainant for phishing purposes via a cyber attack on the Complainant which is not a legitimate or bona fide use of a domain name. This is registration and use in bad faith with actual knowledge of the rights of the Complainant.

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 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 "token", 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.

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.

The Respondent is not commonly known by the disputed domain name and has not been authorised by the Complainant. The disputed domain name has been used in a fraudulent scam which cannot be a legitimate noncommercial use or a bona fide use in relation to goods or services.

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.

Panels have held that the use of a domain name for illegal activity here, claimed phishing and impersonation 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 has used the disputed domain name in a scam impersonating the Complainant for fraudulent purposes and has given misleading and false contact details for the disputed domain name suggesting a connection with the Michigan Technological University who has denied the same.

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.

Panels have held that the use of a domain name for illegal activity here phishing and impersonation constitutes bad faith. WIPO Overview 3.0, section 3.4. The provision of false contact details for the WhoIs details is also regarded by panels as bad faith per se. WIPO Overview 3.0, section 3.2.1.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name 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 name <michelintoken.live> be transferred to the Complainant.

/Dawn Osborne/
Dawn Osborne
Sole Panelist
Date: October 3, 2025