

## **ADMINISTRATIVE PANEL DECISION**

VALEO v. tyhn dg  
Case No. D2025-3585

### **1. The Parties**

The Complainant is VALEO, France, represented by Tmark Conseils, France.

The Respondent is tyhn dg, Timor-Leste.

### **2. The Domain Names and Registrar**

The disputed domain names <valeousa.shop> and <valeosale.shop> are registered with Spaceship, Inc. Spaceship, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 4, 2025. On September 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 5, 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 / Redacted for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 8, 2025 with the information revealed by the Registrar, inviting the Complainant to submit an amendment to the Complaint. The Complainant filed a first amended Complaint on September 11, 2025, and, further to the Center’s request to rectify certain information in the Complaint, a second amended Complaint on September 22, 2025.

The Center verified that the Complaint together with the amended Complaints 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 23, 2025.

The Center appointed Kiyoshi Tsuru as the sole panelist in this matter on November 11, 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 global automotive supplier.

The Complainant is the holder of the following trademark registrations, among others:

Trademark	Registration No.	Date of Registration	Classes	Jurisdiction
VALEO	1576649	August 3, 1990	1, 7, 9, 12, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27 and 28	France
VALEO	1336046	December 23, 1985	1, 2, 3, 4, 6, 7, 9, 11, 12, 14, 16, 17, 25, 28, 35, 37, 38, 39 and 41	France
	005758412	July 2, 2007	3, 4, 6, 7, 9, 11, 12, 17 and 37	European Union Intellectual Property Office
	870058	February 28, 2005	6, 7, 9, 11 and 12	International Registration
VALEO	1353733	August 13, 1985	9, 11 and 12	United States of America ("United States")

The Complainant owns the domain name <valeo.com> which resolves to the Complainant's official website, as well as <valeo.us> which redirects consumers to its official website in the United States.

The Complainant's domain names were registered on March 25, 1997, and April 24, 2002, respectively.

The disputed domain names <valeousa.shop> and <valeosale.shop> were registered on June 28, 2025, and June 30, 2025, respectively.

At the time of filing of the Complaint (and of this Decision), the disputed domain names resolve to websites that offer and sell goods related to the automotive industry, including goods featuring the Complainant's trademark in the product description and portrayed as the Complainant's products. The website at the disputed domain name <valeousa.shop> also offers third-party products of the same category.

## 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:

#### I. Identical or Confusingly Similar

That it is a long-standing partner to automakers worldwide. That it develops innovative solutions aimed at advancing smart mobility, with a particular emphasis on intuitive driving and the reduction of carbon dioxide emissions. That it provides and distributes spare parts to automakers and aftermarket operators. That it is recognized as a key player in the automotive industry.

That it maintains ten production facilities, three development centers, and an additional service hub in the United States.

That its trademark registrations and domain name portfolio predate the dates of registration of the disputed domain names, which are confusingly similar thereto.

That the likelihood of confusion is more significant in view of the use of the disputed domain names in connection with webpages offering products and services related to the automotive industry, and especially considering the repeated unauthorized reproduction of the VALEO trademark on the websites to which said disputed domain names resolve (and cites WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), sections 1.7 and 1.15).

That the disputed domain names incorporate the Complainant's VALEO trademark in its entirety. That the addition of the descriptive term "usa" and the generic term "sale" does not prevent a finding of confusing similarity. That the ". shop" generic Top-Level Domain ("gTLD") is irrelevant to this assessment, as gTLDs are disregarded when comparing domain names and trademarks. That the VALEO mark remains clearly recognizable in the disputed domain names (and cites *No Ordinary Designer Label Limited t/a Ted Baker v. Manlidy*, GNN, WIPO Case No. [D2023-0917](#); *Dansko, LLC v. Nadison Cherish*, WIPO Case No. [D2024-5125](#); *Aldo Group International AG v. Lena Freeh*, WIPO Case No. [D2023-4117](#); *Amdocs Development Ltd., Amdocs Software Systems Ltd. v. Jennifer Mom*, WIPO Case No. [DCO2023-0027](#); and *Instagram, LLC v. Sebastian Farias, and Stories IG Team*, WIPO Case No. [D2023-2032](#)).

#### II. Rights or Legitimate Interests

That in the absence of any rebuttal or evidence from the Respondent demonstrating rights or legitimate interests in the disputed domain names, the Respondent's lack of such rights or legitimate interests is established.

That, as the Respondent has submitted no rebuttal or supporting evidence to counter the Complainant's assertions, the said Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy (and cites *Credit Industriel et Commercial S.A. v. Zabor Mok*, WIPO Case No. [D2015-1432](#) and *Cassava Enterprises Limited, Cassava Enterprises (Gibraltar) Limited v. Victor Chandler International Limited*, WIPO Case No. [D2004-0753](#)).

That the Complainant has long protected and used the VALEO trademark for automotive goods and services on a worldwide basis while operating under the company name VALEO.

That the Complainant's oldest registered VALEO trademark dates back to April 14, 1966, in France and that it was incorporated on February 25, 1955, which dates significantly predate the dates of registration of the disputed domain names on June 28 and June 30, 2025.

That the VALEO trademark is well known in the automotive industry.

That there is no legitimate reason for the Respondent to incorporate the Complainant's well-known trademark and company name into the disputed domain names.

That the Respondent's use of the disputed domain name clearly misleads consumers and diverts them from the Complainant's official website, <valeo.com>, for the Respondent's own commercial gain (and cites *Bayerische Motoren Werke AG v. Domain Administrator, Fundacion Privacy Services LTD*, WIPO Case No. [D2021-0659](#) and *Philip Morris Products S.A. v. Mehmet Acar, HetsFiyat*, WIPO Case No. [D2024-3847](#)).

That the Respondent is using the disputed domain name to sell likely counterfeit goods, which constitutes an illegal activity that can never confer rights or legitimate interests under the Policy, and that the use of a domain name for unlawful purposes disqualifies any claim of legitimacy (and cites [WIPO Overview 3.0](#), section 2.13.1, *FC2, Inc. v. 申昌兰 (Shen Chang Lan)*, WIPO Case No. [D2023-4590](#); *LoveShackFancy, LLC v. 帆 崔*, WIPO Case No. [D2022-3725](#); *Cairn Sport v. DSd DSd*, WIPO Case No. [D2023-0604](#); and *Philip Morris Products S.A. v. Kirill Kiril*, WIPO Case No. [D2022-2156](#)).

That the Complainant has not licensed, authorized or permitted the Respondent nor any third party to register domain names incorporating the Complainant's VALEO trademark.

That it is evident that the Respondent registered and is using the disputed domain name with the intent to exploit the goodwill associated with the Complainant's mark, by falsely presenting its website as an official store of the Complainant. That such conduct is inherently misleading and clearly precludes any finding of rights or legitimate interests in the disputed domain names.

### III. Registered and Used in Bad Faith

That the Respondent necessarily had knowledge of the Complainant's VALEO company, trademarks, and business activities when registering the disputed domain names, particularly given that the websites to which the disputed domain names resolve market the Complainant's products and display advertisements reproducing the Complainant's VALEO trademark, logo, and/or official product images (*Caixa D'Estalvis i Pensions de Barcelona ("La Caixa") v. Eric Adam*, WIPO Case No. [D2006-0464](#) and *Appen Limited v. Beverly Blake*, WIPO Case No. [D2023-0830](#)).

That the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith (and cites [WIPO Overview 3.0](#), section 3.1.4).

That the Respondent is actively offering and selling likely counterfeit products falsely presented as the Complainant's official merchandise on the websites to which the disputed domain names resolve, deliberately seeking to misappropriate and exploit the reputation and goodwill associated with the Complainant's VALEO trademark, thus misleading consumers and diverting Internet traffic for commercial gain. That the overall presentation and content of the websites at the disputed domain names leave no doubt that they are designed to impersonate the Complainant and deceive the public.

That the Respondent uses the VALEO trademark in the description of the products sold, even though they come from third-party manufacturers. That the Respondent reproduces the Complainant's copyrighted product images without authorization and further imitates other trademarks owned by the Complainant in the presentation and description of the goods offered. That the application of aggressive sales discounts, "Sale" and "Save [number]%" notices in red, and urgency-inducing messages such as "Stock is running low. Hurry up", demonstrates an intent to attract customers and generate traffic through unauthorized commercial use

of the Complainant's intellectual property. That given these factors, and the absence of any reliable indication of authenticity, it is likely that the goods bearing the VALEO mark offered on the websites to which the disputed domain names resolve are counterfeit ([WIPO Overview 3.0](#), section 2.13.1, and *FC2, Inc. v. 申昌兰 (Shen Chang Lan)*, WIPO Case No. [D2023-4590](#)).

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy sets out the three requirements that the Complainant must prove in order to successfully request remedies:

- (i) that the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in connection to the disputed domain names; and
- (iii) that the disputed domain names have been registered and are being used in bad faith.

Given the Respondent's default and therefore, failure to specifically address the case merits as they relate to the three UDRP elements, the Panel may decide these proceedings based on the Complainant's undisputed factual allegations under paragraphs 5(f), 14(a), and 15(a) of the Rules (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#); *Encyclopaedia Britannica, Inc. v. null John Zuccarini, Country Walk*, WIPO Case No. [D2002-0487](#); see also [WIPO Overview 3.0](#), section 4.3).

### **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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the VALEO trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain names entirely reproduce the Complainant's VALEO trademark. The Panel finds that the Complainant's VALEO trademark is recognizable within the disputed domain names.

The addition of the terms "usa" and "sale" to the disputed domain names does not prevent the finding of confusing similarity for the purposes of the Policy (see [WIPO Overview 3.0](#), section 1.8).

It is well established that the presence of the gTLD ".shop" is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the disputed domain names are confusingly similar to the Complainant's VALEO trademark 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. Specifically, the Respondent has failed to submit evidence of bona fide or legitimate noncommercial or fair use of the disputed domain names. No evidence has been filed in connection with the Respondent being commonly known by the disputed domain names.

Furthermore, the Panel considers that the composition of the disputed domain names coupled with the impersonating nature of the content exhibited at the disputed domain names carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Therefore, 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.

The Complainant has ascertained its rights over the VALEO trademark. The dates of registration of said trademark significantly precede the date of registration of the disputed domain names.

The Complainant has submitted information, not rebutted by the Respondent, demonstrating that it is a well-established global automotive supplier and long-standing partner to automakers worldwide.

The Panel notes that the fact that the Respondent registered the disputed domain names which entirely reproduce the Complainant’s VALEO trademark together with the use to which these domain names have been put shows that the Respondent has targeted the Complainant, which constitutes opportunistic bad faith (see section 3.2.1 of the [WIPO Overview 3.0](#); see also *L’Oréal v. Contact Privacy Inc. Customer 0149511181 / Jerry Peter*, WIPO Case No. [D2018-1937](#); *Gilead Sciences Ireland UC / Gilead Sciences, Inc. v. Domain Maybe For Sale c/o Dynadot*, WIPO Case No. [D2019-0980](#); *Dream Marriage Group, Inc. v. Romantic Lines LP, Vadim Parhomchuk*, WIPO Case No. [D2020-1344](#); *Valentino S.p.A. v. Qiu Yufeng, Li Lianye*, WIPO Case No. [D2016-1747](#); *Landesbank Baden-Württemberg (LBBW) v. David Amr*, WIPO Case No. [D2021-2322](#): “Given the distinctiveness of the Complainant’s trademark, it is reasonable to infer that the Respondent has registered the Disputed Domain Name with full knowledge of the Complainant’s trademarks, constituting opportunistic bad faith. The Panel finds it hard to see any other explanation than that the Respondent knew of the Complainant’s well-known trademark.”)

Panels have held that the use of a domain name for illegal activity here claimed as applicable to this case: 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 constitute bad faith under the Policy. It is not necessary for the Panel to make any ultimate determination as to the nature of the goods, as Panel the finds that deliberate use of the Complainant's trademarks and logos on the websites to which the disputed domain names resolve without disclosing their lack of relationship with the Complainant (rather, the website at the disputed domain name <valeosale.shop> states: "At valeo, we take pride in placing innovation [...]") was intended to mislead consumers into believing they are purchasing on the website related to or operated by the Complainant, or from an official or authorized source of the Complainant, when in fact they are not, which supports a finding of bad faith. The Respondent is clearly targeting the Complainant. Previous UDRP panels have held that circumstances such as this one serve as an indication of bad faith ([WIPO Overview 3.0](#), section 3.1.4).

## 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 <valeosale.shop> and <valeousa.shop> be transferred to the Complainant.

*/Kiyoshi Tsuru/*

**Kiyoshi Tsuru**

Sole Panelist

Date: December 2, 2025