

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. Kellan Rhodes
Case No. D2025-3586

1. The Parties

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

The Respondent is Kellan Rhodes, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <bibendum.shop> is registered with Alibaba.com Singapore E-Commerce Private Limited (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 name. On September 5, 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. The Center sent an email communication to the Complainant on September 5, 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 5, 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 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 3, 2025.

The Center appointed Gareth Dickson as the sole panelist in this matter on October 10, 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 corporation established in 1889. It is a leading global tire company dedicated to designing and distributing tires, services, and mobility solutions, as well as providing maps and travel guides. It employs more than 124,000 people worldwide and operates over 100 manufacturing facilities and sales agencies in 26 countries, including in the United States where the Respondent is said to reside.

The Complainant offers and supplies goods and services under its BIBENDUM trade mark (the “Mark”), which represents the Complainant’s mascot, also known as the “Michelin Man”, which was introduced in 1894. It is the proprietor of a number of trade mark registrations for the Mark around the world, including:

- International Trade Mark No. 326563, registered on November 18, 1966, designating several countries, including Germany, and Italy; and
- International Trade Mark No. 709584, registered on March 18, 1999, designating several countries, including Austria, Spain and Türkiye.

The Complainant also operates, among other domain names, <bibendum.fr>, registered on January 26, 2004.

The disputed domain name was registered on March 27, 2025 and has resolved to a Registrar resale page offering it for sale.

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 disputed domain name is identical to its Mark, reproducing the Mark in its entirety with only the addition of the generic Top-Level Domain “.shop”, which does not avoid a finding of confusing similarity. It states that the Respondent has no rights or legitimate interests in the disputed domain name, is neither affiliated with nor authorised by the Complainant, and is not commonly known by the name “Bibendum”. The Complainant further asserts that the Respondent registered and is using the disputed domain name in bad faith, as evidenced by its offer of sale for USD 1,450 and its failure to respond to the Complainant’s cease-and-desist correspondence. The Complainant submits that the Respondent must have known of its well-known Mark when registering the disputed domain name.

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 trade mark 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 identical 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 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.

Specifically, the evidence before the Panel is that the Mark is distinctive of the Complainant and that the Respondent has registered a domain name incorporating the entirety of the Mark, without any additional or distinguishing components, the sole purpose of reselling it at a significant profit, almost certainly in the knowledge that the Mark belongs to the Complainant and that the Complainant has not authorised the use of the Mark in this way.

The Panel therefore 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 the disputed domain name long after the Complainant had established its rights in its well-known Mark. The disputed domain name is identical to the Mark and the Respondent has only registered and used it in order to offer it for sale for USD 1,450.

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. This includes registering a domain name for the purpose of selling it to the Complainant or a competitor for valuable consideration in excess of documented out-of-pocket costs. Although there is no evidence before the Panel as to the Respondent's precise out-of-pocket expenses, the Panel is prepared to proceed on the basis that they are materially less than USD 1,450.

Therefore, 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 <bibendum.shop> be transferred to the Complainant.

/Gareth Dickson/

Gareth Dickson

Sole Panelist

Date: October 26, 2025