

ADMINISTRATIVE PANEL DECISION

Gerflor v. Prince Larry, Name Redacted
Case No. D2025-3889

1. The Parties

The Complainant is Gerflor, France, represented by Cabinet Germain & Maureau, France.

The Respondent is Prince Larry, Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <gerflorusa.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 24, 2025. On September 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 25, 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 (Unknown / Redacted for Privacy, 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 28, 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 30, 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”).

¹ The Respondent appears to have used the name of a third-party organization when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s organization name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the registrant organization. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST- 12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on October 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 22, 2025. The Respondent did not submit a response. On October 6, 2025, a third party sent an email to the Center. The same day, the Center acknowledged receipt of the email communication and notified the Parties of the commencement of panel appointment process.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on November 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 in these administrative proceedings is a French simplified joint-stock company (SAS). In 2023, the Complainant achieved a turnover of EUR 1.5 billion, with more than 70% of its sales in international markets, supported by a workforce of 5,000 employees, 24 manufacturing plants, 5 research and development centers, and 30 subsidiaries. This global presence enables the Complainant to provide design-driven, innovative, and environmentally-friendly solutions in over 120 countries.

The Complainant is, inter alia, the owner of the following:

United States of America trademark registration number 3862516 for the GERFLOR (word) trademark, registered on October 19, 2010;

International trademark registration number 584205 for the GERFLOR (word) trademark, registered on March 23, 1992;

French trademark registration number 3656893 for the GERFLOR (word) trademark, registered on November 13, 2009; and

International trademark registration number 1025103 for the GERFLOR THEFLOORINGROUP (word) trademark, registered on October 8, 2009.

The Complainant also owns several domain names, including the principal and official domain name used by the Complainant to engage with the United States public, i.e. <gerflorusa.com>, registered on March 24, 2001.

The above Complainant's trademarks and domain name are all registered prior to the disputed domain name and are all used in relation to the flooring industry.

The disputed domain name was registered on August 19, 2025. Currently the disputed domain name appears to be inactive. However, from the submissions of the Complainant, it appears that previously the disputed domain name resolved to a parked page with pay-per-click links ("PPC links"), and was configured to send and receive emails.

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, by replacing the "l" letter with "i", is a case of "typosquatting", and that the addition of the descriptive term "usa" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark; on the contrary, owing to the fact that the Complainant's domain name <gerflorusa.com> is operated by the Complainant's United States subsidiary, Gerflor USA Inc., which has specifically targeted the American market since 2001, the choice of the almost identical disputed domain name shows the intent to deceive and attract individuals by misleading them into believing that the website is affiliated with the Complainant's operations in the United States. The Complainant further asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name; that the Respondent was aware of the Complainant's trademark and tradename and registered the disputed domain name in order to confuse Internet users for its own commercial gain; and that the Respondent manually configured the disputed domain name in order to authenticate it with an external email service provider. The Complainant thus concludes that the evidence strongly suggests that the Respondent has activated email servers under the disputed domain name with the sole intent to use that domain name for fraudulent communications, rather than for any legitimate business purpose. Lastly, the Respondent's contact details as disclosed by the Registrar are clearly inconsistent and unreliable.

B. Respondent

The Respondent did not reply to the Complainant's contentions. On October 6, 2025, an individual acting on behalf of a company (with a similar company name to that of the registrant organization) sent an email to the Center saying that they had received the Center's written communication, but that they do not own the disputed domain name, that they have no employees named Prince Larry and that the email address and phone number disclosed by the Registrar as the Respondent's contact details are not theirs, and that only the street address was correct.

6. Discussion and Findings

In order for the Complainant to obtain a transfer of the disputed domain name, paragraph 4(a) of the Policy requires that the Complainant must demonstrate to the Panel that:

- (i) the disputed domain name is 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 name; and
- (iii) the disputed domain name has been registered and is 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 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 mark is recognizable 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.

The disputed domain name contains the Complainant's GERFLOR trademark with the substitution of the letter "l" with the letter "i" in the second syllable, the addition of the term "usa" and the generic Top-Level Domain ("gTLD") ".com". In this sense, [WIPO Overview 3.0](#), section 1.9 states: "A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element." The gTLD is generally disregarded under the test for confusing similarity for the purposes of the Policy as it is viewed as a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.

The addition of other terms here, "usa", may bear on assessment of the second and third elements, the Panel finds however that here 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.

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.

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.

Owing to the distinctiveness of the Complainant's trademarks and reputation, the misspelling nature of the disputed domain name, and the addition of the geographical term "usa", a reference to the jurisdiction in which the Complainant's subsidiary Gerflor USA Inc. operates, it is reasonable to infer that the Respondent

registered the disputed domain name with full knowledge of the Complainant's trademarks, and so the Panel finds on the balance of probabilities that the Respondent was aware of the Complainant's trademarks when registering the disputed domain name.

Moreover, the Panel notes that the Respondent apparently supplied inaccurate information for the Whois record in addition to utilizing a privacy service, and these factors combined together are indications of bad faith registration.

Furthermore, panels have consistently found that the mere registration of a domain name that is almost identical (particularly domain names comprising typos) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

At the time of filing of the Complainant, the disputed domain name resolved to a parking page with PPC links to services in unrelated industries to that of the Complainant.

The disputed domain name is currently inactive. Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. 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. Having reviewed the available record, the Panel notes that in the circumstances of this case neither the sponsored commercial links hosted at the website which the disputed domain name previously resolved to nor the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Finally, the Panel notes that the Respondent's failure to respond to the Complainant's assertions made in these proceedings further supports a finding of bad faith registration and use of the disputed domain name.

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 <gerfiorusa.com> be transferred to the Complainant.

/Fabrizio Bedarida/

Fabrizio Bedarida

Sole Panelist

Date: November 20, 2025