

## **ADMINISTRATIVE PANEL DECISION**

Maison Demarle v. Luz Fadel  
Case No. D2025-3915

### **1. The Parties**

The Complainant is Maison Demarle, France, represented by INSCRIPTA, France.

The Respondent is Luz Fadel, United States of America.

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

The disputed domain name <silpatmoulessilicone.shop> is registered with West263 International Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 25, 2025. On September 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 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 amendment to the Complaint on September 29, 2025.

The Center verified that the Complaint together with the amendment to the 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 October 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 24, 2025.

The Center appointed Haig Oghigian as the sole panelist in this matter on November 3, 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, Maison Demarle, is a French company specialized in the design and manufacture of baking trays and other baking products. Founded in 1965, the Complainant has over 275 employees and an annual turnover in excess of 17 million Euro. One of the Complainant's flagship products is a silicone baking mat, named "Silpat". In connection with its business, the Complainant is the owner of a significant number of trademark registrations that consist of or comprise "Silpat", which it has used for over 30 years.

The Complainant owns numerous trademark registrations for SILPAT , such as but not limited to:

| Trademark     | Jurisdiction  | Registration Number | Registration Date |
|---------------|---------------|---------------------|-------------------|
| SILPAT        | France        | 92428052            | July 24, 1992     |
| SILPAT        | International | 928494              | May 7, 2007       |
| <b>SILPAT</b> | International | 1514827             | November 6, 2019  |

The Complainant operates its website at the domain names <maison-demarle.com>, <silpat.com>, <silpat.shop> and others.

The disputed domain name was registered on August 14, 2025. According to the Complaint, before the Complainant's authorized representative sent a cease and desist letter to the Registrar on September 4, 2025, the disputed domain name resolved to a website purporting to sell products of the Complainant at discounted prices.

The Respondent is Luz Fadel, located in United States of America.

#### 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 or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant owns numerous trademark registrations for SILPAT, which predate the registration of the disputed domain name by the Respondent by several years at minimum. The Complaint states that the relevant trademark, SILPAT is contained within the disputed domain name, though with the terms "moules" (meaning "molds" in French) and "silicone" added on the end. The Complainant submits that the SILPAT trademark is fully reproduced in the disputed domain name and as "moules" and "silicone" are descriptive terms, as prescribed by 1.8 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"). The addition of these descriptive terms does not prevent a finding of confusing similarity, and if anything reinforces the connection with the Complainant as the Complainant's products are primarily silicone baking products, including molds.

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

The Complainant argues that as it has demonstrated rights to the mark contained within the disputed domain name, and has never licensed its mark to the Respondent meaning that the Respondent cannot have used the mark with permission. The Complainant further states that per a search on TMview, there is no trade mark application or registration in the name of "Luz Fadel". The Complainant adds that the Respondent has no presence using the mark or similar marks, nor has the Respondent demonstrated any ownership of any marks that bare similarity with marks owned by the Complainant.

-The disputed domain name was registered and used in bad faith.

The Complainant states that the disputed domain name was registered well after the Complainant's marks related to SILPAT were filed and registered. The Complainant further states that the disputed domain name reproduces the Complainant's mark, while having no relationship to that mark even though the Respondent should have been aware of the Complainant due to their established brand, industry recognition and numerous trademark registrations, and therefore constitutes bad faith registration. The Complainant also demonstrates that the disputed domain name resolved to a website which had unauthorized uses of the SILPAT mark(s), and was being used to sell counterfeit SILPAT goods, arguing this constitutes a clear demonstration of bath faith use and registration.

## **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 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, "moules" and "silicone" may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 that the nature of the dispute domain name, incorporating the Complainant’s trademark with words descriptive of the Complainant’s goods, carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

The disputed domain name resolved to a website purporting to sell Complainant’s products at discounted prices, suggesting that the products may be counterfeit. Panels have held that the use of a domain name for illegal activity here, claimed sale of counterfeit goods, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. Even if the products offered for sale were genuine, the composition and use of the disputed domain name does not constitute fair use. [WIPO Overview 3.0](#), section 2.8.

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 acted in bad faith as it reproduced, without authorization, the Complainant’s mark SILPAT within the disputed domain name. The Panel further notes the Respondent’s use of the disputed domain name to sell possibly counterfeit goods using the Complainant’s mark can only constitute bad faith registration and use of the disputed domain name. This points to both knowledge of the Complainant and its marks, and an attempt to take unfair advantage of the Complainant while using the Complainant’s marks without authorization, a clear example of bad faith registration and use.

Panels have held that the use of a domain name for illegal activity here, claimed sale of counterfeit goods 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 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 <silpatmoulessilicone.shop> be transferred to the Complainant.

*/Haig Oghigian/*

**Haig Oghigian**

Sole Panelist

Date: November 16, 2025