

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. Phil Howard, Kithcen 47
Case No. D2025-3997

1. The Parties

The Complainant is Compagnie Générale des Etablissements Michelin, France, represented by Tmark Conseils, France.

The Respondent is Phil Howard, Kithcen 47, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <michelinstarmenu.net>, <michelinstarsmenu.net>, <michelinstarsrecipe.net> <michelinstarsrecipes.com>, <michelinstarsrecipes.net>, <mymichelinjourney.com>, <mymichelinjourney.net>, <mymichelinjourneys.com>, <mymichelinsjourney.com>, <mymichelinsjourney.net>, <mymichelinsjourneys.com>, <mymichelinsjourneys.net> <themichelinlist.com>, <themichelinlist.net>, <themichelinlists.com>, <themichelinlists.net>, <themichelinlists.com> and <themichelinlists.net> are registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 30, 2025. On September 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On October 1, 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 (Redacted for Privacy) and contact information in the Complaint.

The Center sent an email communication to the Complainant on October 2, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed amended Complaints on October 7, 2025, and October 9, 2025, adding further disputed domain names to the proceeding. On November 11, 12, and 18, the Center transmitted by email to the Registrars a request for registrar verification in connection with the added disputed domain names. On November 11, 12, and 19, the Registrars transmitted by email to the Center their verification responses confirming that the Respondent is listed as the registrant and providing the contact details.

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 October 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 6, 2025.

The Center appointed Mario Soerensen Garcia as the sole panelist in this matter on November 21, 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 company headquartered in Clermont-Ferrand, France. Founded in 1889, the Michelin Group provides tires to over 170 countries as well as road maps and various guide publications on gastronomy and the restaurant fields.

The Complainant is the owner of several MICHELIN trademarks registered before the registration of the disputed domain names, such as:

- 1) International Trademark Registration MICHELIN No.1254506 of December 10, 2014, in classes 9, 35, 38, 39, 41 and 42;
- 2) United States of America Trademark Registration MICHELIN No. 5775734 of June 11, 2019, in classes 9, 39 and 42;
- 3) European Union Trademark Registration MICHELIN No. 013558366 of April 17, 2015, in classes 9, 35, 38, 39, 41 and 42.

The Complainant also owns numerous domain names comprising the trademark MICHELIN, including the domain name <michelin.com>, registered on December 1, 1993.

The disputed domain names are:

- 1) <themichelinslists.net>, registered on August 29, 2025;
- 2) <themichelinlists.com>, registered on August 29, 2025;
- 3) <themichelinlists.net>, registered on August 29, 2025;
- 4) <themichelinslists.com>, registered on August 29, 2025;
- 5) <michelinstarsrecipes.com>, registered on August 2, 2025;
- 6) <michelinstarsrecipes.net>, registered on August 2, 2025;
- 7) <mymichelinjourney.com>, registered on August 21, 2025;
- 8) <mymichelinjourney.net>, registered on August 21, 2025;
- 9) <mymichelinjourneys.com>, registered on August 6, 2025;
- 10) <mymichelinsjourney.com>, registered on August 6, 2025;
- 11) <mymichelinsjourney.net>, registered on August 6, 2025;
- 12) <michelinstarsmenu.net>, registered on July 25, 2025;
- 13) <michelinstarsrecipe.net>, registered on July 25, 2025;
- 14) <mymichelinsjourneys.com>, registered on August 6, 2025;
- 15) <mymichelinsjourneys.net>, registered on August 6, 2025;
- 16) <themichelinlist.com>, registered on August 29, 2025;
- 17) <michelinstarmenu.net>, registered on July 25, 2025; and
- 18) <themichelinlist.net>, registered on August 29, 2025.

The Respondent is Phil Howard, Kithcen 47, from the United Kingdom.

The disputed domain names currently resolve to inactive pages. However, at the time of filing the Complaint, the disputed domain names <michelinstarsrecipes.com>, <michelinstarsrecipes.net>, <mymichelinjourneys.com>, <mymichelinsjourney.com>, <mymichelinsjourney.net>, <themichelinlist.com>, <themichelinlists.net>, <themichelinlists.com>, <themichelinlist.net>, <themichelinlists.net>, <themichelinlists.com> and <michelinstarmenu.net> resolved to login pages displaying the MICHELIN mark and the MICHELIN Bibendum logo stating “We offer top-rated experience that helps retailers promote their brands” (Annex 8 to the Complaint).

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 that the disputed domain names are confusingly similar to the trademark in which it has rights, that the Respondent has no rights or legitimate interests with respect to the disputed domain names, and that the disputed domain names were registered and used in bad faith.

The Complainant requests a transfer of the disputed domain names.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain names are identical or confusingly similar to the trademarks or service marks in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are 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.

Based on the available record, the Panel finds 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 that the entirety of the MICHELIN trademark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to that trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms, such as “recipe”, “menu”, “list”, “star” and “journey”, in their singular and plural forms, and the terms “my” and “the” in some of the disputed domain names may bear on the assessment of the second and third elements, the Panel finds that the addition of such terms does not

prevent a finding of confusing similarity between the disputed domain names and the MICHELIN trademark 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 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.

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 finds that the Respondent was clearly aware of MICHELIN mark as some of the websites under the disputed domain names displayed the Complainant’s trademarks, intentionally misleading users into believing that there was an association between the Complainant and the websites, attempting to attract Internet users to the disputed domain names for commercial gain in bad faith by creating a likelihood of confusion with the Complainant’s marks.

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.

The disputed domain names <michelinstarsrecipes.com>, <michelinstarsrecipes.net>, <mymichelinjourneys.com>, <mymichelinsjourney.com>, <mymichelinsjourney.net>, <themichelinlist.com>, <themichelinslists.net>, <themichelinlists.com>, <themichelinlist.net>, <themichelinlists.net>, <themichelinslists.com> and <michelinstarmenu.net> resolved to login websites displaying the Complainant’s trademark and logo. Panels have held that the use of a domain name for illegal activity, here, claimed as applicable to this case: impersonation/passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

The rest of the disputed domain names did not resolve to an active website. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant’s trademark, the composition of the disputed domain names, the fact that the

Respondent has been subject to other UDRP proceedings with the Complainant, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names 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 names <michelinstarmenu.net>, <michelinstarsmenu.net>, <michelinstarsrecipe.net>, <michelinstarsrecipes.com>, <michelinstarsrecipes.net>, <mymichelinjourney.com>, <mymichelinjourney.net>, <mymichelinjourneys.com>, <mymichelinsjourney.com>, <mymichelinsjourney.net>, <mymichelinsjourneys.com>, <mymichelinsjourneys.net>, <themichelinlist.com>, <themichelinlist.net>, <themichelinlists.com>, <themichelinlists.net>, <themichelinslists.com> and <themichelinslists.net> be transferred to the Complainant.

/Mario Soerensen Garcia/

Mario Soerensen Garcia

Sole Panelist

Date: December 5, 2025