

## **ADMINISTRATIVE PANEL DECISION**

Compagnie Générale des Etablissements Michelin v. chen tian yu  
Case No. D2025-4000

### **1. The Parties**

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

Respondent is chen tian yu, Hong Kong, China.

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

The disputed domain names <michelincompaginezone.com>, <michelinguideworld.com>, <michelinresortguide.com> (the “Domain Names”) are registered with Gname.com Pte. Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on September 30, 2025. On October 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On October 2, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on October 7, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint in English on October 9, 2025.

On October 7, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the Domain Names is Chinese. On October 9, 2025, Complainant requested English to be the language of the proceedings. Respondent did not submit any comment on Complainant's submission.

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 Respondent in Chinese and English of the Complaint, and the proceedings commenced on October 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 3, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on November 4, 2025.

The Center appointed Kimberley Chen Nobles 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**

Complainant, a French company in operation since 1889, manufactures and sells tires for vehicles, publishes road maps and guides, including multimedia publications for travel, tourism and fine dining. Complainant began publishing travel and gastronomy guides in Europe in 1900 and in 1926, started a rating system known as "Michelin Star" to grade restaurants on their quality. Complainant owns numerous registered trademarks for the MICHELIN mark, including:

International Trademark Registration number 1254506 for the MICHELIN word mark, registered on December 10, 2014;

United States of America Trademark Registration number 5775734 for the MICHELIN word mark, registered on June 11, 2019; and

European Union Trademark Registration number 013558366 for the MICHELIN word mark, registered on April 17, 2015.

Complainant owns and operates several domain names incorporating the MICHELIN mark, including <michelin.com> registered on December 1, 1993 and <guide.michelin.com>.

The Domain Names were registered on September 24, 2025 and at the time of filing of the Complaint, each resolved to a webpage prominently displaying the MICHELIN trademark, allegedly offering to help retailers "promote their brands", and requiring credentials to "Log In" or "Sign Up". Each website also featured the Michelin mascot or brand ambassador, generally known as the "Michelin Man" or "Michelin Bibendum".

#### **5. Parties' Contentions**

##### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Notably, Complainant contends that (i) each of the Domain Names is confusingly similar to Complainant's trademark; (ii) Respondent has no rights or legitimate interests in the Domain Names; and (iii) Respondent registered and is using the Domain Names in bad faith.

In particular, Complainant contends that it has a trademark registration for MICHELIN and that Respondent registered and is using the Domain Names with the intention to confuse Internet users looking for bona fide and well-known MICHELIN products and services.

Complainant notes that it has no affiliation with Respondent, and that Respondent directs users to a website that impersonates Complainant.

Complainant further contends that Respondent is using the Domain Names as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the Domain Names. Further, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Names, when Respondent clearly knew of Complainant's rights.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

### **6.1. Preliminary Issue: Language of the Proceedings**

The Rules, in paragraph 11(a), provide that unless otherwise agreed by the parties or specified otherwise in the registration agreement between the respondent and the registrar in relation to the disputed domain name, the language of the proceedings shall be the language of the registration agreement, subject to the authority of the panel to determine otherwise, having regard to the circumstances of the administrative proceedings.

Complainant submitted its original Complaint and amended Complaint in English. According to the information received from the Registrar, the language of the Registration Agreement for the Domain Names is Chinese.

Complainant requested that the language of the proceedings be English for several reasons, including the fact that Complainant is French and Respondent is Chinese, and between two Parties with a different language, English is commonly used as a universal language, as it is the primary language of business; that the Domain Names direct to a webpage with the use of English words and sentences; that the Domain Names and Complainant's trademark are both in English; that in similar prior cases, English was accepted as the language of the proceedings; that Complainant is unable to communicate in Chinese and it would be unduly costly and burdensome, and cause unwarranted delay, to require Complainant to translate the Complaint into Chinese or to conduct the proceedings in Chinese.

Respondent did not comment on Complainant's request for the language of the proceedings be English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

The Panel accepts Complainant's submissions regarding the language of the proceedings. The Panel notes that each of the Domain Names does not have any specific meaning in the Chinese language, and that the Domain Names are formed using Latin characters, contain Complainant's MICHELIN trademark in its entirety. The Panel further notes that the Center notified the Parties in Chinese and English of the language of the proceedings as well as notified Respondent in Chinese and English of the Complaint. Respondent chose not to comment on the language of the proceedings, nor did Respondent choose to file a Response in Chinese or English.

Having considered all the circumstances of this case, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

## 6.2. Substantive Issues

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names were registered and are being used in bad faith.

Section 4.3 of [WIPO Overview 3.0](#) states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case, Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

### A. Identical or Confusingly Similar

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.0](#), section 1.2.1.

Complainant has provided evidence of its rights in the MICHELIN trademark, as noted above under section 4. Complainant has therefore proven that it has the requisite rights in the MICHELIN trademark.

With Complainant's rights in the MICHELIN trademark established, the remaining question under the first element of the Policy is whether each of the Domain Names, typically disregarding the Top-Level Domain ("TLD") in which it is registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, each of the Domain Names is confusingly similar to Complainant's MICHELIN trademarks. The MICHELIN trademark is recognizable in each of the Domain Names.

In particular, the Domain Names' inclusion of the terms "compaginezone", "guideworld" and "resortguide" after the MICHELIN mark in the respective Domain Names <michelincompaginezone.com>, <michelinguideworld.com>, and <michelinresortguide.com>, does not prevent a finding of confusing similarity between each of the Domain Names and the MICHELIN trademark.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

### B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production under this element shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its MICHELIN trademarks, and does not have any rights or legitimate interests in the Domain Names. In addition, Complainant asserts that Respondent is not authorized to promote Complainant's goods or services

and is not related to Complainant. Respondent is also not known to be associated with the MICHELIN trademark and there is no evidence showing that Respondent has been commonly known by the Domain Names.

In addition, Respondent has not used the Domain Names in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, at the time of filing of the Complaint, Respondent used each of the Domain Names to direct users to a website that prominently displaying the MICHELIN trademark, inviting Internet users to “Log In” or “Sign Up”, while offering to help retailers “promote their brands”. The website also featured the Michelin mascot or brand ambassador, generally known as the “Michelin Man” or “Michelin Bibendum”. Internet users or consumers may assume that each of the Domain Names is legitimately connected to Complainant and any marketing or other promotional material originated from Complainant and be deceived.

Such use by Respondent does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use and cannot under the circumstances confer on Respondent any rights or legitimate interests in the Domain Names.

Moreover, the nature of the Domain Names, incorporating the entirety of Complainant’s trademark MICHELIN with the terms “compagine zone”, “guide world” and “resort guide” after the MICHELIN mark in the respective Domain Names <michelincompaginezone.com>, <michelinguideworld.com>, <michelinresortguide.com>, cannot be considered fair use as it may suggest an affiliation with Complainant that does not exist. See [WIPO Overview 3.0](#), section 2.5.1.

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Names. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Names.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Names, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

The Panel finds that Respondent’s actions indicate that Respondent registered and is using the Domain Names in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the MICHELIN trademark predate the registration of the Domain Names. Complainant is also well established and known. Indeed, the record shows that Complainant's MICHELIN trademark and related products and services are known and recognized. Therefore, the Panel is of the view that Respondent was aware of the MICHELIN trademarks when it registered the Domain Names. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel thus finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Further, the composition of each of the Domain Names, which includes Complainant's MICHELIN trademark and an additional term "compaginezone", "guideworld" and "resortguide" after the MICHELIN mark in the respective Domain Names <michelincompaginezone.com>, <michelinguideworld.com>, <michelinresortguide.com> suggests Respondent's actual knowledge of Complainant's rights in the MICHELIN trademarks at the time of registration of the Domain Names and its effort to opportunistically capitalize on the reputation of the Complainant's trademarks in registering the Domain Names.

Moreover, Respondent registered and is using the Domain Names to confuse and mislead consumers. In particular, at the time of filing of the Complaint, Respondent used the Domain Names to direct users to a website prominently displaying the MICHELIN trademark and inviting Internet users to "Log In" or "Sign Up" while offering to help retailers "promote their brands". The website also featured the Michelin mascot or brand ambassador, generally known as the "Michelin Man" or "Michelin Bibendum".

Internet users or consumers may assume that the Domain Names are legitimately connected to Complainant and any marketing or other promotional material from Respondent's websites originated from Complainant and be deceived.

Indeed, UDRP panels have consistently held that a respondent's use of the domain name to trade off goodwill in a complainant's well-known trademark constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#). Such use of the Domain Name is also disruptive to Complainant's business and potentially damaging Complainant's reputation and goodwill and is evidence of bad faith.

Finally, the Panel also notes the reputation of the MICHELIN trademark, and the failure of Respondent to submit a response to the Complaint.

Accordingly, the Panel finds that Respondent registered and is using the Domain Names in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Names <michelincompaginezone.com>, <michelinguideworld.com>, and <michelinresortguide.com> be transferred to Complainant.

/Kimberley Chen Nobles/

**Kimberley Chen Nobles**

Sole Panelist

Date: November 25, 2025