

ADMINISTRATIVE PANEL DECISION

Association Française pour le Nommage Internet en Coopération (AFNIC) v.
ASS Franc Nommage Internet en Coop, ASS FRANC NOMMAGE
INTERNET EN COOP
Case No. D2025-4072

1. The Parties

The Complainant is Association Française pour le Nommage Internet en Coopération (AFNIC), France, represented by DS Avocats, France.

The Respondent is ASS Franc Nommage Internet en Coop, ASS FRANC NOMMAGE INTERNET EN COOP, France.

2. The Domain Name and Registrar

The disputed domain name <afnic.report> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed in French with the WIPO Arbitration and Mediation Center (the “Center”) on October 6, 2025. On October 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 8, 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.

On October 8, 2025, the Center informed the parties in English and French, that the language of the registration agreement for the disputed domain name is English. On October 14, 2025, the Complainant confirmed its request that French be the language of the proceeding.

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 in English and French, 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 5, 2025.

The Center appointed Benjamin Fontaine 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

The Complainant is AFNIC (acronym for "Association Française pour le Nommage Internet en Coopération"), a French association founded in 1997 and is the .FR registry, operating, maintaining and developing the essential infrastructure of the Internet in France. The mission of the Complainant is entrusted to it by the French State through a public service concession.

As part of this activity, AFNIC has established an alternative dispute resolution procedure called SYRELI for .FR domain names.

The Complainant is the owner in particular of the European Union trade mark AFNIC (+ design) registered under n°010602845 on July 26, 2012.

The disputed domain name was registered on July 14, 2025.

At the time of the present decision, it is no longer active, but it used to redirect to the Complainant's official website, hosted at "www.afnic.fr".

Furthermore, the Complainant has provided evidence that the Respondent has sent to a third party an email from an address generated with the disputed domain name, impersonating the Complainant, informing this third party of the fact that a decision ordering the transfer of a domain name had been issued pursuant to a SYRELI proceeding. This email was sent under the alleged signature of the Complainant, with its full address. Enclosed to this email was the alleged decision of transfer of this third party's domain name, drafted in English, reproducing the Complainant's trademark, allegedly signed by the CEO of the Complainant, and bearing the Complainant's stamp.

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 confusingly similar to its earlier trade mark AFNIC. Indeed, the Complainant contends that the disputed domain name <afnic.report> is identical to the Complainant's trade mark AFNIC as this trade mark is included in its entirety with the sole addition of the generic Top-Level-Domain ("gTLD") ".report".

Then, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. According to the Complainant, the Respondent appears to be fully aware of this, since it registered the disputed domain name <afnic.report> in the name of the Complainant, which constitutes a clear acknowledgement that the Respondent has no rights or legitimate interests in this disputed domain name.

Third, the Complainant claims that the disputed domain name was registered and is being used in bad faith. Again, the Respondent cannot claim that it was unaware of the Complainant, since it expressly registered the disputed domain name in the name of the latter.

The Complainant also asserts that the Respondent has used the disputed domain name to defraud registrars by sending deceitful emails via the email address "[...][@afnic.report](mailto:afnic.report)". Specifically, the Complainant claims that the Respondent used the disputed domain name to send fraudulent emails to registrars, in which the Respondent posed as the Complainant's legal department and reproduced a false SYRELI decision allegedly issued by the Complainant ordering the transfer of a domain name.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary issue - Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is English. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in French.

The Complainant requests that the language of the proceeding be French, because

- Of the location of its registered office in France;
- One of the earliest trade marks claimed as a basis for this Complaint was registered in France;
- The disputed domain name <afnic.report> previously redirected to the Complainant's official website, accessible at "www.afnic.fr", which is written entirely in French;
- The Respondent provided the Complainant's identity and address, in France, when registering the disputed domain name.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

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 fact that the Complainant is clearly linked to France, and owns a French trade mark on which the Complaint is based, is not a relevant factor here. It remains unclear to the Panel whether the Respondent actually understands French. The disputed domain name includes a gTLD which is an English term ".report", and so far all the fraudulent correspondence sent by the Respondent was written in English (emails and false SYRELI decision). It is essential to make sure that the Respondent understands the decision which is issued in this proceeding, and the Panel has no sufficient evidence that the Respondent is familiar with the French language.

Therefore, having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall remain English.

6.2 Substantive issues

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 trade mark and the disputed domain name. [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.

Panels have held that the use of a domain name for illegitimate activity, here claimed phishing and impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed phishing and impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record and for the reasons indicated below, the Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

First, the Panel notes that the Respondent had the Complainant in mind when it registered the disputed domain name, as it provided the Complainant's contact details as the registrant. The Respondent targeted the Complainant at the outset as a basis for its fraudulent phishing scheme.

Second, the Panel notes that the Respondent has used the disputed domain name for fraudulent activities. It has attempted to defraud registrars by impersonating the Complainant. Specifically, the Complainant provides evidence showing that the Respondent used the disputed domain name to send fraudulent emails to a registrar, in which the Respondent posed as "AFNIC's legal department" and reproduced a false SYREL decision issued by the Complainant and even reproducing a false official stamp, seeking the transfer of a third party's 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 <afnic.report> be transferred to the Complainant.

/Benjamin Fontaine/

Benjamin Fontaine

Sole Panelist

Date: November 24, 2025