

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. Kumar Santosh,
Enterprise

Case No. D2025-4092

1. The Parties

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

The Respondent is Kumar Santosh, Enterprise, India.

2. The Domain Names and Registrar

The disputed domain names <michelinassignment.com>, <michelinglobalwork.com>, and <michelinguidenet.com> 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 October 7, 2025. On October 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On October 12, 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.

The Complainant filed an amended Complaint on October 14, 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”).

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 5, 2025.

The Center appointed Geert Glas 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

Upon its incorporation in 1889, the Complainant started its activity in the field of tire manufacturing. Shortly thereafter the Complainant began publishing a travel / gastronomy guide in Europe to encourage new drivers to take road trips to local attractions. From 1926 on, the Complainant started to award stars for fine dining establishments. This resulted in "MICHELIN guides" which currently rate over 30,000 establishments in over 30 territories across the world. Over 30 million such guides have been sold worldwide since.

While the MICHELIN brand is well-known for its tires, it has also become famous for its travel publications and even more so for its annual gastronomic MICHELIN guides with its MICHELIN stars rating system. Obtaining one or more MICHELIN stars has become a hallmark of fine dining.

The Complainant owns trademark registrations for MICHELIN in many countries around the world related to the tires production and sale as well as road maps and various guide publications in the restaurant field. These trademarks include:

- United States trademark registration No. 5775734 covering the word MICHELIN, registered on June 11, 2019;
- European Union Trade Mark registration No. 013558366 covering the word MICHELIN, registered on April 17, 2015; and
- International trademark registration No. 1254506 covering the word MICHELIN, registered on December 10, 2014;

On December 1, 1993, the Complainant registered the domain name <michelin.com> which it uses to present its activities to the public at large. Its MICHELIN guides are also promoted by way of the sub-domain <guide.michelin.com>.

It appears from evidence provided by the Complainant that the disputed domain names resolve to webpages which prominently display the MICHELIN mark in connection with a picture of a restaurant setting in which someone is putting some finishing touches on nicely plated dishes. These webpages mention the Respondent's activities as offering "a top-rated experience that helps retailers promote their brands". Use is thereby also made of the Complainant's figurative element which is known as "Michelin Man" or "Bibendum" and which is used by the Complainant as a brand ambassador for its Michelin guide activities (for example for its "bib gourmand" distinction granted to "best money for value" restaurants).

The Respondent is an individual domiciled in India.

The Respondent registered the disputed domain names on September 1, 2025.

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 identically reproduce the Complainant's well known mark MICHELIN. As to the terms which are added to the disputed domain names, the presence of the term "guide" in combination with the well-known trademark MICHELIN reinforces the risk of confusion in the minds of Internet users as this term "guide" is widely used in combination with the mark MICHELIN whereas the presence of the terms "assignment" and "globalwork" in two of the disputed domain names is not sufficient to consider that the MICHELIN mark has lost its distinctive and attractive character in the whole denomination of the disputed domain names. As a result, the disputed domain names are confusingly similar to the MICHELIN trademark of the Complainant.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names as the Complainant has not authorized the Respondent to identify itself with the Complainant and its MICHELIN trademark. The Respondent registered the disputed domain names without right or legitimate interest as it was only seeking to take a commercial advantage of the Complainant's registered prior rights. According to the Complainant there appears to be no legitimate reason why the Respondent would entirely reproduce the Complainant's well known MICHELIN mark in the disputed domain names.

The Complainant finally is of the opinion that the disputed domain names were registered and are being used in bad faith. Taking into consideration the constant and worldwide use by the Complainant of the well-known trademark MICHELIN, there is no chance of it having been registered by the Respondent by simple co-incidence. Indeed, the Respondent was inevitably aware of the existence of the Complainant's prior rights when registering the disputed domain names and must have selected them to exploit the Complainant's goodwill in its MICHELIN marks and mislead Internet users.

This is illustrated by the fact that the disputed domain names resolve to pages distinctively displaying the MICHELIN mark in connection with culinary activities and the reproduction of the figurative MICHELIN Bibendum logo used by the Complainant.

By using the Complainant's MICHELIN trademark on the webpages to which the disputed domain names resolve, the Respondent is deliberately taking advantage of MICHELIN's reputation in order to make the Internet users believe that they are in the presence of a website created or approved by the Complainant. This is creating the likelihood that a website visitor would be led to the Respondent's websites, based on a mistaken belief that the Complainant is the source of the website or that the Complainant has sponsored, is affiliated with or has endorsed the websites. As a consequence, the disputed domain names are also being used in bad faith.

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 names. 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 that the word MICHELIN constitutes the dominant element in each of the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the MICHELIN mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the terms, here “assignment”, “globalwork” and “guidenet”, 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 names 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 the disputed domain names.

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.

There is indeed no evidence whatsoever of the Respondent using the disputed domain names with a bona fide offering of goods or services, the Respondent being commonly known by the disputed domain names or the Respondent making a legitimate noncommercial or fair use of the disputed domain names.

To the contrary: the Complainant has provided evidence showing that the disputed domain names resolve to webpages which prominently use the Complainant’s MICHELIN mark in connection with a picture of a restaurant setting in which someone is putting some finishing touches on nicely plated dishes. These webpages mention the Respondent’s activities as “a top-rated experience that helps retailers promote their brands”. Use is thereby also made of a reproduction of the Complainant’s figurative MICHELIN Bibendum logo which the Complainant widely uses in connection with its Michelin guide activities.

Such use does not constitute a bona fide offering of services, nor can it confer rights or legitimate interests on the Respondent.

Moreover, the presence in the disputed domain name <michelinguidenet.com> of the term “guide”, carries a risk of implied affiliation with the Complainant who is very famous as the publisher of its annual gastronomic MICHELIN guides.

Based on the available record, 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.

As to the registration of the disputed domain names, it should be noted that panels have consistently found that the mere registration of a domain name which is confusingly similar 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.

This seems to be the case here, as MICHELIN had already been a widely-known trademark for many decades when the disputed domain names were registered by the Respondent. As a result, the Respondent must have had knowledge of the Complainant's activities and of its MICHELIN mark when registering the disputed domain names. This is also corroborated by the fact that in the disputed domain name <michelinguiden.com> the mark MICHELIN is followed by the word "guide" as is the case in the Complainant's famous gastronomic MICHELIN guides.

Based on the available record, the Panel finds that the disputed domain names have been registered in bad faith.

According to paragraph 4(b)(iv) of the Policy, the following circumstance, *inter alia*, if found to be present, shall constitute evidence of the use of a domain name in bad faith: "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".

In the present case, the disputed domain names which are confusingly similar to the Complainant's MICHELIN mark, resolve to webpages which prominently use the Complainant's MICHELIN mark in connection with a picture of a restaurant setting in which someone is putting some finishing touches on nicely plated dishes. These webpages mention the Respondent's activities as "a top-rated experience that helps retailers promote their brands". Use is thereby also made of a reproduction of the Complainant's figurative MICHELIN Bibendum logo which the Complainant widely uses in connection with its Michelin guide activities.

This use clearly constitutes an intentional attempt to attract, for commercial gain, Internet users to the Respondent's websites by creating a likelihood of confusion with the Complainant's mark as to the source, affiliation, or endorsement of the Respondent's webpages to which the disputed domain names resolve. Internet users led to these webpages are indeed likely to mistakenly believe that they are set up by the Complainant or by an entity affiliated by the Complainant or are at least endorsed or sponsored by the Complainant.

Moreover, the Respondent did not file a response to the Complaint by which these proceedings were initiated. By doing so, the Respondent failed to seize an opportunity it could have used to provide any justification for its use of the disputed domain names.

As a result, and based on the available record, the Panel finds that the Respondent's registration and use of the disputed domain names constitute bad faith under the Policy and that the third element of the Policy has been established.

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 <michelinassignment.com>, <michelinglobalwork.com>, and <michelinguidenet.com> be transferred to the Complainant.

/Geert Glas/

Geert Glas

Sole Panelist

Date: November 25, 2025