

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Établissements Michelin v. Richard Hearn, Group Hearn

Case No. D2025-4134

1. The Parties

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

The Respondent is Richard Hearn, Group Hearn, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <michelinflavors.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 9, 2025. On October 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 10, 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 amended Complaint on October 15, 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 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 9, 2025. The Response was filed with the Center on October 15, 2025 (and repeated on October 20, 2025). The Complainant submitted a Supplemental Filing on

November 12, 2025. On November 15, 2025, the Center informed the Parties that it would commence the panel appointment process. The Respondent submitted a Supplemental Filing on the same day.

The Center appointed Steven A. Maier as the sole panelist in this matter on November 19, 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. Parties' Supplemental Filings

As discussed in section 4.6 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"):

"Paragraph 10 of the UDRP Rules vests the panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and also to conduct the proceedings with due expedition.

Paragraph 12 of the UDRP Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case.

Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel.

On receipt of a request to submit an unsolicited supplemental filing or the actual receipt of such filing, the WIPO Center will confirm receipt of the request or filing to the parties and forward such request or filing to the panel for its consideration as to admissibility.

In all such cases, panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some 'exceptional' circumstance)."

Having considered the Complainant's explanation for submitting a supplement filing, the Panel is not of the view that the above criteria are met and declines to admit the Complainant's Supplemental Filing. The Respondent's Supplemental Filing (which expressed an intention to reply to the Complainant's Supplemental Filing if admitted) will also be disregarded accordingly.

5. Factual Background

The Complainant is a company registered in France. It is, among other activities, a manufacturer of tyres and a publisher of travel and restaurant guides.

The Complainant (or its associated entities) is the owner of trademark registrations for the mark MICHELIN in numerous jurisdictions. Such registrations include, for example:

- United States trademark registration number 5775734 for the word mark MICHELIN, registered on June 11, 2019, in International Classes 9, 39 and 42; and
- European Union trademark registration number 013558366 for the word mark MICHELIN, registered on April 17, 2015, in International Classes 9, 35, 38, 39, 41 and 42.

The Complainant's trademark MICHELIN has been found by previous panels under the UDRP to have attained the status of a "famous" or "well-known" trademark (see e.g., *Compagnie Generale Des Etablissements Michelin v. Vaclav Novotny*, WIPO Case No. [D2009-1022](#)).

The Complainant operates a website at “www.michelin.com”, having registered the corresponding domain name on December 1, 1993.

The disputed domain name was registered on March 6, 2025.

According to evidence submitted by the Complainant, the disputed domain name has resolved as follows:

- to a website at “www.michelinflavors.com”, headed “Michelin Flavors” and offering “Michelin-Level Dining Right at Your Table”; and
- to a website at “www.chefwensong.com”, headed “Michelin Flavors – Gourmet French, Italian, Mediterranean, Thai, Japanese Cuisine” and promoting the services of a personal chef based in Boston, United States.

6. Parties’ Contentions

A. Complainant

The Complainant states that it is internationally well known for its publications and services related to gastronomy, including the “Guide Michelin” restaurant guide, which ranks fine dining establishments by awarding “Michelin Stars”. It submits that the rating system has operated since 1926 and currently includes over 30,000 restaurants in over 30 countries. The Complainant states that the “Michelin Star” rating system has become a worldwide reference and standard, and is based on criteria including, among others, the mastery and harmony of flavours.

The Complainant contends that the disputed domain name is confusingly similar to its MICHELIN trademark. It states that the disputed domain name incorporates that trademark in full, together with the descriptive term “flavors”, which only adds to the likelihood of confusion since it references the Complainant’s services.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has never licensed or authorized the Respondent to use its MICHELIN trademark and that the Respondent has no independent commercial interest in that term. It contends that the Respondent can only have registered the disputed domain name, for use in connection with restaurant and gastronomy services, in order to take advantage of the fame of the Complainant’s trademark in that connection.

The Complainant submits that the disputed domain name was registered and has been used in bad faith. It asserts that, owing to the worldwide fame of the MICHELIN trademark, it is inconceivable that the disputed domain name was registered by coincidence. It further contends that the Respondent has used the disputed domain name, firstly for a website offering customized culinary services to customers, together with pricing, and subsequently to redirect to the website of a private chef. The Complainant submits that, in both cases, the Respondent has sought to take unfair advantage of the MICHELIN trademark by confusing Internet users into believing that the websites in question must be operated or authorized by, or otherwise legitimately connected with, the Complainant.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent states that it acquired the disputed domain name, as an existing domain name, via a standard domain marketplace purchase.

The Respondent submits that it selected the disputed domain name “because it was a creative and interesting combination of words – not because of any intent to target or exploit the [MICHELIN] trademark.”

It states that it has made nominative use of the disputed domain name, which comprises a distinctive composite expression, and that the inclusion of the term “flavors” creates a descriptive phrase evoking taste and creativity and not suggesting origin from the Complainant.

The Respondent contends that it has made legitimate noncommercial or fair use of the disputed domain name by permitting an independent professional chef to use it for the purpose of their personal website. It states that the website in question makes no reference to the Complainant and makes no attempt to impersonate the Complainant or to deceive its customers.

The Respondent submits that it has never contacted the Complainant, attempted to sell the disputed domain name, or used it to display advertising, competing products or misleading material.

7. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of registered trademark rights in the mark MICHELIN. The disputed domain name fully incorporates that mark, together with the term “flavors”, which does not prevent the Complainant’s trademark from being recognizable within the disputed domain name.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

The Respondent claims to have registered the disputed domain name as an “interesting combination of words” and without any intent to take advantage of the Complainant’s MICHELIN trademark. It also claims to have made legitimate noncommercial or fair use of the disputed domain name by allowing an independent chef to use it for the purpose of their website, without any reference to the Complainant.

The Panel does not find the Respondent’s submissions to be persuasive. In the Panel’s view, the inclusion of the Complainant’s famous MICHELIN trademark in the disputed domain name coupled with the term “flavors” which is within the Complainant’s field of commerce carries a risk of implied affiliation with that mark. There is no evidence of any meaning in the English language of the term MICHELIN other than to refer to the Complainant and its products and services.

While the Respondent calls the disputed domain name “creative” and “interesting”, it provides no specific explanation for its choice of the term MICHELIN as part of that name, save to say that it is making nominative use of the disputed domain name and that the term “flavors” evokes taste and creativity. This raises a question as to whether such referential use would be fair, which generally requires assessment of broader facts and circumstances of the case – particularly including the composition of the disputed domain name and the associated website. The first website homepage features “Michelin Flavors” and the statement “Michelin-Level Dining Right at Your Table” against the background of food and cutlery images and offers a selection of “Fine Dining” menus.

It is thus untrue that the Respondent has used the disputed domain name for a website or websites that make no reference to the Complainant, or that it has made noncommercial use of the disputed domain name. The first website evidenced by the Complainant offered “Michelin-Level Dining”, which can only have been a reference to the Complainant, and was clearly created as a commercial venture. The second redirected to website, i.e., that of the personal chef, offered “Michelin Flavors”, which can again only sensibly refer to the Complainant, and promoted that chef’s commercial business.

The Panel finds that, when “Michelin-Level Dining” is prominently featured on a website also featuring the Complainant’s mark both on its homepage, and within the disputed domain name itself, the Respondent could not be regarded as making a fair use of the Complainant’s mark whether nominative, referential or otherwise. Similarly, the use of the Complainant’s mark in the disputed domain name to redirect to a personal chef commercial site cannot result in the Respondent acquiring rights or legitimate interests in respect of the disputed domain name.

The second element under the Policy is therefore established.

C. Registered and Used in Bad Faith

For similar reasons as set out above in respect of the second element, the Panel finds that the disputed domain name has been registered and is being used in bad faith.

The Complainant’s MICHELIN trademark is both famous and distinctive and is well known to the public in association with services related to culinary excellence. The disputed domain name links the Complainant’s trademark with the food-related term “flavors” and has been used by the Respondent for websites promoting customized dining services and a personal chef. The websites have expressly used the terms “Michelin-Level” and “Michelin Flavors”, which can leave no doubt that the Respondent intended to reference the Complainant’s famous trademark and to benefit from the commercial goodwill associated with it.

The Panel therefore finds that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant’s trademarks as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel finds in the circumstances that the disputed domain name has been registered and is being used in bad faith.

8. 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 <michelinflavors.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: December 3, 2025