

ADMINISTRATIVE PANEL DECISION

Charles Faraud v. Bin Ren
Case No. D2025-4191

1. The Parties

The Complainant is Charles Faraud, France, represented by MIIP – MADE IN IP, France.

The Respondent is Bin Ren, China.

2. The Domain Name and Registrar

The disputed domain name <charlesalice.xyz> is registered with Dominet (HK) Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 13, 2025. On October 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 2025, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 15, 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 20, 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 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 21, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on November 26, 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 French company founded in 1976 specializing in the field of fruit desserts.

The Complainant's official webpage is available at the domain name <charlesetalice.com>, registered on December 14, 2010, as well as <charlesalice.com>, registered on July 17, 2012. In addition to that, the Complainant is the owner of the following trademark registrations (Annex 4 to the Complaint):

- International Trademark Registration No. 1252461 for the word mark CHARLES & ALICE, registered on December 9, 2014, successively renewed, in classes 29 and 32;

- International Trademark Registration No. 1087934 for the word and device mark CHARLES & ALICE, registered on July 7, 2011, successively renewed, in classes 29 and 43; and

- France Trademark Registration No. 4923361 for the word mark CHARLES & ALICE, registered on April 7, 2023, in classes 29, 30 and 35.

A previous UDRP decision has been rendered against the Respondent in connection with the domain name <charlesetalice.xyz> (*CHARLES FARAUD v. Bin Ren*, WIPO Case No. [D2025-3175](#)), in which "[t]he Panel [was] satisfied that the Respondent likely knew the Complainant's CHARLES & ALICE trademark and its use in relation to fruit desserts when it registered the disputed domain name. The Panel also notes that the Complainant owns and operates the domain name <charlesetalice.com>."

The disputed domain name was registered on May 14, 2025, and presently does not resolve to an active webpage.

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 asserts to be widely and notoriously known by the French public in the field of fruit desserts.

According to the Complainant, the disputed domain name is confusingly similar to the CHARLES & ALICE trademark which is almost entirely incorporated in the disputed domain name, apart from the "&" symbol, which does not reduce the risk of confusion, especially considering the prior <charlesalice.com> domain name registered and operated by the Complainant.

As to the lack of rights or legitimate interests, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, there being no business relationship, or any link of any nature, between the Complainant and the Respondent that could allow him to register a domain name including the CHARLES & ALICE trademark; also the Respondent does not seem to have any business as "Charles Alice". Furthermore, the disputed domain name is currently not actively used for any legitimate noncommercial or fair use or in connection with bona fide offering goods or services.

Lastly, the Complainant contends that, given the well-known status of the CHARLES & ALICE trademark, the Respondent clearly targeted the Complainant, selecting the disputed domain name which almost entirely consists of the Complainant's trademark. Moreover, the Complainant points out that the Respondent is not making active use of the disputed domain name but has email servers associated with it, which are all indicia of bad faith registration and use of a disputed domain name.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements which the Complainant must meet in order for the Panel to order the transfer of the disputed domain name:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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

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.

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 the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar 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.

The Respondent has no business or any kind of relationship (e.g., licensor, distributor) with the Complainant. Further, the Respondent is not commonly known by the disputed domain name. Considering the absence of a response by the Respondent, who has already been found to have engaged in abusive registration of a domain name incorporating the Complainant's trademark - to the Complainant's contentions putting forward any legitimate non-infringing purpose, and the Complainant's online presence, the Panel finds that the Complainant has established that the Respondent has no rights or legitimate interests in the disputed domain name. Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

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.

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.

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 reputation of the Complainant's trademark, the composition of the disputed domain name, and the absence of response, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Another factor to be taken into account is the Respondent's repeated registration of a domain name that reproduces the Complainant's trademark.

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 <charlesalice.xyz> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: December 2, 2025