

## **ADMINISTRATIVE PANEL DECISION**

Ile-De-France Mobilités v. Ralph Fenstermacher, Cheap Domainx Ltd  
Case No. D2025-4200

### **1. The Parties**

The Complainant is Ile-De-France Mobilités, France, represented by De Gaulle Fleurance & Associés, France.

The Respondent is Ralph Fenstermacher, Cheap Domainx Ltd, Switzerland.

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

The disputed domain name <mon-abonnement-navigo.info> is registered with OwnRegistrar, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 13, 2025. On October 14, 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/ WhoisSecure) 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 19, 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 20, 2025.

The Center appointed Emre Kerim Yardimci as the sole panelist in this matter on November 25, 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, Ile-de-France Mobilités, is a sui generis public administrative establishment in charge of organizing and operating large public transportation services in Paris and its suburbs which is called “Ile-de-France” region in French.

The clients of the Complainant can choose between various subscription offers among which the “Navigo” card, a transportation pass launched in 2001 allowing residents and non-residents of the Ile-de-France region to use the public transportation services, such as metro, buses, and trains. The Complainant owns several trademark registrations among which the following:

- French trademark NAVIGO no. 4266294 filed on April 20, 2016, and registered on August 26, 2016, for goods and services in classes 9, 12, 16, 18, 35, 36, 37, 38, 39, 41, and 42;
- French trademark NAVIGO no. 3675722 filed on September 11, 2009, and registered on February 12, 2010, duly renewed, for goods in class 12;
- French trademark NAVIGO no. 3334053 filed on January 10, 2005, duly renewed, for goods and services in classes 9, 16, 35 and 39.

The Complainant owns the domain name <navigo.fr> registered on May 23, 2006, using the trademark NAVIGO, which is redirected to the website “www.iledefrance-mobilites.fr”, available in French.

The disputed domain name was registered on June 1, 2025. At the time of filing the Complaint and issuing this Decision, the Respondent’s website to which the disputed domain name resolves is inactive.

#### **5. Parties’ Contentions**

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

The Complainant asserts that the disputed domain name is confusingly similar to the Complainant’s well-known trademark NAVIGO, incorporating its mark with the addition of the descriptive expression “mon abonnement” which means “my subscription” in French. Such an addition does not lessen the association between the disputed domain name and the Complainant’s trademark.

The Complainant considers that the Respondent has no rights or legitimate interests in respect of the disputed domain name, mainly because the Complainant has neither licensed nor otherwise authorized the Respondent to use its marks or to apply for or use any domain name incorporating the trademark NAVIGO.

The Complainant further asserts that although the Respondent is not using the disputed domain name, any future use cannot be considered for a bona fide offering of goods and services.

Finally, in addressing the question of registration and use of the disputed domain name in bad faith, the Complainant observes that the Respondent is well aware of the Complainant’s trademark considering the additional expression “mon abonnement” used within the disputed domain name.

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, the Complainant must prove that;

- (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 interest in respect of the disputed domain name; and
- (iii) The disputed domain name has been registered in bad faith and is being used in bad faith.

### **A. Identical or Confusingly Similar**

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1.

The disputed domain name wholly incorporates the Complainant's trademark and the additional expression "mon abonnement" which means "my subscription" in French does not prevent a finding of the confusing similarity. [WIPO Overview 3.0](#), section 1.8.

As regards the generic Top-Level Domain, it is typically disregarded under the confusing similarity test.

For the reasons mentioned above, the Panel finds that the disputed domain name is confusingly similar to the Complainant's NAVIGO trademark.

The Complainant has thus fulfilled paragraph 4(a)(i) of the Policy.

### **B. Rights or Legitimate Interests**

The onus is upon the Complainant to make out a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, and it is then for the Respondent to rebut this case.

The Panel accepts the Complainant's submissions that the Respondent does not appear to have been commonly known by the disputed domain name, has not made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, and the Respondent is not making a legitimate noncommercial use of the disputed domain name.

The Respondent has not filed a Response. It has no consent from the Complainant to register any domain name incorporating the Complainant's trademark, it has not used the disputed domain name for a bona fide offering of goods or services, and the Respondent is not commonly known by the disputed domain name, nor is it making noncommercial fair use of the disputed domain name.

The current passive holding of the disputed domain name does not give rise to any rights or legitimate interests under the circumstances of this case.

In addition, the Panel finds that the composition of the disputed domain name, incorporating the Complainant's trademark in its entirety with the addition of the terms "mon abonnement" carries a risk of implied affiliation with the Complainant.

In the Panel's view, the Complainant has made out their prima facie case under this element of the Policy and the Respondent, who is in default, has failed to rebut this case. [WIPO Overview 3.0](#), section 2.5.1.

In the circumstances of this case, and in view of the Panel's discussion below, the Panel finds that the second element of the Policy has been established.

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

The Panel accepts the Complainant's assertions that the trademark NAVIGO is a well-known trademark. The Complainant's trademark was put to use for not less than 20 years at the time of the registration of the disputed domain name.

The incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith (*Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#); *General Electric Company v. CPIC NET and Hussain Syed*, WIPO Case No. [D2001-0087](#); and *Microsoft Corporation v. Montrose Corporation*, WIPO Case No. [D2000-1568](#)).

The Respondent has registered the disputed domain name but has not put it to any use. Thus, the Respondent is holding the disputed domain name passively. It has long been generally held in UDRP decisions that the passive holding of a domain name that incorporates a well-known trademark, without any actual or contemplated good faith use for an Internet purpose, does not necessarily circumvent a finding that the domain name is in use within the requirements of paragraph 4(a)(iii) of the Policy (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#)). The Panel therefore finds that the non-use of the disputed domain names does not prevent a finding of bad faith under the doctrine of passive holding. See [WIPO Overview 3.0](#), section 3.3.

Given the reputation and the distinctiveness of the Complainant's mark, the composition of the disputed domain name, the Respondent's lack of participation in this proceeding, the lack of any credible good faith use to which the confusingly similar disputed domain name could be put, and the Respondent's use of privacy service, the totality of circumstances surrounding the non-use of the disputed domain name does not prevent a finding of bad faith. [WIPO Overview 3.0](#), section 3.3.

Lastly, the Panel observed that the Respondent used a privacy shield. While the Respondent's use of a privacy service will not in itself constitute bad faith under the Policy, the Panel may still take it into account and draw adverse inferences under certain circumstances. The use of the privacy shield in this case together with other elements gives rise to the suspicion that the privacy shield was used to mask the identity of the underlying registrant, to give impression that the Complainant is behind the disputed domain name.

Therefore, in the view of cumulative circumstances, the Panel finds that the requirement of registration and use in bad faith is satisfied, according to the Policy, paragraph 4(a)(iii).

### **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 <mon-abonnement-navigo.info> be transferred to the Complainant.

/Emre Kerim Yardimci/

**Emre Kerim Yardimci**

Sole Panelist

Date: December 9, 2025