

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. evelyn gaston
Case No. D2025-4285

1. The Parties

The Complainant is Compagnie Générale des Etablissements Michelin, France, represented by Dreyfus & associés, France.

The Respondent is evelyn gaston, United States of America (the “U.S”).

2. The Domain Names and Registrar

The disputed domain names <michelinpneus0ffrereclamati0n.com> and <michelinproposeunetotaldeoffre.com> are registered with Register.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 20, 2025. On October 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On October 20, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email to the Complainant on October 27, 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 28, 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 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 22, 2025.

The Center appointed Theda König Horowicz as the sole panelist in this matter on November 27, 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 public limited company registered in France since July 1, 1955, with earlier antecedent businesses. The Complainant is well-known in France and other countries (including the U.S) for tires production and sales as well as road maps and various guide publications.

The Complainant owns trademark registrations for MICHELIN in many countries around the world (the "MICHELIN Trademark"), in particular:

- U.S. trademark MICHELIN No. 892045, registered June 2, 1970, duly renewed and covering goods in class 12.
- U.S. trademark MICHELIN No. 4126565, registered April 10, 2012, duly renewed and covering services in classes 36, 37 and 39.

In addition, the Complainant and its affiliates have a wide Internet presence and operate under domain names reflecting its MICHELIN trademark to promote its services, such as the domain name <michelin.com> which was registered on December 1, 1993.

The disputed domain names were registered as follows:

<michelinpneus0ffrereclamati0n.com> on September 21, 2025; and
<michelinproposeunetotaldeoffre.com> on September 25, 2025.

The disputed domain names were inactive at the time of the filing of the Complaint, as they were directing to error pages. This said, email servers have been configured on the disputed domain names. Prior to the filing of the Complaint, the disputed domain names resolved to an online login page presented under the interface of a company specializing in digital gift cards and employee benefits.

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 are almost identical to the Complainant's MICHELIN mark which is well-known. Both disputed domain names contain the well-known MICHELIN mark in entirety, and the addition of several generic terms does not prevent finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names, which the Respondent registered and uses in bad faith with a high risk of defrauding the Complainant's customers through phishing activities.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.”

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be cancelled or transferred:

- (i) the domain name registered by the Respondent 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 domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel shall decide these administrative proceedings on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.3.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the trademark MICHELIN 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 names.

Although the addition of other terms such as “pneus” or “offer” or “reclamation” in the disputed domain name <michelinpneus0ffrereclamatI0n.com>, and the terms “propose”, “une”, “total”, “de” or “offre” in <michelinproposeunetotaldeoffre.com> 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 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 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.

The Complainant has shown that the disputed domain names were previously resolving to an online form interface presented by a company specializing in digital gift cards and employee benefits. The form invited the users to submit personal credentials, suggesting the potential for data harvesting or fraudulent misuse. The misleading composition of the disputed domain names, combined with the solicitation of personal information under a third-party commercial interface, constitutes a high risk of phishing activity.

Panels have held that the use of a domain name for illegitimate activity here, claimed as applicable to this case phishing, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Furthermore, the Panel notes that the disputed domain names were resolving to error pages at the time of filing of the Complaint. Noting their composition (consisting of the Complainant's well-known trademark and terms which relate to the Complainant's areas of business) and in the absence of any reply from the Respondent, the Panel finds that this does not give rise to rights or legitimate interests in respect of the disputed domain names.

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.

The Complainant has shown that its MICHELIN trademark is registered in many countries including in the United States where the Respondent is supposedly based. Additionally, the MICHELIN trademark enjoys a high reputation and is well-known as notably recognized by several UDRP panels in domain name disputes. Furthermore, the Complainant and its affiliates have a wide presence on the Internet.

Under the circumstances, the Panel finds that the Respondent knew or should have known about the Complainant's trademark when registering the disputed domain names.

Furthermore, panels have found that the non-use of a domain name (including a blank or "coming soon" page) 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 distinctiveness or reputation of the Complainant's trademark, the composition of the disputed domain names, and the Respondent's failure to participate in the proceedings, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Complainant has also evidenced that the disputed domain names were prior to filing of the Complaint potentially used for phishing activities, which in the circumstances of this case is further evidence of bad faith. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

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 names <michelinpneus0ffrereclamati0n.com> and <michelinproposeunetotaldeoffre.com> be transferred to the Complainant.

/Theda König Horowicz/

Theda König Horowicz

Sole Panelist

Date: December 15, 2025