

## ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Établissements Michelin v. Phil Howard, Kithcen 47  
Case No. D2025-4316

### 1. The Parties

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

The Respondent is Phil Howard, Kithcen 47, United Kingdom.

### 2. The Domain Names and Registrar

The disputed domain names <michelinguidesstar.com>, <michelinguidesstar.net>, <michelinguidestar.com>, <michelinguidestar.net>, <michelinguidestars.com>, and <michelinguidestars.net> 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 21, 2025. On October 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On October 23, 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 (UNKNOWN/Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 24, 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 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 20, 2025.

The Center appointed Mario Soerensen Garcia 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 global company headquartered in Clermont-Ferrand, France. Founded in 1889, the Michelin Group provides tires to many countries as well as road maps and various guide publications on gastronomy and the restaurant fields.

The Complainant is the owner of several MICHELIN trademarks registered before the registration of the disputed domain names, such as:

- 1) International Trademark Registration MICHELIN No. 1254506 of December 10, 2014, in classes 9, 35, 38, 39, 41, and 42;
- 2) United States of America Trademark Registration MICHELIN No. 5775734 of June 11, 2019, in classes 9, 39, and 42; and
- 3) European Union Trademark Registration MICHELIN No. 013558366 of April 17, 2015, in classes 9, 35, 38, 39, 41, and 42.

The Complainant also owns numerous domain names comprising the trademark MICHELIN, including the domain name <michelin.com>, registered on December 1, 1993.

The Respondent is Phil Howard, Kithcen 47, from the United Kingdom.

The disputed domain names, registered on October 13, 2025, are:

<michelinguidesstar.com>;  
<michelinguidesstar.net>;  
<michelinguidestar.com>;  
<michelinguidestar.net>;  
<michelinguidestars.com>; and  
<michelinguidestars.net>.

The disputed domain names currently resolve to inactive pages. However, at the time of filing the Complaint, the disputed domain names <michelinguidesstar.com>, <michelinguidestars.com>, and <michelinguidestar.com> resolved to login websites displaying the MICHELIN mark and Michelin Bibendum logo, claimed to “offer a top-rated experience that helps retailers promote their brands”. The disputed domain names <michelinguidesstar.net>, <michelinguidestar.net>, and <michelinguidestars.net> resolved to virtually identical websites with content apparently related to software. When clicking on the Donate tab on the website at either of the disputed domain names, it redirected users to another web page asking for donations to the Processing Foundation. (Annex 8 to the Complaint).

#### **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 confusingly similar to the trademark in which it has rights, that the Respondent has no rights or legitimate interests with respect to the disputed domain names, and that the disputed domain names were registered and are being used in bad faith. In particular, the Complainant contends that the Respondent has been involved in previous cases filed by the Complainant, including *Compagnie Generale des Etablissements Michelin v. Phil Howard, Kithcen 47*, WIPO Case No. [D2025-3315](#) and *Compagnie Generale des Etablissements Michelin v. Phil Howard*, WIPO Case No. [D2025-2532](#).

The Complainant requests a transfer of the disputed domain names.

## **B. Respondent**

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

## **6. Discussion and Findings**

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain names are identical or confusingly similar to the trademarks or service marks in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are 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 names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds 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 entirety of the MICHELIN trademark is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to that trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

While the addition of other terms, such as "guide" and "star," in their singular and/or plural forms, may bear on the assessment of the second and third elements, the Panel finds that the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the MICHELIN trademark 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 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.

In the present case, the Panel finds that the Respondent was clearly aware of the MICHELIN mark as the websites under three out of six of the disputed domain names displayed the Complainant's trademarks and logo, intentionally misleading users into believing that there might be an association between the Complainant and these websites, attempting to attract Internet users to the disputed domain names for possible commercial gain by creating a likelihood of confusion with the Complainant's marks, which constitutes bad faith under paragraph 4(b)(iv) of the Policy.

The disputed domain names <michelinguidesstar.net>, <michelinguidestar.net>, and <michelinguidestars.net> resolved to the websites displaying Donate as one of the tabs. When clicking on Donate, users will be redirected to another web page asking for donations to the Processing Foundation. The Panel finds that the Respondent has attempted to attract users to these disputed domain names for possible commercial gain by creating a likelihood of confusion with the Complainant's marks, which also constitutes bad faith under paragraph 4(b)(iv) of the Policy.

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.

The disputed domain names <michelinguidesstar.com>, <michelinguidestars.com>, and <michelinguidestar.com> resolved to login websites displaying the Complainant's trademark and logo and purportedly offering "offer a top-rated experience that helps retailers promote their brands". Panels have held that the use of a domain name for illegal activity, here, claimed as applicable to this case: impersonation/passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

In addition, the Panel finds that the Respondent has established a pattern of bad faith conduct by repeatedly registering the domain names incorporating the Complainant's trademark and was involved in other cases filed by the Complainant.

Having reviewed the available record, although the disputed domain names are currently inactive, the Panel notes the distinctiveness or reputation of the Complainant's trademark, the composition of the disputed domain names, the fact that the Respondent has been subject to other UDRP proceedings with the Complainant, and finds that the Respondent's registration and use of the disputed domain names constitute 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 <michelinguidesstar.com>, <michelinguidesstar.net>, <michelinguidestar.com>, <michelinguidestar.net>, <michelinguidestars.com>, and <michelinguidestars.net> be transferred to the Complainant.

*/Mario Soerensen Garcia/*

**Mario Soerensen Garcia**

Sole Panelist

Date: December 10, 2025