

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. Dmytro Dudchennko
Case No. D2025-4512

1. The Parties

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

The Respondent is Dmytro Dudchennko, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <michellinbeluxbe.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 31, 2025. On October 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 31, 2025, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 November 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 11, 2025.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on December 15, 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. Further Procedural Considerations

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

Since the Respondent's mailing address is stated to be in Ukraine (whether this is indeed accurate is not clear), which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

The Panel notes that the Center has used the Respondent's email address as registered with the Registrar for the purposes of notifying the Complaint. There is no evidence that the Notification of Complaint email to the email address of the Respondent was not successfully delivered. Further, the Respondent apparently registered the disputed domain name as recently as October 13, 2025, and thus would appear to be capable of controlling the disputed domain name and the related content and, having apparently received the Notification of Complaint by email, it would have been able to formulate and file a Response if he wished to do so. The Panel also notes that the website previously exhibited at the disputed domain name displayed a contact postal address in Belgium. It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of a Response) that the Respondent registered and is using the disputed domain name in bad faith. Accordingly, the Panel considers that it is able to proceed to determine this Complaint.

5. Factual Background

The Complainant is a tires company operating worldwide. It also publishes the Michelin Guide that ranks fine dining establishments. The Complainant owns trademark registrations for MICHELIN in numerous jurisdictions such as the following:

1. International Trademark Registration No. 348615, registered on July 24, 1968; and
2. European Union Trademark Registration No. 001791243, registered on October 24, 2001.

The disputed domain name was registered on October 13, 2025, and resolves to an inactive website. The evidence filed by the Complainant shows that the disputed domain name previously resolved to a website in the French language prominently displaying "Michelin Belux" and purportedly offering market analyses and commercial development services.

6. 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 contends that the disputed domain name is confusingly similar to the Complainant's trademark. The disputed domain name reproduces the Complainant's trademark with a misspelling. The Complainant's trademark is considered well known by prior UDRP panels. The addition of the geographical reference "beluxbe" does not prevent a finding of confusing similarity. On the contrary, it reinforces the likelihood of confusion as Internet users may reasonably believe that the domain name identifies an official Benelux branch or affiliate of the Complainant. The generic Top-Level Domain ("gTLD") ".com" should be disregarded

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is neither affiliated with the Complainant in any way, nor has he been authorized by the Complainant to use and register its trademark, or to seek registration of any domain name incorporating said trademark. The Respondent cannot claim prior rights or legitimate interests in the domain name, as the MICHELIN trademarks precede the registration of the disputed domain name by years. The Respondent is not commonly known under the disputed domain name or under the name “MICHELIN” or “MICHELLIN”. Under the circumstances, no actual or contemplated bona fide or legitimate use of the domain name could reasonably be claimed. The Respondent has neither used nor made any demonstrable preparation to use the domain name in connection with a bona fide offering of goods or services. The Respondent is exploiting typographical errors, a practice known as “typosquatting”. This does not constitute a legitimate use of a trademark.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Respondent had knowledge of the Complainant’s trademark. The Complainant’s trademark is well known. Typosquatting is an indication of bad faith. The disputed domain name redirected to a website displaying content that promoted commercial services. Such use demonstrates an intentional attempt to exploit the Complainant’s well-known trademark to attract Internet users for commercial gain by creating a misleading association with the Complainant. The Complainant’s MICHELIN trademark registrations significantly predate the registration date of the disputed domain name. A quick “MICHELIN” trademark search or a search via Google or any other search engine would have revealed to the Respondent the existence of the Complainant and its trademark. Previous panels have considered that in the absence of any license or permission from complainant to use such widely known trademark, no actual or contemplated bona fide or legitimate use of the domain name could reasonably be claimed. It is more likely than not that the Respondent’s primary motive in registering and using the disputed domain name was to capitalize on or otherwise take advantage of the Complainants’ trademark rights, through the creation of initial interest of confusion. It is likely that Respondent registered the domain name to prevent the Complainant from reflecting its trademarks in the disputed domain name. Panels have consistently held that redirecting a domain name incorporating a famous trademark to a website offering unrelated or deceptive commercial content constitutes bad faith use.

B. Respondent

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

7. Discussion and Findings

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.

A typo variant of the mark (where the mark remains sufficiently recognizable) is reproduced 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](#), sections 1.7 and 1.9.

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. In this regard, the Panel notes that the nature of the disputed domain name consisting of an inherently misleading typographical error and a geographical reference, signals an intention on the part of the Respondent to confuse unsuspecting Internet users into believing that the disputed domain name is operated by the Complainant and cannot confer rights or legitimate interests.

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 notes that the Respondent must have been aware of the Complainant’s trademark as the Complainant’s trademark is well known, the disputed domain name was registered decades after the registration of the Complainant’s trademark, the disputed domain name contains a misspelling of the Complainant’s trademark, and the mark was also reproduced on the website previously associated with the disputed domain name purportedly operated by Michelin Belux.

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 (including a blank 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 reputation of the Complainant’s trademark, the absence of a response and the nature of the disputed domain name, and finds that in the circumstances of this case neither the prior use of the disputed domain name for offering commercial services nor the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

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 <michellinbeluxbe.com> be transferred to the Complainant.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: December 22, 2025