

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. John smith, Michelin guide

Case No. D2025-4535

1. The Parties

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

The Respondent is John Smith, Michelin guide, Malaysia.

2. The Domain Names and Registrar

The disputed domain names <michelinfoodguides.com>, <michelinfoodsguide.com>, and <michelinrestaurantguide.com> 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 November 3, 2025. On November 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 5, 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 (Redacted for privacy, Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 6, 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 November 12, 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 November 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 8, 2025.

The Center appointed Leo (Yi) Liu 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. Factual Background

The Complainant is a well-known French company founded in 1889 and operates a global business specializing in the field of tire design, manufacture and marketing. The Complainant also publishes an authoritative Michelin Guide that ranks fine dining establishments by awarding "Michelin Stars", and is highly involved in travel publications (maps, guides, atlases, computerized products) as well as vehicle racing events such as Formula One, Motorcycle Grand Prix, Superbike and rallies.

The Complainant owns several trademark registrations for MICHELIN, including:

- International Trademark Registration No.1254506 for MICHELIN, registered on December 10, 2014, in Classes 09, 35, 38, 39, 41, 42;
- European Union Trademark Registration No.013558366 for MICHELIN, registered on April 17, 2015, in Classes 09, 35, 38, 39, 41, 42, and
- European Union Trademark Registration No.9914731 for MICHELIN, registered on September 27, 2011, in Classes 09, 35, 37, 38, 39, 41, 42, 43.

The disputed domain names were registered by John Smith.

The disputed domain names <michelinfoodguides.com>, <michelinfoodsguide.com>, and <michelinrestaurantguide.com> were registered on October 24, 2025. The disputed domain names do not presently resolve to an active webpage. However, as evidenced by the Complainant's screenshots, the disputed domain names <michelinfoodguides.com>, <michelinfoodsguide.com>, and <michelinrestaurantguide.com> appear to share a same page, which is presented as a MICHELIN login page where the Complainant's trademark is displayed.

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 its well-known and distinctive trademark MICHELIN;
- the Respondent has no rights or legitimate interests in respect of the disputed domain names;
- the disputed domain names were registered and are being used in bad faith.

B. Respondent

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

6. Discussion and Findings

To obtain the relief it has requested, the Complainant must prove the presence of each of the three elements of the Policy: 1) the disputed domain names are identical or confusingly similar to a trademark or service

mark in which the Complainant has rights; 2) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and 3) 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 record submitted, the Complainant has shown rights in respect of the MICHELIN trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Each of the disputed domain names incorporates the MICHELIN mark in its entirety. Despite the addition of terms (such as "restaurant", "guide", or "food") in the disputed domain names, the Panel finds that the MICHELIN mark remains recognizable.

Although the addition of the terms may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent the finding of confusing similarity under the Policy. [WIPO Overview 3.0](#), section 1.8.

Finally, generic Top-Level Domain ("gTLD") components are generally disregarded when evaluating the confusing similarity between a disputed domain name and a trademark. [WIPO Overview 3.0](#), section 1.11.

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.

As shown by the record, the disputed domain names share the same front page, where the complainant's trademark is displayed and which is presented as a MICHELIN login page. The Complainant asserts that the Respondent has no connection or affiliation with the Complainant and has not received any authorization, license, or consent, whether express or implied, to use the Complainant's trademark in the disputed domain names or in any other manner. The Respondent has not come forward with any evidence that it has engaged in any use of or demonstrable preparations to use the disputed domain names in connection with a *bona fide* offering of goods or services in accordance with paragraph 4(c)(i) of the Policy.

The Respondent's name does not correspond to the disputed domain names, and there is no evidence to support a finding that the Respondent is commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy. The mere fact that the Respondent provided the terms "Michelin guide" for the registration of the disputed domain names does not give rise to rights or legitimate interests in the

disputed domain name. On the contrary, it affirms that the Respondent was well aware of the Complainant when registering the disputed domain names.

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 notes that the Complainant obtained rights in the MICHELIN mark long before the disputed domain names were registered. In addition, as shown by the record, the disputed domain names <michelinfoodguides.com>, <michelinfoodsguide.com>, and <michelinrestaurantguide.com> share a same front page distinctively displaying the MICHELIN mark in connection with culinary activities of the Michelin Guide and the reproduction of the Michelin Bibendum (the figurative element of the Complainant), which may create the false impression that these disputed domain names are related to the Complainant's business or even is the Complainant's business *per se*.

Moreover, the slogan "We offer a top-rated experience that helps retailers promote their brands" on the webpage insinuates that the webpage is offering the exact same service the Complainant is offering. In other words, the general impression of the front page suggests that it is a website impersonating the Complainant.

Consequently, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's MICHELIN mark, and is intentionally free-riding on the Complainant's good will. [WIPO Overview 3.0](#), section 3.1.

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 <michelinfoodguides.com>, <michelinfoodsguide.com>, <michelinrestaurantguide.com> be transferred to the Complainant.

/Leo (Yi) Liu/
Leo (Yi) Liu
Sole Panelist
Date: December 29, 2025