

## **ADMINISTRATIVE PANEL DECISION**

Apave v. Linda Woods  
Case No. D2025-4545

### **1. The Parties**

The Complainant is Apave, France, represented by Sala-Martin Avocat, France.

The Respondent is Linda Woods, United States of America.

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

The disputed domain name <apavee.com> is registered with Network Solutions, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 4, 2025. On November 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 4, 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 (PERFECT PRIVACY, LLC) and contact information in the Complaint. The Center sent an e-mail communication to the Complainant on November 7, 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 10, 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 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 5, 2025.

The Center appointed Geert Glas as the sole panelist in this matter on December 9, 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 company which was founded in France in 1867 and is specialized in risk management. Today, its 18,000 employees provide services relating to inspection, certification, safety and other types of risk management in over 50 countries, including the United States of America.

The Complainant owns trademark registrations in many countries around the world which cover the word APAVE. These include:

- French trademark no. 4369307 filed on June 16, 2017; and
- International trademark no. 1430432 registered on November 20, 2017, and covering a large number of countries, including the United States of America.

On December 3, 1998, the Complainant registered the domain name <apave.com> which it uses to present its activities to the public at large.

The Respondent is an individual domiciled in the United States of America.

The Respondent registered the disputed domain name on August 27, 2025.

It appears from evidence provided by the Complainant that the Respondent has used the disputed domain name in an email address from which a customer of the Complainant was contacted on August 27, 2025. This email contained a request to replace an earlier invoice issued on July 31, 2025, by the Complainant to this customer by an identical invoice except for the IBAN and BIC mentions which were changed to a bank account at a United Kingdom bank unknown to the Complainant. It should be noted that the first and last names which were used in this email address composed from the disputed domain name correspond with the first and last name of the financial manager of the Complainant.

This email with the accompanying new invoice was confirmed by a letter sent by the Respondent to this customer with the following content:

“We would like to inform you that our account is currently undergoing an upgrade, which results in a new IBAN number for the payment of overdue invoices. Please update your records with the information attached to the email for the payment of overdue invoices and all future payments until further notice. You will find the new bank details below.” (translation of the original French language text which reads: “Nous tenons à vous informer que notre compte fait actuellement l’objet d’une mise à niveau, ce qui entraîne un nouveau numéro IBAN pour le paiement des factures échues. Veuillez mettre à jour vos dossiers avec les informations jointes à l’e-mail pour le paiement des factures échues et tous les paiements futurs jusqu’à nouvel ordre. Vous trouverez ci-dessous les nouvelles coordonnées bancaires”).

Both the email and the letter prominently displayed the Complainant’s APAVE mark and logo.

Upon receipt of this email and letter, the customer contacted the Complainant who subsequently filed 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 name.

Notably, the Complainant contends that the entirety of the Complainant’s APAVE mark is incorporated in the disputed domain name and that as a result it must be considered confusingly similar to its APAVE mark. The addition of the letter “e” does not change this finding.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name as there is no evidence of the Respondent's use of, or demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services. The Respondent is also not commonly known by the disputed domain name and is not making a legitimate noncommercial or fair use of the disputed domain name.

The Complainant finally is also of the opinion that the disputed domain name was registered and is being used in bad faith. In view of the well known nature of the APAVE mark, including in the United States of America, the Respondent must have been aware of the Complainant's APAVE mark when registering the disputed domain name and could not have ignored that by registering the disputed domain name it would infringe the Complainant's rights in the APAVE mark.

The Complainant is of the opinion that the bad faith use of the disputed domain name by the Respondent is evidenced by the following facts:

- The Complainant had sent to one of its customers an invoice dated July 7, 2025, mentioning the Complainant's bank details to enable the customer to settle the Complainant's invoice;
- On August 27, 2025, this customer received an email sent from an email address composed from the disputed domain name which included an identical invoice with new bank details as well as a letter on the letterhead of the Complainant informing the customer of the change of bank details;
- The first and last names used in this email address correspond to the name of the financial manager of the Complainant.

According to the Complainant, the above demonstrates the intent of the Respondent to usurp the identity of the Complainant and thereby constitutes a fraudulent use of the disputed domain name.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions

## **6. 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.

The entirety of the mark is reproduced within the disputed domain name which is only distinguished from the APAVE mark by the presence of an additional letter "e" at the end. This additional letter is however hardly noticeable, both visually and phonetically. Accordingly, the disputed domain name is confusingly similar to the APAVE mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, 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.

There is indeed no evidence whatsoever of the Respondent using the disputed domain name with a bona fide offering of goods or services, the Respondent being commonly known by the disputed domain name or the Respondent making a legitimate noncommercial or fair use of the disputed domain name.

To the contrary: the Complainant has provided evidence showing that the disputed domain name has been used by the Respondent to create an email address which was subsequently used to try to lure a customer of the Complainant into settling an invoice issued by the Complainant by making a payment to a bank account which did not correspond to the bank account of the Complainant. It should be noted that the first and last names which were used in this email address composed from the disputed domain name correspond with the first and last name of the financial manager of the Complainant.

Panels have held that the use of a domain name for illegal activity, here fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Based on the available record, 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.

As to the mere registration of the disputed domain name, it should be noted that panels have consistently found that the mere registration of a domain name which is confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

This seems to be the case here, as the APAVE mark had become widely-known long before the disputed domain name was registered by the Respondent. As a result, the Respondent had or should have had knowledge of the Complainant’s activities and of its APAVE mark when registering the disputed domain name. This is also corroborated by the fact that the disputed domain name was registered on August 27, 2025, the exact same day on which the Respondent sent the abovementioned email composed from the disputed domain name to the customer of the Complainant, inviting them to settle an invoice of the Complainant by paying into a bank account which does not correspond to the Complainant’s bank account.

As to the use of the disputed domain name, panels have held that the use of a domain name for illegal activity, here fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent’s use of the disputed domain name constitutes bad faith under the Policy.

By using an email address composed from the disputed domain name to lure a customer of the Complainant into settling an invoice of the Complainant by making a payment in a different bank account than the one indicated by the Complainant in its original invoice, the Respondent has clearly made a fraudulent use of the disputed domain name. The fraudulent nature of the Respondent's use of the disputed domain is further corroborated by the fact that the Respondent (i) used a personal name in this email address which correspond to the name of the financial manager of the Complainant, (ii) provided the customer with a fake letter and "new" invoice, both on letterhead of the Complainant and (iii) prominently used the APAVE mark and logo on this email, invoice and letter which it sent to the Complainant's customer.

Based on the available record, 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 name <apavee.com> be transferred to the Complainant.

*/Geert Glas/*

**Geert Glas**

Sole Panelist

Date: December 23, 2025