

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. Phil Howard, Kithcen 47
Case No. D2025-4784

1. The Parties

The Complainant is Compagnie Générale des Etablissements 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 <michelincuisine.net>, <michelincuisines.com>, and <michelincuisines.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 November 18, 2025 regarding the disputed domain names and another three domain names. On November 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names and another three domain names. On November 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 (UNKNOWN / Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 20, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names and another three domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on November 25, 2025 removing the other three domain names from the proceedings.

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 December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 19, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on January 21, 2026. 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 was founded in 1889 and operates in the field of tire manufacturing for cars, trucks, motorcycles and planes. Further, the Complainant is also involved in travel publications (maps, guides, atlases, computerized products) and vehicle racing (Formula One and Motorcycle Grand Prix, Superbike) and rallies. In 1900, the Complainant began publishing a travel/gastronomy guide in Europe to encourage new drivers to take road trips to local attractions. Among other things, the guide included anonymous European restaurant reviews that focused on the quality and flavor of food served, as well as mastery of culinary technique and personality of the dishes. The "Michelin Guide" now rates over 30,000 establishments in over 30 territories across the world and more than 30 million "Michelin Guides" have been sold worldwide since.

The Complainant is the owner of several trademarks for MICHELIN (the "MICHELIN Trademark"), including:

- International Trademark Registration MICHELIN No. 1254506, registered on December 10, 2014, designated for, inter alia, Japan;
- United States of America Trademark Registration MICHELIN No. 5775734, registered on June 11, 2019; and
- European Union Trademark Registration MICHELIN No. 013558366, registered on April 17, 2015.

The Complainant is also the owner of domain names including the MICHELIN Trademark, such as the domain name <michelin.com>, registered on December 1, 1993.

The disputed domain names were registered on November 6, 2025. At the time of the Decision, the disputed domain names resolve to inactive websites. The Complainant provided evidence that the disputed domain names previously resolved to identical active websites prominently displaying the MICHELIN Trademark with a photograph of a delicately prepared dish, and the Michelin Bibendum, also known as the "Michelin Man", and requiring credentials to log in or sign up. The websites also displayed the message "We offer a top-rated experience that helps retailers promote their brands".

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.

On the first element of the Policy, the Complainant claims that the disputed domain names are confusingly similar to the MICHELIN Trademark. The disputed domain names incorporate the Complainant's well-known MICHELIN Trademark in full, which is the prominent and essential character of these disputed domain names. The addition of descriptive terms like "cuisine" (French word which means "kitchen" in English) in

combination with the well-known MICHELIN Trademark, reinforce the risk of confusion in the minds of Internet users. This is mainly a descriptive term directly related to the Complainant's business sector, namely the catering activities and food.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant has not authorized any third party to identify itself to the public as "Michelin" in domain names. There appears to be no legitimate reason why the Respondent would incorporate the Complainant's well-known mark in the disputed domain names. The Respondent has impermissibly taken advantage of Complainant's commercial interest in the MICHELIN Trademark. The Respondent registered the disputed domain names because of their connection to the Complainant, its trademarks and goods and services in the area of restaurant/gastronomy. This position is fully confirmed, by the use of these disputed domain names which resolve to a page distinctively displaying the MICHELIN Trademark in connection with culinary activities of the Michelin Guide and the reproduction of the Michelin Bibendum. This is creating the likelihood that a website visitor would be led to the website under the disputed domain names based on a mistaken belief that the Complainant is the source of the website or that the Complainant has sponsored, is affiliated with or has endorsed the website, which constitutes bad faith. The consequence is that there will be confusion, as a substantial proportion of Internet users visiting the site will be doing so in the expectation of reaching a site of, or authorized by, the Complainant.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and used the disputed domain names in bad faith. Taking into consideration the protection and constant use by the Complainant of the well-known MICHELIN Trademark worldwide, there is no chance of it having been registered by the Respondent by simple coincidence. Indeed, the Respondent was inevitably aware of the existence of the Complainant's prior rights when the disputed domain names were registered. Besides, a simple Internet check via Google indicates the existence of the Complainant's long-term activity under the name "Michelin". The Complainant's website indeed appears as the first result on Google with the key word "Michelin". In any event, the Respondent could not ignore the existence of prior rights on the name "Michelin" and the prior use of this well-known name, as trademark and domain names. The Complainant believes that the reproduction of the MICHELIN Trademark suggested knowledge of the MICHELIN Trademark and therefore bad faith. No explanation may be reasonably submitted to understand why the Respondent selected the disputed domain names other than to exploit the Complainant's goodwill in its MICHELIN Trademark and mislead Internet users. The fact that the Complainant's entire distinctive and well-known MICHELIN Trademark is registered as part of the disputed domain names renders it difficult to infer a legitimate use of the disputed domain names by the Respondent. Furthermore, the information provided by the Respondent appears erroneous and fanciful. The contact details of the Respondent whether their email address or telephone number, do not correspond to any concrete reality. Thus, the Respondent has provided inaccurate contact details when it registered the disputed domain names or failed at least to correct such false contact details. In addition, the Respondent is also a recidivist cybersquatter insofar as it has been the subject of several convictions through UDRP proceedings, including, *Compagnie Generale des Etablissements Michelin v. Phil Howard, Kithcen 47*, WIPO Case No. [D2025-3315](#); *Compagnie Generale des Etablissements Michelin v. Phil Howard*, WIPO Case No. [D2025-2532](#); and *Compagnie Générale des Établissements Michelin v. Phil Howard, Kithcen 47*, WIPO Case No. [D2025-4316](#). Bad faith of the Respondent is also fully reflected by its use of the disputed domain names. These disputed domain names resolve to the same page distinctively displaying the MICHELIN Trademark in connection with culinary activities of the Michelin Guide and the reproduction of the Michelin Bibendum. The MICHELIN Trademark is mentioned on the websites, so the registrant of these disputed domain names is deliberately taking advantage of the Complainant's reputation by making Internet users think that it has been approved or sponsored by the Michelin Guide. The Respondent uses the disputed domain names in connection with a website which impersonates the Complainant and which is being used as part of some form of dishonest and fraudulent scheme in order to make Internet users believe that they are in the presence of a website created by the Complainant or approved/awarded by the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel's decision be made "on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

It has been a consensus view in previous UDRP decisions that a respondent's default (i.e., failure to submit a response) would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true (see section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to each disputed domain name, namely that:

- (i) each disputed domain name 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 each disputed domain name; and
- (iii) each disputed domain name has been registered and is 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 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 applicable Top-Level Domain in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

The disputed domain names contain the MICHELIN Trademark in its entirety, with the only addition of the word "cuisine" or "cuisines", which means kitchen(s) in the French language. The Panel finds the MICHELIN Trademark is recognizable within the disputed domain names. The addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise), in this case "cuisine" or "cuisines", does not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.8.

Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

The Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain names or to use the MICHELIN Trademark. The Panel finds that there are no indications on record that the Respondent is commonly known by the disputed domain names. Further, the disputed domain names are not used for a bona fide offering of goods or services. Rather, the Complainant has provided evidence showing that the disputed domain names resolved to active websites prominently displaying the MICHELIN Trademark with a photograph of a delicately prepared dish, and the Michelin Bibendum, and requiring credentials to log in or sign up. The websites also displayed the message “We offer a top-rated experience that helps retailers promote their brands”.

The websites linked to the disputed domain names do not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant, thus creating the false impression that the Respondent might be an official and/or authorized provider for the Complainant’s products and services in the catering/gastronomy field.

This assessment is further supported by the nature of the disputed domain names. UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term (at the second- or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1. In view of the Panel, the composition of the disputed domain names, which incorporates the MICHELIN Trademark together with the term “cuisine” or “cuisines” closely related to the Complainant’s business, carries a risk of implied affiliation or association, as stated in section 2.5.1 of the [WIPO Overview 3.0](#).

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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) 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.

Panels also have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off) can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith. [WIPO Overview 3.0](#), section 3.4.

Further, panels have found the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark: (i) actual confusion, (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful, (iii) the lack of a respondent's own rights to or legitimate interests in a domain name, (iv) redirecting the domain name to a different respondent-owned website, even where such website contains a disclaimer, (v) redirecting the domain name to the complainant's (or a competitor's) website, and (vi) absence of any conceivable good faith use. [WIPO Overview 3.0](#), section 3.1.4.

Moreover, 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.

In the present case, the disputed domain names incorporate the MICHELIN Trademark in its entirety, whereas this trademark was registered years before the registration of the disputed domain names. Considering the distinctiveness and reputation of the well-known MICHELIN Trademark, Internet users may think the disputed domain names are connected to the Complainant and would resolve to a website related to the Complainant because the descriptive term "cuisine" or "cuisines" used in the disputed domain names referring to the Complainant's business sector. Further, the Complainant has provided evidence showing that the disputed domain names previously resolved to active websites prominently displaying the MICHELIN Trademark with a photograph of a delicately prepared dish, and the Michelin Bibendum, and requiring credentials to log in or sign up. The websites also displayed the message "We offer a top-rated experience that helps retailers promote their brands". The websites linked to the disputed domain names did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant. The Panel also notes the Respondent's failure to submit a response to the Complaint and has engaged in a pattern of trademark-abusive domain name registrations. Moreover, as shown above, the Respondent lacks rights or legitimate interests in the disputed domain names.

The Panel finds that the Respondent has intentionally tried to impersonate the Complainant or, at least, attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant and its MICHELIN Trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's websites. 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 <michelincuisine.net>, <michelincuisines.com>, and <michelincuisines.net> be transferred to the Complainant.

/Manuel Wegrostek/

Manuel Wegrostek

Sole Panelist

Date: February 4, 2026