

## ADMINISTRATIVE PANEL DECISION

Point P SAS v. Gerome lards

Case No. D2025-4881

### 1. The Parties

The Complainant is Point P SAS, France, represented by Nameshield, France.

The Respondent is Gerome lards, France.

### 2. The Domain Name and Registrar

The disputed domain name <pointp.store> is registered with Key-Systems GmbH (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 24, 2025. On November 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 26, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 27, 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 27, 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 December 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 23, 2025.

The Center appointed Christiane Féral-Schuhl as the sole panelist in this matter on December 30, 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, belonging to the SAINT-GOBAIN group, is a company specializing in the distribution of construction materials and the manufacture of prefabricated and ready-mixed concrete, to a clientele composed mainly of construction professionals.

The Complainant is the owner of several trademarks (the “POINT P Trademarks”), including the following:

- The International wordmark POINT.P No. 697482 registered on March 10, 1998, for goods and services in classes 1, 2, 3, 6, 7, 8, 11, 14, 16, 17, 19, 20, 21, 24, 27, 35, 37, 38, 39, 40, and 42;
- The European Union figurative mark POINT.P No. 006330609 registered on September 11, 2008, for goods and services in classes 11, 19 and 35; and
- The French wordmark POINT P No. 4015854 registered on June 27, 2013, for goods and services in classes 11, 19 and 35.

The Complainant, via its parent company, also owns an important domain names portfolio comprising its POINT P Trademarks, such as the domain name <pointp.com> registered since February 19, 1997, and used for its official website.

The disputed domain name was registered by the Respondent on May 26, 2025, and resolves to a parking page.

#### **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 disputed domain name is identical to its well-known and distinctive POINT P Trademark as it is contained without addition or deletion.

Furthermore, the Complainant submits that the Respondent lacks any rights or legitimate interests in the disputed domain name, since the Complainant has not licensed nor authorized the Respondent to use the Complainant’s trademarks and did not authorize the Respondent to register or use the disputed domain name incorporating its trademarks. The Complainant asserts that there is no evidence that the Respondent is commonly known by the disputed domain name terms. The Complainant also underlines that there is no relationship of any kind between the Parties. Finally, the Complainant contends that the Respondent has made no use of the disputed domain name and has no demonstrable plan to make any bona fide use of it.

Finally, the Complainant asserts that the disputed domain name was registered and is being used in bad faith, since the POINT P Trademarks were registered significantly before the registration of the disputed domain name. The Complainant underlines that the Respondent could not have been unaware of the Complainant’s prior rights in the POINT P Trademarks at the time of registration of the disputed domain name. The Complainant submits that the disputed domain name is passively held, resolves to a parking page, and that no plausible good-faith use of the disputed domain name can be conceived of without infringing the Complainant’s trademarks rights.

## **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. Accordingly, the disputed domain name is identical 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.

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.

Indeed, it appears that the Complainant has not licensed or authorized the Respondent to use the Complainant's trademarks and did not authorize the Respondent to register or use the disputed domain name incorporating its trademarks. Moreover, there is no evidence that the Respondent is commonly known by the disputed domain name.

The Panel also notes the composition of the disputed domain name itself which is identical to the POINT P Trademarks combined with the Top-Level Domain ".store", which may falsely suggest to Internet users the mistaken belief that they may find an authorized online store of the Complainant. On balance, the Panel finds that by registering the disputed domain name the Respondent – who reportedly is located in the same country where the Complainant operates – likely intended to take unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website, possibly in connection to a planned impersonating or fraudulent use of the disputed domain name.

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 has registered the disputed domain name well after the registration of the POINT P Trademarks and that, also noting the composition of the disputed domain name, the Respondent was very likely aware of the Complainant's trademarks when registering the disputed domain name.

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 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 distinctiveness and reputation of the Complainant's trademark, the composition of the disputed domain name, and the lack of response, and finds that in the circumstances of this case the 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.

### **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 <pointp.store> be transferred to the Complainant.

*/Christiane Féral-Schuhl/  
Christiane Féral-Schuhl  
Sole Panelist  
Date: January 13, 2026*