

## ADMINISTRATIVE PANEL DECISION

CMA CGM v. Customer Service, Name Redacted  
Case No. D2025-5094

### 1. The Parties

The Complainant is CMA CGM, France, represented by MIIP MADE IN IP, France.

The Respondent is Customer Service, Name Redacted<sup>1</sup>.

### 2. The Domain Name and Registrar

The disputed domain name <cma-cgm-shippings.com> is registered with Global Domain Group LLC (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 8, 2025. On December 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 11, 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").

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<sup>1</sup> The underlying registrant of the disputed domain name appears to have partially used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has partially redacted the name of this registrant from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the concerned Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the concerned Registrar as part of the order in these proceedings, and has indicated that Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on December 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 5, 2026.

The Center appointed James Bridgeman SC as the sole panelist in this matter on January 9, 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 is a container shipping company trading using the CMA CGM trademark and service mark, and claims ownership of international portfolio of registrations, including the following:

- French registered trademark CMA CGM No. 3872760 registered on August 3, 2012 for goods and services in classes 12, 37, and 39;
- International registered trademark CMA CGM (Device) No. 1391139 registered on November 16, 2017 for goods and services in class 12, 37, and 39; and
- Thai registered trademark CMA CGM (Device) No. 133138 registered on April 3, 2007 for services in class 37.

The Complainant has an established Internet presence and is the owner of a portfolio of Internet domain names including <cma-cgm.com> and <cmacgm.com>, each of which was created on February 28, 1997.

The disputed domain name <cma-cgm-shippings.com> was registered on November 21, 2024. It is being used to send phishing email messages to at least one of the Complainant's clients, purporting to be sent by an employee of the Complainant in Thailand; it does not resolve to any active website; it initially resolved to an error page and at the date of filing of the Complaint it resolved to a web page stating that the website is under construction.

There is no information available about the Respondent except for that provided in the Complaint, the Whols data annexes to the Complaint, and the information provided by the Registrar in response to the request by the Center for details of the registration of the disputed domain name for the purposes of this proceeding.

#### **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.

The Complainant claims rights in the CMA CGM trademark and service mark established by its ownership of the portfolio of registrations described herein and extensive use of the mark in its container shipping business.

Since it was established on December 21, 1973 initially under a different name, the Complainant has grown to become the third largest container shipping company in the world, with a presence in 160 countries with 400 offices, 1,000 warehouses, 160,000 employees, and a wide fleet of more than 650 vessels. The Complainant now serves 420 of the world's 521 commercial ports and operates more than 250 shipping lines. The evidence of the Complainant's business activities is provided in an annex to the Complaint.

The Complainant has an established Internet presence with its principal website at “www.cma-cgm.com”. The Complainant has produced evidence demonstrating its website which also describes its global business.

The Complainant is the successor in title of both the CMA and the CGM business names which were used to create its CMA CGM business name which was first used in 1996. Prior to that date CMA was the acronym used as the business name of the Compagnie Maritime d’Affrètement since 1978, and CGM was the acronym used as the business name of Compagnie Générale Maritime since 1977.

Firstly, the Complainant alleges that the disputed domain name is confusingly similar and almost identical to the Complainant’s CMA CGM trademark that is well known worldwide, arguing that the disputed domain name incorporates the CMA CGM trademark which is also the business name of the Complainant.

It is contended that the addition of the word “shippings”, which describes a part of the activity of the Complainant, does not limit the risk of confusion, since the Internet user will immediately make the connection with the Complainant and consider this addition as an extension of the Complainant’s business name or trademark.

Secondly, the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name arguing that:

- the disputed domain name incorporates the Complainant’s CMA CGM trademark and corporate name which are well known across the world since 1996;
- the Complainant’s website “www.cma-cgm.com” is accessible from everywhere in the world and in the English language, showing the use of the CMA CGM mark, as shown in the screen capture of the website which is exhibited in an annex to the Complaint;
- the mark CMA CGM is not a generic term, and the only use of CMA CGM is to designate the Complainant’s services such as transportation, container transportation, container tracking, etc., and it is the Complainant’s right to use the mark all over the world;
- the Whois shows that the Respondent appears to be a company specializing in the sale of wood pellets;
- as shown in the copy of a report obtained via TM View Global Brand Database, there is no trademark registered under the name of that company;
- furthermore, an exhibited search shows that the combination of elements in “CMA CGM SHIPPINGS” has not been registered as a trademark; and
- the absence of any website attached to the disputed domain name reflects the absence of any right or legitimate interest of the Respondent. As shown in the screen captures exhibited in an annex to the Complaint, the disputed domain name originally redirected to an error page, and at the time of filing of the Complaint, it resolved to a website that purports to be under construction.

Thirdly, the Complainant alleges that the disputed domain name was registered and is being used in bad faith, arguing that the Complainant was made aware of the disputed domain name registration by a client who received email messages from the Respondent using an email account established with the disputed domain name.

The Respondent engaged in email correspondence pretending to be an employee of the Complainant’s branch in Thailand. This is shown in the exhibited annex to the Complaint: the signature block of some of the emails the Respondent sent contained the Complainant’s logo.

Furthermore, the Complainant exhibits a copy of the invoice attached to the Respondent’s email which includes details of the Complainant including the legal form of the Complainant’s name and its address in the French language.

The Complainant submits that its client did not pay attention to the Respondent’s email address and did not notice the addition of the term “shippings”. The client exchanged with the fraudulent sender who asked the client to pay fees, refundable later, in order to receive the delivery. The fraudulent sender then claimed there

was a delivery problem requiring additional payment from the client. The client then verified this information with the Complainant and discovered that it was a scam.

The Complainant contends that the exhibited email correspondence between the Respondent and the client clearly shows that the disputed domain name was registered because of its similarity to the CMA CGM mark, with the intention of defrauding the Complainant's clients and obtaining payment of fake invoices, without any right, which constitutes registration and use in bad faith.

## **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 CMA CGM mark 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](#), section 1.7.

Although the addition of other terms, here, "shippings", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

The evidence adduced by the Complainant shows that on the balance of probabilities the disputed domain name has been used to create an email account from which the Respondent has purported to perpetrate a phishing scheme whereby the Respondent has set out to defraud at least one client of the Complainant by demanding money under false pretenses, stating that the client was required to pay for additional charges and fines for importing an engine into the European Union ("EU"), as described in the Complaint.

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

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 has shown that it has an extensive reputation and goodwill in its global business providing shipping containers to the cargo industry using the CMA CGM marks since 1996. It has grown to become the third largest container shipping company in the world, with a presence in 160 countries with 400 offices, 1,000 warehouses, 160,000, employees and a wide fleet of more than 650 vessels.

The disputed domain name was registered on November 21, 2024.

The registration information in the Whois database appears to be false. The evidence shows that the disputed domain name is registered in the name of a company that produces wood pellets with an unlikely Gmail contact address; and the Complainant has submitted a Google Maps search that shows the mailing address provided by the Respondent appears to be that of a shoe repair shop in San Francisco. For this reason, the Panel finds that on the balance of probabilities the named corporation is an innocent third party and the name of the Respondent should be partially redacted in the interests of fairness and privacy.

The Panel finds therefore that the disputed domain name was registered in bad faith, long after the Complainant had established registered trademark rights in the CMA CGM mark; that the CMA CGM mark is the initial, dominant, and only distinctive element in the disputed domain name; and that on the balance of probabilities, the disputed domain name was chosen and registered with the Complainant's mark in mind in order to take predatory advantage of the Complainant's goodwill and reputation in the CMA CGM trademark and business name.

As shown in the uncontested evidence submitted in the annexes to the Complaint, the Respondent has been using the disputed domain name in two ways, each of which constitutes use in bad faith for the purposes of the Policy:

Firstly, the Respondent has used the disputed domain name to create an email account from which the Respondent has attempted to perpetrate a phishing scam by sending email messages to at least one of the Complainant's clients. In the email messages, the Respondent masquerades as an employee of the Complainant using an email address at "[...]"@cma-cgm-shippings.com". The Respondent engaged in email correspondence with the Complainant's client in which demands were made for money using a fake "BILL OF LADING" and false demands were made for obtaining payments from the client. For example, on August 14, 2025, the Respondent sent a message from the email address at "[...]"@cma-cgm-shippings.com" to the client requesting a payment of EUR 3,000 to pay a fine for importing a used engine which does not meet the "Non Hazardous compliance standards set in force by the EU regulations". The client replied stating that he had paid EUR 5,000 already. According to the case record, the correspondence ended on September 5, 2025 when the client had still not received delivery of the engine.

Secondly, the disputed domain name does not resolve to any active website and it initially resolved to an error page and subsequently resolved to a webpage stating that the website is under construction. The evidence shows that the Respondent has not established any active website but has registered the disputed domain name for the purposes of creating an email account to engage in a phishing scheme.

Panels have held that the use of a domain name for illegal activity, here, claimed phishing, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name 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 name <cma-cgm-shippings.com> be transferred to the Complainant.

*/James Bridgeman SC/*

**James Bridgeman SC**

Sole Panelist

Date: January 19, 2026