

## **ADMINISTRATIVE PANEL DECISION**

Lagardere SA v. Idah Idah  
Case No. D2025-5449

### **1. The Parties**

The Complainant is Lagardere SA, France, represented by Nameshield, France.

The Respondent is Idah Idah, Indonesia.

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

The disputed domain name <hachette-education.com> 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 December 31, 2025. On January 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 5, 2026, 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 January 5, 2026, 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 January 6, 2026.

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 January 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 3, 2026. The Complainant forwarded the Respondent's email communication to the Center on January 6, 2026. On February 5, 2026, the Center informed the Parties of the commencement of the panel appointment process.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on February 25, 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's Lagardère Group has owned Hachette, a French publishing group, since 1981. The Complainant is present in over 70 countries via its different businesses and imprints.

The Complainant owns several registered trademarks HACHETTE such as the International Trademark HACHETTE No. 951291 registered on December 7, 2007. The Complainant also owns the domain names <hachette.com> and <hachette-education.com>, and many other domain names incorporating the HACHETTE trademark.

The disputed domain name was registered on February 6, 2016, and redirects to a gambling site.

#### **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 points out that the disputed domain name contains its HACHETTE registered trademark in its entirety, and contends that the addition of the French term "éducation" is not sufficient to prevent a finding of confusing similarity. The term does not change the overall impression that the disputed domain name is connected with the Complainant's trademark HACHETTE and does not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademark and associated domain names, the Complainant says.

Further, the Complainant asserts that the Respondent is not identified in the Whois database by a name corresponding to the disputed domain name, and points out that past panels have held that a respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name. The Complainant also asserts that the Respondent is not affiliated with nor authorized by it in any way, and that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant says it has not granted either license or authorization to the Respondent to make any use of the Complainant's trademarks or apply for registration of the disputed domain name. Additionally, the Complainant points out that the disputed domain name redirects to various web sites and/or malicious sites and contends that using a confusingly similar domain name to distribute malware is neither a bona fide offering of goods or services within the meaning of Policy paragraph 4(c)(i) nor a legitimate noncommercial or fair use within the meaning of Policy paragraph 4(c)(iii).

The Complainant contends that because the disputed domain name contains its distinctive trademark HACHETTE and includes a term that refers to the activities of the Complainant, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant's trademarks. Finally, the Complainant says that by using the disputed domain name to attract Internet traffic to one or more web sites or malicious sites, the Respondent has intentionally attempted to attract for commercial gain, Internet users to the Respondent's web site or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's web site or location or of a product or service on that web site or location.

## **B. Respondent**

The Respondent did not substantively reply to the Complainant's contentions. However, the Complainant has provided an email communication sent by the Respondent after this proceeding had commenced offering to settle this matter for USD 500.

## **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 Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

Although the addition of other term "éducation" 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 3.1](#), 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 that 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 3.1](#), 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 disputed domain name – which is nearly identical to the Complainant's own domain name <hachette-education.com> (save for the accented "e") – redirects to a gambling site. Furthermore, the Respondent offered to sell the disputed domain name to the Complainant for USD500, presumably more than out-of-pocket expenses. Such a redirect and an offer to sell is not consistent with the Respondent having rights or legitimate interests in the disputed domain name in the present case.

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 registered a domain name that included in its entirety the Complainant's distinctive and longstanding trademark HACHETTE, without itself having any legitimate connection with that term. Additionally, the inclusion of the term "éducation" demonstrates that the Respondent more likely than not was familiar with the activities (which include educational publishing) of the Complainant through its Hachette affiliate, at the time of registration of the disputed domain name.

The fact that the Respondent both offered to sell the disputed domain name to the Complainant for a price presumably above its own out-of-pocket expenses, and also redirects Internet users to a gambling site, shows that the Respondent is using the disputed domain name in bad faith.

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 <hachette-éducation.com> be transferred to the Complainant.

*/William A. Van Caenegem/*

**William A. Van Caenegem**

Sole Panelist

Date: March 11, 2026