ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Compagnie Générale des Etablissements Michelin v. Vladimir Volf
Case No. D2026-0303

1. The Parties

The Complainant is Compagnie Générale des Etablissements Michelin, France, represented by Dreyfus & associés, France.

The Respondent is Vladimir Volf, Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <bibendum.site> is registered with Registrar of Domain Names REG.RU LLC (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on January 26, 2026. On January 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 28, 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 (Not disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 28, 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 29, 2026.

On January 28, 2026, the Center informed the parties in Russian and English, that the language of the registration agreement for the disputed domain name is Russian. On January 29, 2026, the Complainant confirmed its request that English be the language of the proceedings. The Respondent did not submit any comment on the Complainant's submission.

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 in Russian and English of the Complaint, and the proceedings commenced on February 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 24, 2026.

The Center appointed Alissia Shchichka as the sole panelist in this matter on February 27, 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 company headquartered in Clermont-Ferrand, France, and one of the well-known global leaders in the tire industry. The Complainant designs, manufactures, and distributes tires for various types of vehicles and also provides digital services, maps, travel guides, and advanced materials related to mobility. The Complainant operates worldwide, with a presence in more than 170 countries and a workforce of over 124,000 employees. It is also widely known for publishing the MICHELIN Guide, which awards stars to fine dining establishments around the world, and for its longstanding mascot Bibendum (the "Michelin Man").

The Complainant has evidenced to be the registered owner of numerous trademarks worldwide relating to its trademark BIBENDUM including, but not limited, to the following:

- International Trademark Registration No. 709584, registered on March 18, 1999, for the word mark BIBENDUM, in class 25; and

- International Trademark Registration No. 326563, registered on November 18, 1966, for the word mark BIBENDUM, in classes 6, 7, 8, 9, 10, 11, 12, 16, 17, 21, 22, 24, 25, 26, 27, 28, and 34.

The Complainant is also the owner of the domain name <bibendum.fr>, registered on January 26, 2004.

The aforementioned trademarks and domain name were registered prior to the disputed domain name, which was registered on December 26, 2025. The disputed domain name currently resolves to an inactive website. The Complainant has provided evidence showing that the disputed domain name previously redirected to the Registrar's website, where it was offered for sale for RUB 5,000.

The Respondent, according to the disclosed WhoIs information for the disputed domain name, is located in the Russian Federation.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for the transfer of the disputed domain name.

Notably, the Complainant asserts that its BIBENDUM trademark is globally well known.

According to the Complainant, the disputed domain name is confusingly similar to the Complainant's BIBENDUM trademark, as it incorporates the entire trademark. The Complainant also asserts that the generic Top-Level Domain ("gTLD") ".site" should be disregarded under the first element as it is a standard registration requirement.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name because: (1) the Respondent is not commonly known by the disputed domain name; (2) the Respondent is neither affiliated with nor authorized by the Complainant to register or use the disputed domain name; and (3) the Respondent has not used, nor made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Instead, the disputed domain name redirected users to a Registrar's website offering it for sale for RUB 5,000.

Finally, the Complainant asserts that the Respondent has registered and is using the disputed domain name in bad faith. In particular (1) the BIBENDUM trademark predates the registration of the disputed domain name and is well known, and the Respondent knew or should have known about the Complainant's trademark; (2) the disputed domain name has not been put to any legitimate use and instead resolves to a Registrar's website, Respondent attempting to attract Internet users for commercial gain by creating a likelihood of confusion as to source, affiliation, or endorsement with the Complainant.

Accordingly, the Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

6.1. Language of the Proceedings

The language of the Registration Agreement for the disputed domain name is Russian. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requests that English be the language of the proceedings. In support of this request, the Complainant submits that the Complainant is located in France and does not have knowledge of Russian. Proceeding in Russian would require the Complainant to retain translation services for all filings and communications, resulting in significant additional expense and potential delays.

Moreover, according to the Complainant, the disputed domain name uses only Latin characters, indicating that the Respondent is likely familiar with languages other than Russian.

The Center transmitted all case communications to the Respondent in both English and Russian, and invited the Respondent to comment on the language of the proceedings. The Respondent, however, did not submit any comments or Response. Had the Respondent filed a Response in Russian, the Panel would have considered conducting the proceedings in Russian; however, no Response was received.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("WIPO Overview 3.1"), section 4.5.1).

Having considered all relevant circumstances, the absence of any objection, the composition of the disputed domain name and the need to avoid undue delay or expenses by translating all materials for the Complainant, the Panel finds it appropriate to exercise its discretion under paragraph 11(a) of the Rules. The Panel concludes that conducting the proceedings in English is fair, reasonable, and efficient and that the

Respondent will not be disadvantaged by this decision. Accordingly, the Panel determines that the language of the proceedings shall be English.

6.2. Substantive Issues

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

(i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) that the disputed domain name has been registered and is being used in bad faith.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

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 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.

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 3.1, 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 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 Complainant has confirmed that the Respondent is not affiliated with the Complainant, or otherwise authorized or licensed to use the BIBENDUM trademark or to seek registration of any domain name incorporating the trademark. The Respondent is also not known to be associated with the BIBENDUM trademark, and there is no evidence showing that the Respondent has been commonly known by the disputed domain name. WIPO Overview 3.1, section 2.3.

Noting the Complainants renown and the lack of any substantive response putting forward a legitimate non-infringing purpose, in the Panel's view, it is reasonable to infer that by offering the disputed domain name for sale the Respondent has intended to capitalize on the reputation and goodwill inherent in the Complainant's BIBENDUM trademark.

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.

Therefore, the Panel concludes that the Respondent does not have any rights or legitimate interests in the disputed domain name, and the Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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 regards the current non-use, panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, lack of response and the composition of the disputed domain name, and finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

In addition, the Panel notes that the Respondent has been involved in multiple prior UDRP proceedings concerning the abusive registrations of domain names incorporating well-known trademarks (see *Carrefour SA v. Vladimir Volf*, WIPO Case No. D2020-1665; and *Amundi Asset Management v. Vladimir Volf*, WIPO Case No. D2024-2592). The Respondent's history of engaging in abusive registrations of domain names incorporating well-known trademarks indicates a clear pattern of bad faith conduct. WIPO Overview 3.1, section 3.2.1.

The Respondent's selection of a domain name identical to the Complainant's trademark, coupled with the absence of any credible explanation, supports the conclusion that the Respondent was aware of the Complainant's reputation and sought to exploit it. In this regard, the Panel also notes that the disputed domain name previously redirected to the Registrar's webpage, where it was offered for sale (for RUB 5,000), implying the for-sale nature of the disputed domain name. While an offer to sell a domain name is not, by itself, determinative of bad faith, panels generally find bad faith where the surrounding circumstances indicate that the respondent intended to profit from or otherwise exploit the complainant's trademark. Relevant factors in such an assessment among others include: (i) the respondent's likely knowledge of the complainant's rights, (ii) the distinctiveness of the complainant's mark, and (iii) a pattern of abusive domain

name registrations. WIPO Overview 3.1, section 3.1.1. These circumstances are present in the current case.

In light of these circumstances, the Panel finds that the Respondent's registration and use of the disputed domain name constitute 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 <bibendum.site> be transferred to the Complainant.

/Alissia Shchichka/
Alissia Shchichka
Sole Panelist
Date: March 13, 2026