

## **ADMINISTRATIVE PANEL DECISION**

Compagnie Générale des Etablissements Michelin v. John smith, Michelin guide

Case No. D2026-0363

### **1. The Parties**

The Complainant is Compagnie Générale des Etablissements Michelin, France, represented by Tmark Conseils, France.

The Respondent is John smith, Michelin guide, Malaysia.

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

The disputed domain names <michelinguidesites.com> and <michelinsites.com> 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 January 28, 2026. On January 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On January 30, 2026, 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 January 30, 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 February 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 February 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 11, 2026.

The Center appointed Moonchul Chang as the sole panelist in this matter on March 17, 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 in France. It is a leading global tire company dedicated to the tires production and sale as well as various guide publications in the field of restaurant, gastronomy, travel and road maps. Since the Complainant began to publish the travel/gastronomy guide in Europe in 1900, it has published yearly the Michelin Guide which awards stars to fine dining establishments since 1926.

The Complainant owns a large portfolio of the trademarks MICHELIN which were registered in numerous jurisdictions, including as follows:

- International trademark MICHELIN with registration No. 1254506 registered on December 10, 2014;
- United States of America trademark MICHELIN with registration No. 5775734, registered on June 11, 2019; and
- European Union trademark MICHELIN with registration No. 013558366 registered on April 17, 2015.

The disputed domain names <michelinguidesites.com> and <michelinsites.com> were registered on January 2, 2026. The disputed domain names have previously resolved to a website displaying the MICHELIN mark in connection with culinary activities of the MICHELIN Guide and the reproduction of the Michelin Bibendum logo, where the user is required to log in or sign up.

#### 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.

The Complainant contends that:

(a) the disputed domain names are confusingly similar to the trademark MICHELIN in which the Complainant has rights, because the disputed domain names reproduce the MICHELIN trademark in its entirety, in addition to the terms "guide" or "sites".

(b) the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant has not authorized the Respondent to use its MICHELIN trademark in the disputed domain names. The disputed domain names resolve to a website displaying the MICHELIN mark in connection with culinary activities of the MICHELIN Guide and the reproduction of the logo of Michelin Bibendum. This suggests that the Respondent intended to obtain an unfair commercial gain, with a view to misleadingly diverting consumers to his website.

(c) the disputed domain names were registered and have been used in bad faith. Considering the Complainant's trademark is widely known, it is evident that the Respondent knew of the Complainant's trademarks at the time of registering the disputed domain names. In addition, the Respondent has used the disputed domain names in connection with a website which impersonates the Complainant and which is being used as fraudulent scheme in order to misleadingly divert consumers to his website. The Respondent has been involved in previous cases filed by the Complainant, including *Compagnie Générale des Établissements Michelin v. John smith, Michelin guide*, WIPO Case No. [D2025-4120](#); and *Compagnie Générale des Etablissements Michelin v. John smith, Michelin guide*, WIPO Case No. [D2025-4535](#).

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, the Complainant must demonstrate that the three elements enumerated in paragraph 4(a) of the Policy have been satisfied. These elements are that: (i) the disputed domain name is identical or confusingly similar to the Complainant's trademark or service mark; (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the 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 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. The disputed domain names incorporate the Complainant's trademark MICHELIN in the entirety with the addition of the term "guidesites" or "sites". The Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. In addition, the generic Top-Level Domain ("gTLD") ".com" is disregarded under the first element test. [WIPO Overview 3.1](#), section 1.11.1. Therefore, 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. Under paragraph 4(a)(ii) of the Policy, the overall burden of proof is on the Complainant. However, once the Complainant presents a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name, the burden of production of evidence 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.

Firstly, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. Although the Complainant has not given the Respondent permission or authorization to use its MICHELIN mark, the Respondent registered and has used the disputed domain names which include the Complainant's trademark.

Secondly, the Respondent's website has used the Complainant's MICHELIN mark and logo to impersonate the Complainant as fraudulent scheme to misleadingly divert consumers to the website. Panels have held that the use of a domain name for illegal activity such as claimed passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Thirdly, there is no evidence to suggest that the Respondent has been commonly known by the disputed domain names.

Furthermore, the Respondent's use of "Michelin guide" as the company name when registering the disputed domain names does not confer rights or legitimate interests on the Respondent under the circumstances of the case.

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.

Therefore, the Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

Paragraph 4(a)(iii) of the Policy requires that the disputed domain name has "been registered and is being used in bad faith". Thus, for the Complainant to succeed, a UDRP panel must be satisfied that a domain name has been registered and is being used in bad faith. These requirements are conjunctive; each must be proven, otherwise the Complaint fails. In addition, 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 3.1](#), section 3.2.1.

Firstly, the disputed domain names reproduce the Complainant's trademark MICHELIN in its entirety with the addition of the term "guidesites" or "sites". Considering the Complainant's trademark is widely known, it is clear that the Respondent was aware of the Complainant's trademark and targeted it at the time of registration of the disputed domain names. The Panel considers it is bad faith registration that the Respondent deliberately chose the disputed domain names to create a likelihood of confusion with the Complainant's MICHELIN trademark, so as to create a false association or affiliation with the Complainant.

Secondly, as earlier mentioned, the Respondent's website under the disputed domain names has used the Complainant's MICHELIN mark and logo to impersonate the Complainant as fraudulent scheme in order to misleadingly divert consumers to his website. Panels have held that the use of a domain name for illegal activity, here, claimed as applicable to this case: passing off, or other types of potential fraud, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. In addition, the Panel finds that such use of the disputed domain names constitutes bad faith use under paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.1](#), section 3.1. Further, the Panel finds that the Respondent has established a pattern of bad faith conduct by repeatedly registering domain names incorporating the Complainant's trademark and was involved in other cases filed by the Complainant.

Having reviewed the available record, the Panel finds the Respondent's registration and use of the disputed domain names constitute bad faith use under the Policy.

Therefore, the Panel concludes that third element of the Policy has been established.

### **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 <michelinguidesites.com> and <michelinsites.com> be transferred to the Complainant.

*/Moonchul Chang/*

**Moonchul Chang**

Sole Panelist

Date: March 31, 2026