

ADMINISTRATIVE PANEL DECISION

TotalEnergies SE v. aurelien houdy and frenkie caresma
Case No. D2026-0530

1. The Parties

The Complainant is TotalEnergies SE, France, represented by In Concreto, France.

The Respondents are aurelien houdy, France, and frenkie caresma, Israel.

2. The Domain Names and Registrar

The disputed domain names <fondation-totalenergies.org> and <totalenergies-foundation.org> are registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 9, 2026. On February 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 10, 2026, the Registrar transmitted by email to the Center its verification response, confirming that the Respondents are listed as the registrants 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondents of the Complaint, and the proceedings commenced on February 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 8, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Parties of the Respondents’ default on March 10, 2026.

The Center appointed Ingrīda Kariņa-Bērziņa as the sole panelist in this matter on March 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 is a global energy company established in France and operating in more than 120 countries worldwide. Its business includes energy production and marketing, oil and biofuels, natural gas and green gases, renewables and electricity. In 1992, it established the TotalEnergies Foundation focused on the environment, health, culture, heritage, and biodiversity.

The Complainant is the proprietor of numerous trademarks, including the following:

- French Trademark No. 1540708 for TOTAL (word mark), filed on December 17, 1988, registered on January 5, 1990 for goods and services in classes 1-11, 13-21, 28 - 34;
- European Union Trade Mark No. 018308753 for TOTAL ENERGIES (word mark), registered on May 28, 2021 for goods and services in classes 1-7, 9, 11, 14, 16-21, 25, 28, 35-43 and 45; and
- European Union Trade Mark No. 018488898 for TOTAL ENERGIES FOUNDATION (device mark),
 registered on October 8, 2021 for services in classes 35, 36, 41 and 42.

The Complainant uses the domain names <totalenergies.com>, <totalenergies.fr> and <totalenergies.group> to redirect to its primary business website. The Complainant's foundation uses the subdomain name <fondation.totalenergies.com>. In addition, the Complainant has registered the domain names <fondationtotal-energies.com> and <fondation-totalenergies.com>.

The disputed domain name <totalenergies-foundation.org> was registered on September 10, 2025. The disputed domain name <fondation-totalenergies.org> was registered on September 30, 2025. Neither disputed domain name resolves to an active website.

The record contains evidence that the Complainant attempted to contact the Respondents by e-mail on January 19, 2026. The record does not contain the Respondents' responses thereto.

5. Parties' Contentions

A. Complainant

Consolidation

The Complainant requests consolidation for the following reasons. Both domain names contain TOTAL ENERGIES, which is a well-known trademark. They use a common naming pattern, containing this mark separated by a hyphen from the descriptive term "foundation" (or its French equivalent, "fondation"), using the same Top-Level Domain ("TLD"), namely, ".org."

The disputed domain name <totalenergies-foundation.org> is in English but the Respondent address is in France. Similarly, the disputed domain name <fondation-totalenergies.org> is in French, but the Respondent provides an address in Israel. In both cases the language of the disputed domain names is unrelated to the languages used in those countries.

The disputed domain names were registered with the same Registrar within a short time period (less than a month) using a privacy service or anonymization shield. Neither disputed domain name resolves to an active website. The Respondent contact emails share the structure of "firstname+lastname@gmail.com" which are probably fake and temporary email addresses. IP logs related to Israel have been recorded for both domain names, but only one of the Respondents provides an address in that country.

Substantive Contentions

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

Notably, the Complainant contends that it was established in France in 1924 under the name “Compagnie Française des Pétroles” and, in several stages beginning in 1985, incorporated the term “TOTAL” in its name and has been known as “TotalEnergies SE” since 2021. It is a global energy company and its foundation, which it promotes internationally, was created in 1992 after the Rio Earth Summit. The disputed domain names contain the Complainant’s well-known TOTAL and TOTAL ENERGIES marks together with the descriptive terms “foundation” and “fondation,” making them a variation of the Complainant’s marks and domain names. The Complainant has not authorized the Respondent to use its marks. The disputed domain names are not used for active websites and are being passively held in bad faith.

The Complainant requests transfer of the disputed domain names.

B. Respondents

The Respondents did not reply to the Complainant’s contentions.

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different disputed domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant’s request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant’s request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.11.2.

As regards common control, the Panel notes, in particular, the similarity of the naming conventions, the fact that both disputed domain names are not being used, and the timing of the registrations. In addition, the Panel notes the registration of IP logs in Israel for both disputed domain names.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

6.2 Substantive Matters

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the Respondent has registered and is using the disputed domain names in bad faith.

Under paragraph 15(a) of the Rules, “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

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 Panel finds the Complainant’s TOTAL ENERGIES and TOTAL ENERGIES FOUNDATION marks are recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, “fondation” to the TOTAL ENERGIES mark) may bear on assessment of the second and third elements, the Panel finds the addition of such a 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 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.

The Panel notes the composition of the disputed domain names, which comprise the Complainant’s established TOTAL ENERGIES mark connected by a hyphen to the terms “fondation” or “foundation,” which also renders them confusingly similar to the Complainant’s TOTAL ENERGIES FOUNDATION mark. The Panel finds, on balance, noting that the Registrar-confirmed location of one of the registrants is France – the country where the Complainant is established, and, notably, the Complainant’s operation of the subdomain name <fondation.totalenergies.com>, that the composition of the disputed domain names affirms the Respondent’s intention of taking unfair advantage of the likelihood of confusion between the disputed domain names and the Complainant as to the origin or affiliation of the websites at the disputed domain names.

The Respondent has not put forward any evidence that it is commonly known by the disputed domain names, nor that there are any circumstances or activities that would establish the Respondent's rights therein. Rather, the disputed domain names are inactive. Under these circumstances, such use cannot establish rights or legitimate interests. See [WIPO Overview 3.1](#), section 2.5.2.

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 finds that the Complainant's rights in its TOTAL ENERGIES and TOTAL ENERGIES FOUNDATION marks predate the registration of the disputed domain names by several years. The Complainant's rights in its TOTAL mark predate the disputed domain names by over 30 years. The disputed domain names reflect the Complainant's TOTAL ENERGIES mark, preceded or followed by the terms "foundation" or "fondation," rendering them confusingly similar to the Complainant's TOTAL ENERGIES FOUNDATION mark. Such composition indicates that the Respondent sought to create the appearance of an association with the Complainant.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) 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 reputation of the Complainant's trademarks, the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Respondent has failed to file a response. Under the circumstances, the Panel finds, on balance, that by registering the disputed domain names the Respondent sought to target the Complainant.

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 names <fondation-totalenergies.org> and <totalenergies-foundation.org> be transferred to the Complainant.

/Ingrīda Kariņa-Bērziņa/

Ingrīda Kariņa-Bērziņa

Sole Panelist

Date: April 8, 2026