

ADMINISTRATIVE PANEL DECISION

Clariane v. stephen stephen
Case No. D2026-0630

1. The Parties

The Complainant is Clariane, France, represented by Scan Avocats AARPI, France.

The Respondent is stephen stephen, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <institutdubienvieillirkorian.org> is registered with DropCatch.com LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 13, 2026. On February 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 17, 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, NameBrightPrivacy.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 18, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant did not file an amended Complaint.

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 Respondent of the Complaint, and the proceedings commenced on February 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 30, 2026.

The Center appointed Tobias Zuberbühler as the sole panelist in this matter on April 7, 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 CLARIANE (previously known as “KORIAN”) was established in 2004 and provides care services through the management of retirement homes and specialized clinics. Through its services, the Complainant is serving more than 300,000 patients or residents in six European countries, with more than 1,300 facilities.

The Complainant changed its company name from “KORIAN” to “CLARIANE” on July 13, 2023.

The Complainant owns various trademark registrations, including the French trademark KORIAN (No. 3432962; application date June 6, 2006; registered on July 13, 2006). Moreover, the Complainant uses the denomination “L’INSTITUT DU BIEN VIEILLIR KORIAN” to designate one of its associations whose purpose is to contribute to addressing the challenges of the ageing revolution.

The disputed domain name was registered on September 20, 2024, and has resolved to a website in Indonesian related to gambling, and then impersonating the Complainant. At the time of this decision, it resolves to a website in Indonesian related to gambling.

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.

B. Respondent

The Respondent has not submitted any 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 (“[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 Complainant’s trademark is fully contained in the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other terms (here “institutdubienvieillir”) may bear on the assessment of the second and third elements, the Panel finds the addition of such terms 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.

It should also be taken into account that the Complainant is using the denomination “L’INSTITUT DU BIEN VIEILLIR KORIAN” to designate one of its associations.

The Panel finds that 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks any 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 evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

In absence of any justification from the Respondent, the Panel also notes that the composition of the disputed domain name when considered together with its use as described above under section 4 may mislead Internet users into believing that the disputed domain name and its corresponding website are connected to the Complainant. Furthermore, the Respondent has used the disputed domain name for the purpose of a gambling website from which it must be assumed to derive revenues, which do not give rights or legitimate interests.

The Panel finds that 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.

Under the circumstances of this case, it can be inferred that the Respondent was aware of the Complainant’s trademark when registering the disputed domain name.

Moreover, the Panel notes that the Complainant owns the association “L’INSTITUT DU BIEN VIEILLIR KORIAN” in France and it has promoted this association along with the KORIAN trademark to address the challenges of the ageing revolution. Therefore, the use of words “institutdubienvieillir” aimed to confused Internet consumers and make appear the disputed domain name as one associated with the Complainant.

From the evidence provided by the Complainant the disputed domain name was used for a website that impersonated the Complainant, and then Respondent has used it for the purpose of a gambling website from which it must be assumed to derive revenues. It is clearly to be inferred, therefore, that the Respondent has sought to divert Internet traffic intended for the Complainant to its gambling website.

Having reviewed the record, the Panel finds that the evidence and allegations submitted by the Complainant support a finding that the Respondent has attempted to attract Internet users to his website for his own commercial gain. The Respondent has therefore registered and used the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel finds that the Complainant has also 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 <institutdubienvieillirkorian.org> be transferred to the Complainant.

/Tobias Zuberbühler/

Tobias Zuberbühler

Sole Panelist

Date: April 21, 2026