

ADMINISTRATIVE PANEL DECISION

Compagnie de Saint-Gobain v. Kotyaz Nazar Viktorovych
Case No. D2026-0781

1. The Parties

The Complainant is Compagnie de Saint-Gobain, France, represented by Nameshield, France.

The Respondent is Kotyaz Nazar Viktorovych, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <saint-gobain.uno> is registered with Hosting Ukraine LLC (ua.ukraine) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on February 24, 2026. On February 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 25, 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 IDENTIFIED) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 26, 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 26, 2026.

On February 26, 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 February 26, 2026, the Complainant requested English to 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 of the Complaint in Russian and English, and the proceedings commenced on March 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 22, 2026. The Respondent sent an email communication to the Center on March 2, 2026. However, the Respondent did not file any formal Response. On March 3, 2026, the proceedings were suspended upon the Complainant's request and on April 10, 2026, the Complainant requested to reinstitute the proceeding. The proceedings were reinstated on the same day. Accordingly, the new due date for Response was April 29, 2026. The Center notified the Parties of the commencement of panel appointment process on April 30, 2026.

The Center appointed Alissia Shchichka as the sole panelist in this matter on May 6, 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 French company active in the manufacture, processing, and distribution of materials for the construction and industrial sectors. It operates internationally in connection with sustainable habitat and construction solutions, with approximately EUR 46.6 billion in turnover in 2024 and around 162,000 employees worldwide.

The Complainant has provided evidence that it owns numerous trademark registrations for SAINT-GOBAIN worldwide, including but not limited to:

- European Union Trademark Registration No. 001552843, registered on December 18, 2001, for the word trademark SAINT-GOBAIN, in classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40, and 42;
- International Trademark Registration No. 740184, registered on July 26, 2000, for the figurative trademark SAINT-GOBAIN, in classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40, and 42; and
- International Trademark Registration No. 740183, registered on July 26, 2000, for the figurative trademark for SAINT-GOBAIN, in classes 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21, 22, 23, 24, 37, 38, 40, and 42.

The Complainant also owns several domain names incorporating its SAINT-GOBAIN trademark, including the domain name <saint-gobain.com>, registered on December 29, 1995.

The disputed domain name was registered on February 11, 2026. The disputed domain name currently resolves to an inactive website. However, at the time of filing of the Complaint, the disputed domain name resolved to a website offering wallpaper services in the United States of America under the name "Saint Gobain".

The Respondent, according to the disclosed Whois information for the disputed domain name, is located in Ukraine.

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.

The Complainant asserts that its SAINT-GOBAIN trademark is distinctive and well known.

According to the Complainant, the disputed domain name is identical to the Complainant's SAINT-GOBAIN trademark, as it incorporates the trademark in its entirety. The Complainant further submits that the generic Top-Level Domain ("gTLD") ".uno" should be disregarded for the purpose of the first element as it constitutes a standard registration requirement.

The Complainant contends that the Respondent lacks rights or legitimate interests in the disputed domain name because: (1) the Respondent is not affiliated with, authorized by, or licensed to use the Complainant's SAINT-GOBAIN trademark; (2) there is no evidence that the Respondent is commonly known by the disputed domain name; and (3) the disputed domain name was previously used in connection with a website offering wallpaper-related services competing with those of the Complainant under the name "Saint-Gobain", thereby creating a likelihood of confusion with the Complainant's trademark and activities. According to the Complainant, such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use under the Policy.

Finally, the Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith. In particular, the Complainant submits that: (1) its SAINT-GOBAIN trademark predates the registration of the disputed domain name; (2) in light of the distinctiveness and reputation of the SAINT-GOBAIN trademark, the Respondent knew or should have known of the Complainant's rights at the time of registration of the disputed domain name; and (3) the Respondent used the disputed domain name to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark and diverting users to a competing website offering wallpaper-related services. According to the Complainant, such circumstances constitute evidence of bad faith registration and use under the Policy.

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

B. Respondent

By email dated March 2, 2026, the Respondent indicated that it did not intend to contest the Complaint, did not claim any rights in the disputed domain name, and wished to resolve the matter promptly and without unnecessary delay.

Following a suspension of the proceedings requested by the Complainant, the proceedings were reinstated at the Complainant's request on April 10, 2026.

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

6. Discussion and Findings

Procedural Issue – Location of the Respondent

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceedings take place with due expedition.

The location of the Respondent disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

The Panel is of the view that the proceedings should continue, having considered all the circumstances of the case. In particular, the Panel notes that the Respondent was evidently made aware of the present

proceedings, as the Respondent replied by email to the Center's Notification of Complaint email, indicating that it did not intend to contest the Complaint and expressing its willingness to resolve the matter amicably.

The Panel is therefore satisfied that the Parties have been given a fair opportunity to present their respective cases. In order to ensure that the proceedings take place with due expedition, the Panel proceeds to a Decision accordingly.

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.

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 (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

The Complaint was filed in English, and the Complainant requested that English be adopted as the language of the proceedings. The Complainant contends that English is commonly used in international relations. The Complainant further submits that the disputed domain name is composed of Latin characters rather than Cyrillic script. The Complainant also contends that requiring translation of the Complaint and supporting materials into Russian would impose unnecessary costs and a disproportionate burden in the context of the present proceedings.

The Center sent all case-related communications to the Respondent in both English and Russian and invited the Respondent to comment on the language of the proceedings. The Respondent did not submit any objection or comment regarding the language of the proceedings. Moreover, the Respondent communicated with the Center in English by email.

Having considered all the relevant circumstances of the case, including the Respondent's ability to communicate in English, the absence of any objection to the Complainant's request, and the need to avoid unnecessary delay and expenses associated with translation of the case materials, the Panel finds it appropriate to exercise its discretion under paragraph 11(a) of the Rules and determine that English shall be the language of the proceedings.

The Panel is satisfied that this determination is fair and reasonable to both Parties and will not prejudice the Respondent's ability to participate in the proceedings.

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 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 Complainant has confirmed that the Respondent is neither affiliated with the Complainant, nor otherwise authorized or licensed to use the SAINT-GOBAIN trademark or to seek registration of any domain name incorporating the trademark. The Respondent is also not known to be associated with the SAINT-GOBAIN 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. On the contrary, the record shows that the Respondent presented its services as “Expert Wallpaper Services by Madeline Pierce”, a name which bears no apparent relationship to the Complainant or its trademarks.

The Panel therefore considers that the Respondent was seeking commercial gain by using the Complainant’s trademark in the disputed domain name and on the associated website to attract Internet users and divert them to its website offering competing (or at least related to the Complainant’s) wallpaper and interior decoration services, thereby seeking to capitalize on the Complainant’s reputation. [WIPO Overview 3.1](#), section 2.5.3. Such conduct cannot constitute legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy.

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.

In the present case, the Panel observes that the Complainant’s SAINT-GOBAIN trademarks predate the Respondent’s registration of the disputed domain name. The disputed domain name wholly incorporates the Complainant’s trademark. In light of these circumstances, and considering the content of the website to which the disputed domain name previously resolved, the Panel finds that the Respondent more likely than

not was aware of the Complainant's business and trademarks at the time of registering the disputed domain name. [WIPO Overview 3.1](#), section 3.2.2.

In the Panel's view, the Respondent's use of the Complainant's SAINT-GOBAIN trademark in the disputed domain name, in combination with its prior use in connection with a website promoting wallpaper and interior decoration services competing with (or related to) those of the Complainant, demonstrates that the Respondent deliberately sought to capitalize on the Complainant's reputation and goodwill. The Panel therefore finds that the Respondent has intentionally attempted to attract Internet users to its website, for commercial gain, by creating a likelihood of confusion with the Complainant's trademark. [WIPO Overview 3.1](#), section 3.1.4.

Accordingly, the Panel finds that, in the circumstances of this case, the Respondent's registration and use of the disputed domain name constitute bad faith within the meaning of paragraph 4(b)(iv) of 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 name <saint-gobain.uno> be transferred to the Complainant.

/Alissia Shchichka/

Alissia Shchichka

Sole Panelist

Date: May 20, 2026