

ADMINISTRATIVE PANEL DECISION

Fédération AGIRC-ARRCO v. Malvina Khachatryan
Case No. D2026-0928

1. The Parties

The Complainant is Fédération AGIRC-ARRCO, France, represented by AARPI Scan Avocats, France.

The Respondent is Malvina Khachatryan, United States of America.

2. The Domain Name and Registrar

The disputed domain name <arrcogroup.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 4, 2026. On March 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 5, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 5, 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 March 5, 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 March 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 30, 2026.

The Center appointed Jeremy Speres as the sole panelist in this matter on April 8, 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 the sole institution providing compulsory complementary pension schemes for private-sector employees in France, providing pensions for approximately 30 million people. It was created through the 2019 merger of two organizations, namely, Association Générale des Institutions de Retraite des Cadres (“AGIRC”), which began using the AGIRC mark in 1947, and Association des Régimes de Retraite Complémentaire (“ARRCO”), which began using the ARRCO mark in 1961.

The Complainant is the proprietor of, amongst others, the following trademark registration: French Trademark Registration No. 4213686 RETRAITE COMPLEMENTAIRE AGIRC ET ARRCO (device) in classes 16, 35, 36, 38, 41, 42, 43, 44, and 45, having a registration date of January 22, 2016.

The Complainant operates its primary business website at the domain name <agirc-arrco.fr> (registered in 2002) and has additionally registered the domain name <agirc-arrco.com> (registered in 2000).

The disputed domain name was registered on October 29, 2007. Presently, the disputed domain name does not resolve to any website. The Complainant’s evidence establishes that it previously resolved to the website of a construction company based in Texas, United States of America, from at least 2010 until circa 2023, whereafter it resolved to a website hosting pay-per-click (“PPC”) advertisements relating to the retirement funding industry in November 2024, followed by a website for an online marketing business in 2025.

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.

Notably, the Complainant contends that the disputed domain name was registered and is being used in bad faith in order to attract Internet users for the Respondent’s commercial gain by creating a likelihood of confusion with the Complainant’s trademark.

B. Respondent

The Respondent did not 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 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 Panel accepts, for the purposes of standing, that ARRCO is a distinctive and dominant element within the Complainant's mark. Where at least a dominant feature of the relevant mark is recognisable in the domain name, the domain name will normally be considered confusingly similar to that mark. 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 "group") may bear on assessment of the second and third elements, the Panel finds the addition of such 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

Given the Panel's findings in relation to the third element below, there is no need to consider the second element.

C. Registered and Used in Bad Faith

The Complainant argues that the relevant date for the assessment of bad faith registration should be November 4, 2024, which is when, the Complainant argues, the Respondent more than likely acquired control of the disputed domain name. In support, the Complainant cites the following:

- A sudden change of use of the disputed domain name to PPC advertisements after more than ten years of use by an American construction company. The Complainant adduced a screenshot dated November 7, 2024, showing that the disputed domain name resolved to PPC advertisements, in French, relating to the retirement funding industry;
- A change of IP address on November 3, 2024, after years of using the same IP address;
- The activation of MX servers as of January 23, 2025, and their subsequent deactivation prior to filing of the Complaint; and
- A change of registrar from Tucows Inc. to GoDaddy.com, LLC as of April 2025 after years of using Tucows Inc.

The Complainant relies in this regard on section 3.9 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)") to argue that it has, in effect, made out a prima facie case that a change in the registrant or at least control of the disputed domain name has occurred, and that given the Respondent's failure to rebut this, the Panel should assume there was a change in registrant or control on November 4, 2024.

Section 3.9 of the [WIPO Overview 3.1](#) states as follows:

"[...] the transfer of a domain name registration from a third party to the respondent is not a renewal and the date on which the current registrant acquired the domain name is the date a panel will consider in assessing bad faith. This holds true for single domain name acquisitions as well as for portfolio acquisitions.

In cases where the domain name registration is masked by a privacy or proxy service and the complainant credibly alleges that a relevant change in registration has occurred, it would be incumbent on the respondent to provide satisfactory evidence of an unbroken chain of registration; respondent failure to do so has led

panels to infer an attempt to conceal the true underlying registrant following a change in the relevant registration.”

The Panel disagrees with the Complainant’s interpretation of the evidence in this regard for the following reasons.

The Complainant adduced Internet Archive evidence showing that the disputed domain name resolved to the website for a Texas-based construction company from at least 2010 until circa 2023.

The Complainant adduced historical Whois records for the disputed domain name drawn from the DomainTools service. The records adduced by the Complainant were for December 1, 2024, and April 13, 2025. The 2024 record showed a registrant based in Texas, name servers hosted at <renewyourname.net>, Tucows Inc. as the registrar, and an expiration date of October 30, 2024. The 2025 record reflected the registrant as an American proxy service based in Arizona, name servers hosted at <domaincontrol.net>, GoDaddy.com, LLC as the registrar, and an expiration date of October 29, 2025.

Given that the Complainant clearly has access to the DomainTools service but chose to present historical Whois reports from it selectively, the Panel has independently¹ viewed further DomainTools historical Whois records for the disputed domain name which the Complainant did not adduce. This revealed the following.

The registrant’s location remained as Texas from at least as early as March 2024 until at least as late as December 1, 2024, before which it was a proxy service based in Canada. The registrar remained as Tucows Inc. from as far back as 2007 until it changed to GoDaddy.com, LLC between December 1 and 19, 2024, and the nameservers were hosted at <startlogic.com> from 2011 until changing to <renewyourname.net> on or before November 5, 2024.

Given that the name servers changed to a domain name consisting of “renewyourname” on or before November 5, 2024, after having been at <startlogic.com> for many years, and given that this change occurred shortly after the erstwhile expiration date of October 30, 2024, it appears likely that the change in nameserver to <renewyourname.net> was the result of the erstwhile registrant failing to renew the disputed domain name. Importantly, this change of name servers to <renewyourname.net> was in place prior to the resolving of the disputed domain name to PPC advertisements on November 7, 2024 (per the Complainant’s screenshot), and it was in place after that date as well, as late as December 1, 2024. Given that the listed registrant over that period remained one based in Texas, and given that the previous user of the disputed domain name was a construction company based in Texas, this suggests that the construction company allowed the disputed domain name to lapse but that the disputed domain name remained in its name, as registrant, for some time after the expiration date in October 2024.

The Panel is aware that registrars often monetise expired domains for a while post expiry, via, amongst others, PPC advertisements. The Panel is also aware that registrar practices on updating of a domain name’s creation date after a domain expires and is acquired through, for example, an auction, are not consistent. Thus, based on the evidence above, it is quite plausible that what happened in this case was that the construction company allowed the disputed domain name to lapse in October 2024, and the registrar (or, more likely, the reseller StartLogic, Inc., per the name servers) monetised it for a while thereafter until at least December 1, 2024. At some point between December 1 and 19, 2024, the registrar, name servers, registrant details, expiration date and hosting IP address all changed, suggesting that the disputed domain name was at that point acquired by the Respondent.

¹ In accordance with its powers articulated inter alia in paragraphs 10 and 12 of the Rules, the Panel is entitled to conduct limited independent research into matters of public record. [WIPO Overview 3.1](#), section 4.8.

All of this evidence considered together points to a scenario (as described above) that is at least equally likely, if not more so, than the Complainant's version that the disputed domain name changed hands on November 4, 2024. Certainly, there is no evidence in the record showing that this scenario is less likely than the version advanced by the Complainant.

Importantly, the strongest piece of evidence pointing to bad faith, namely the resolution of the disputed domain name to PPC advertisements relating to the Complainant's industry, was dated November 7, 2024 (not November 4, 2024, as the Complaint indicates). This is prior to the significant changes made to the disputed domain name's records between December 1 and 19, 2024.

In the circumstances, on balance of probabilities, the Panel finds that there is insufficient evidence supporting the Complainant's contention that the disputed domain name was acquired by the Respondent on November 4, 2024, or at any date predating publication of the PPC advertisements. Thus, there is insufficient evidence showing that the Respondent was in control of the disputed domain name when the PPC advertisements were published.

Without that evidence, the Complainant's case against the Respondent is considerably weaker.

The use of the disputed domain name for the website of an online marketing business, which commenced after the significant changes made to the disputed domain name's records between December 1 and 19, 2024, appears benign insofar as targeting of the Complainant is concerned. The website relates to an industry unrelated to the Complainant's, no use is made of any of the Complainant's elements of branding (for example, logos), no use is made of the Complainant's RETRAITE COMPLEMENTAIRE AGIRC ET ARRCO mark, or the AGIRC-ARRCO mark that the Complainant appears to use in trade, and there are no other indicia of cybersquatting. On its face, it appears to be the website for a legitimate business.

Internet searches for the only part of the Complainant's mark used within the disputed domain name's composition or on the website of the online marketing business, being "arrco", return results for many different business and organizations around the world. So do trademark searches. The term "arrco" is therefore not exclusively associated with the Complainant and is capable of use by third parties without confusion. This is borne out by the fact that the disputed domain name itself was used for over ten years by an unrelated business, apparently without harm to the Complainant.

Finally, the Complainant has not presented any evidence showing why a registrant based in the United States of America would or should have been familiar with a French pensions provider. The Complainant has not presented any evidence showing that its mark is used or even known in the United States of America. Its website is in French, and there is no evidence in the record showing that the Respondent is familiar with French or has any connection to France.

In the circumstances, on balance of probabilities and bearing in mind that the burden of proof is on the Complainant, the Panel considers that there is insufficient evidence of targeting in the record.

The Panel finds the second element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Jeremy Speres/

Jeremy Speres

Sole Panelist

Date: April 15, 2026