

ADMINISTRATIVE PANEL DECISION

Compagnie Generale des Etablissements Michelin v. Filip Bednarz
Case No. D2026-1125

1. The Parties

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

The Respondent is Filip Bednarz, United States of America.

2. The Domain Name and Registrar

The disputed domain name <michelingrapes.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 16, 2026. On March 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 20, 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 25, 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 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 20, 2026.

The Center appointed Marina Perraki as the sole panelist in this matter on April 30, 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 leading tire company, headquartered in France. The Complainant is also known for its Michelin Guide, awarding stars for fine dining establishments, which was first launched in 1900.

The Complainant holds numerous trademark registrations for the MICHELIN mark, including:

- the International trademark registration no. 1713161, registered on June 13, 2022, for goods and services in international classes 6, 7, 9, 12, 16, 20, 35, 37, 39, 41 and 42;
- the United States of America trademark registration no. 5775734, filed on July 30, 2014, and registered on June 11, 2019, for goods and services in international classes 9, 39 and 42; and
- the European Union trademark registration no. 013558366, filed on December 12, 2014, and registered on April 17, 2015, for goods and services in international classes 9, 35, 38, 39, 41 and 42.

The Complainant is also the owner of a number of domain name registrations, including the domain name <michelin.com>, registered on December 1, 1993.

The disputed domain name was registered on December 6, 2025, and the Complainant asserts that at the time of filing of the Complaint it resolved to an inactive website. At times it also resolved to a parking page of the Registrar in which it was available for sale.

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 did not reply to the Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which the Complainant must satisfy with respect to the disputed domain name:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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 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 entirety of the mark is reproduced within 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.

The Panel finds the mark is recognizable within 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 "grapes", 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 generic Top-Level Domain ("gTLD") ".com" is disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons (*Rexel Developpements SAS v. Zhan Yequn*, WIPO Case No. [D2017-0275](#); *Hay & Robertson International Licensing AG v. C. J. Lovik*, WIPO Case No. [D2002-0122](#)).

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 Respondent has not submitted any response and has not claimed any such rights or legitimate interests with respect to the disputed domain name. As per the Complainant, the Respondent was not authorized to register the disputed domain name, and does not appear to be commonly known by the disputed domain name.

The Respondent did not demonstrate prior to the notice of the dispute any use of the disputed domain name or a trademark corresponding to the disputed domain name in connection with a bona fide offering of goods or services.

On the contrary, the disputed domain name was asserted to have resolved to an inactive website and at times to a Registrar parking page where it was available for sale.

The Panel finds that these circumstances do not confer upon the Respondent any rights or legitimate interests in respect of the disputed domain name.

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.

The Panel agrees with previous panels that the Complainant's MICHELIN trademark is well known (see for example *Compagnie Générale des Etablissements Michelin v. Kiều Công Anh*, WIPO Case No. [D2024-4906](#)). Considering the MICHELIN mark had been widely used and registered by the Complainant at the time of the disputed domain name's registration and enjoyed reputation, the Panel finds it more likely than not that the Respondent had the Complainant's trademark in mind when registering the disputed domain name which incorporates the entirety of the Complainant's trademark (*Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net*, WIPO Case No. [D2000-0226](#)).

Panels have found that the non-use of a domain name 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 distinctiveness and reputation of the Complainant's trademark, and the composition of the disputed domain name, as well as the Respondent's failure to submit a Response, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 name <michelingrapes.com> be transferred to the Complainant.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: May 14, 2026