ARBITRATION
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MEDIATION CENTER

WIPO
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# ADMINISTRATIVE PANEL DECISION
Compagnie de Saint Gobain v. Matthew Gilshnan
Case No. D2026-1198

## 1. The Parties

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

The Respondent is Matthew Gilshnan, United States of America ("United States" or "U.S.").

## 2. The Domain Name and Registrar

The disputed domain name <saints-gobain.org> is registered with CloudFlare, Inc. (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 19, 2026. On March 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 23, 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 (Data Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 25, 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 26, 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 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 20, 2026.

The Center appointed Luca Barbero 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 French company specialized in the production, processing and distribution of materials for the construction and industrial markets and a worldwide reference in sustainable habitat and construction markets.

The Complainant is one of the top industrial groups in the world with around EUR 46.6 billion in turnover in 2024 and 162,000 employees.

The Complainant is the owner of several trademark registrations for SAINT-GOBAIN, including the following:

- European Union trademark registration No. 001552843 for SAINT-GOBAIN (word mark), filed on March 09, 2000, and registered on December 18, 2001, 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 for SAINT-GOBAIN (figurative mark), registered on July 26, 2000, 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 is also the owner of numerous domain names including <saint-gobain.com>, registered on December 29, 1995, and used by the Complainant to promote its services under the trademark SAINT-GOBAIN.

The disputed domain name <saints-gobain.org> was registered on March 18, 2026, and does not resolve to an active website. It has Mail Exchange (MX) records configured for use in connection with email communication.

**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 is confusingly similar to the trademark SAINT-GOBAIN in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the letter "s" at the end of the word "saint" and the generic Top-Level Domain ("gTLD") ".org".

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name since: i) the Respondent is not commonly known by the disputed domain name; ii) the Respondent is in no way affiliated to or authorized by the Complainant, does not carry out any activity for, nor has any business with the Respondent and has never been granted license or authorization by the Complainant, to make use of its SAINT-GOBAIN marks or apply for registration of the disputed domain name; iii) the disputed domain name is a typosquatted version of the Complainant's SAINT-GOBAIN mark; and iv) the Respondent did not use, nor has made demonstrable plans to use, the disputed domain name for a bona fide offering of goods or services, as the disputed domain name does not resolve to an active website.

The Complainant submits that the Respondent registered and is using the disputed domain name in bad faith because: i) the Complainant's SAINT-GOBAIN mark long predates the date of registration of the disputed domain name; ii) considering the Complainant's longstanding reputation, the Respondent most likely registered the disputed domain name with full knowledge of the Complainant and its mark; iii) the composition of the disputed domain name consisting of a misspelling of the trademark SAINT-GOBAIN was intentionally designed to be confusingly similar with the Complainant's trademark; and iv) the disputed domain name does not resolve to an active website but has been configured with MX records, suggesting that the disputed domain name may be actively used for email purposes.

**B. Respondent**

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

## 6. Discussion and Findings

According to 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." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

(i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) that 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. Indeed, the Complainant has provided evidence of valid trademark registrations for the word mark SAINT-GOBAIN.

The Complainant's mark is entirely reproduced in the disputed domain name with the addition of a single letter "s". A domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. WIPO Overview 3.1, section 1.9.

As to the gTLD ".org", it is a standard registration requirement and can be disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the Complainant's mark for the purposes of the Policy.

Therefore, 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.

According to the evidence on record, there is no relationship between the Complainant and the Respondent, and the Complainant has not authorized the Respondent to register or use its trademark or the disputed domain name. Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

Furthermore, the disputed domain name does not resolve to an active website and there is no evidence showing that the Respondent ever made use of, or preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial use without intention to misleadingly divert consumers or to tarnish the SAINT-GOBAIN trademark.

Therefore, the Panel finds the second element of the Policy has also 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, in light of i) the prior registration and use of the trademark SAINT-GOBAIN by the Complainant; ii) the reputation of the Complainant in its sector, and iii) the promotion of the Complainant's trademark online via the website "www.saint-gobain.com"; the Respondent knew or should have known of the Complainant's trademark at the time of registration of the disputed domain name. WIPO Overview 3.1, section 3.2.2.

Moreover, the composition of the disputed domain name, which is a clear misspelling of the Complainant's trademark, suggests that the Respondent was actually aware of the Complainant and registered the disputed domain name with the intent to confuse users seeking or expecting the Complainant.

The disputed domain name currently does not resolve to an active website. 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 in its sector and the composition of the disputed domain name, and considering the Respondent's failure to submit a Response or to provide any evidence of actual or contemplated good faith use to which the disputed domain name may be put, 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 also finds that the Respondent's configuration of MX records in connection with the disputed domain name further proves the Respondent's bad faith, as the Panel cannot conceive any good faith use of the disputed domain name as part of an email address considering its composition.

Therefore, the Panel finds that the Complainant has established the third element of the Policy as well.

## 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 <saints-gobain.org> be transferred to the Complainant.

*/Luca Barbero/*
**Luca Barbero**
Sole Panelist
Date: May 14, 2026