

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. 陈克华 (chenkehua), 浙江御庄园食品股份有限公司
(zhejiangyuzhuangyuanshipingufenyouxiangongsi)
Case No. D2026-1351

1. The Parties

The Complainant is Compagnie Générale des Etablissements Michelin, France, represented by Dreyfus & associés, France.

The Respondent is 陈克华 (chenkehua), 浙江御庄园食品股份有限公司 (zhejiangyuzhuangyuanshipingufenyouxiangongsi), China.

2. The Domain Name and Registrar

The disputed domain name <globalmichelin.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 30, 2026. On March 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 31, 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 disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 3, 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 in English on April 3, 2026.

On April 3, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On April 3, 2026, the Complainant confirmed its request that English be the language of the proceeding. 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 in Chinese and English of the Complaint, and the proceedings commenced on April 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 1, 2026.

The Center appointed Qiang Ma as the sole panelist in this matter on May 15, 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 tire company headquartered in France. The MICHELIN brand is one of the best-selling tire brands worldwide, with products sold in 170 countries and regions. The Complainant employs more than 124,000 persons and operates 117 tire manufacturing facilities and sales agencies across 26 countries and regions. In addition, the Complainant launched the MICHELIN Guide in 1920, which awards stars to fine dining establishments and hotels, and the Guide has been sold worldwide.

The Complainant established its first representative office in Beijing, China in 1989 and its first manufacturing facility in Shenyang, China in 1995. It later relocated and built a new modern factory with a total investment of USD 1.5 billion. The Complainant also operates a research and development company, as well as various manufacturing and investment service companies, in Shanghai, China. The total investment in China is currently estimated to exceed USD 2 billion, and the Complainant employs approximately 7,000 people in the country.

The Complainant owns a portfolio of trademark registrations for MICHELIN, including but not limited to Chinese trademark registration MICHELIN, registered on April 14, 2015 and designated for International Class 12 (Registration No. 14122988), international registration MICHELIN, registered on June 11, 2001 and designating China for International Classes 5, 7-12, 16-18, 20, 21, 24, 25, 39 and 42 (International Registration No. 771031), and international registration MICHELIN, registered on May 6, 1991 and designating China for International Classes 6, 16, 18, 21 and 25 (International Registration No. 574577).

Moreover, the Complainant has evidenced ownership of two domain names incorporating the MICHELIN trademark, namely, <michelin.com> registered on December 1, 1993 and <michelin.com.cn> registered on June 16, 2001.

In February 2026, the Complainant sent a cease-and-desist letter to the registrant via the Registrar and an online contact form, requesting a transfer of the disputed domain name free of charge. The Respondent did not respond.

The Respondent, according to the disclosed Whois information for the disputed domain name, is located in China. The disputed domain name was registered on January 28, 2026. As of the time of rendering this Decision, the disputed domain name resolves to an inactive webpage.

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 <globalmichelin.com> is at least confusingly similar to the Complainant's famous MICHELIN trademark, as the disputed domain name reproduces the trademark in its entirety. The additional term "global" is insufficient to avoid confusing similarity. On the contrary, such addition reinforces the false impression that the disputed domain name is officially affiliated with the Complainant and is likely to mislead Internet users into believing that the disputed domain name will direct them to an official website operated by the Complainant.

In addition, the Respondent has no rights or legitimate interests in respect of the disputed domain name. Specifically, the Respondent is neither affiliated with the Complainant nor authorized to use the trademark, and failed to respond to the Complainant's cease-and-desist letter. The Respondent is not commonly known by the disputed domain name or the name "MICHELIN". Moreover, the disputed domain name currently resolves to an inactive page and the Respondent has not offered any bona fide goods or services through the website.

Lastly, the Respondent should have been aware of the Complainant's MICHELIN trademark at the time of registering the disputed domain name, given the well-known nature of the Complainant's trademark and the high degree of similarity between the disputed domain name and the trademark. Accordingly, the Respondent applied for and used the disputed domain name in bad faith.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. 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 proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the Complainant is located in France and has no knowledge of Chinese, so that to proceed with the Chinese language would impose a significant burden on the Complainant. Additionally, the disputed domain name includes only Latin characters, suggesting that the Respondent has knowledge of English.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

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).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 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, "global", 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.

In addition, the ".com" generic Top-Level Domain is generally disregarded in the assessment of confusing similarity under the Policy. Therefore, the disputed domain name is confusingly similar to the Complainant's trademark.

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.

Firstly, the Respondent does not appear to be commonly known by the disputed domain name or any similar name. The Respondent has neither acquired nor applied for any trademark rights in MICHELIN. Moreover, the Respondent's name does not resemble the disputed domain name, nor is it used as a company name. Based on the foregoing, it can reasonably be concluded that the Respondent is not commonly known by the disputed domain name.

Secondly, the Respondent does not appear to be making any legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or tarnish the Complainant's trademark.

In the present case, the disputed domain name resolves to an inactive webpage without any actual use. It is therefore evident that the Respondent has failed to demonstrate any legitimate noncommercial or fair use of the disputed domain name.

Finally, the Respondent is not making a bona fide offering of goods and services. As evidenced by the Complainant, the Respondent is neither affiliated with nor authorized by the Complainant in any capacity, and the Complainant does not engage in any activities with or maintain any business relationship with the Respondent. In fact, the Respondent failed to respond to the Complainant's cease-and-desist letter sent in February 2026. Accordingly, the Respondent has made no bona fide offering of goods or services and lacks any legitimate interests in 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.

In the present case, the Panel notes that the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark. The Complainant's MICHELIN tires and MICHELIN Guide are world-famous, and the Complainant had secured trademark registrations in China (including through international registrations designating China) before the disputed domain name was registered. Given the confusing similarity between the trademark and the disputed domain name, the Respondent was likely aware of the MICHELIN brand at the time of registration. The Respondent subsequently failed to use the disputed domain name or respond to the Complainant's cease-and-desist letter. Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith.

The Panel has 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 or reputation of the Complainant's trademark, and the composition of the disputed domain name, 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 <globalmichelin.com> be transferred to the Complainant.

/Qiang Ma/

Qiang Ma

Sole Panelist

Date: May 27, 2026