

ADMINISTRATIVE PANEL DECISION

BACCARAT SA v. WebAdmin Admin, ALDAR Properties, PJSC Case No. D2026-1371

1. The Parties

The Complainant is BACCARAT SA, France, represented by MEYER & Partenaires, France.

The Respondent is WebAdmin Admin, ALDAR Properties, PJSC, United Arab Emirates.

2. The Domain Names and Registrar

The disputed domain names <baccaratresidencesaadiyat.com>, <baccaratresidences-saadiyat.com>, <baccaratresidences-uae.com>, <baccaratresidenceuae.com> and <baccaratuaeresidences.com> are 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 31, 2026. On March 31, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 1, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domains by Proxy, LLC US) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 2, 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 amendment to the Complaint on April 10, 2026.

The Center verified that the Complaint together with the amendment to the 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 April 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 15, 2026.

The Center appointed Áron László as the sole panelist in this matter on May 19, 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, BACCARAT SA (formerly known as the Compagnie des Cristalleries de Baccarat), is a French company and manufacturer of crystal wares established in 1764. The Complainant's products include crystal tableware, jewellery, and perfumes, which are available throughout Europe, America, the Middle East, and Asia via a network of more than 620 boutiques, department stores, authorised resellers, and points of sale, including two in the United Arab Emirates.

The Complainant operates 28 exclusive dedicated online shops offered in 10 languages, and maintains its main web portal at <baccarat.com>. The online shop has a section in Arabic dedicated to customers of the United Arab Emirates.

In addition to its core crystal business, the Complainant diversified its activities more than 20 years ago by offering, in partnership, hotel and residences services reflecting its brand image. The BACCARAT and BACCARAT HOTEL brands have been used since 2005 for hotel services and real estate. The Complainant operates branded luxury establishments in locations including New York, Miami, the Maldives, and Dubai. The latest real estate project, launched in February 2026 by developer Aldar, involves the development of residential units on Saadiyat Island, Abu Dhabi, United Arab Emirates, marketed under the name "Baccarat Residences Saadiyat".

The Complainant owns many trademarks for the word BACCARAT including the following:

- International Registration BACCARAT (word) No. 418717 registered on November 10, 1975, designating inter alia Egypt and Morocco;
- United States of America trademark BACCARAT (word) No. 4649402 registered on December 2, 2014;
- United Arab Emirates trademark BACCARAT (word) No. 099967 registered on February 17, 2010.

The Respondent is a real estate developer.

The disputed domain names were registered on March 6, 2026.

At the time this decision is made, the disputed domain names <baccaratresidencesaadiyat.com>, <baccaratresidences-saadiyat.com>, <baccaratresidences-uae.com> and <baccaratuaeresidences.com> resolve to a parking page (and at the time the Complaint was filed, the corresponding websites were inactive), while the disputed domain name <baccaratresidenceuae.com> resolves to a "Launching soon" page.

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 names.

Notably, the Complainant contends that the trademark BACCARAT is entirely reproduced in the radical of the disputed domain names. The different elements added to the word BACCARAT are generic or geographic terms that do not distinguish the domains from the trademark.

Regarding the second element, the Complainant contends that the Respondent should be considered as having no rights or legitimate interests in the disputed domain names. The Complainant states that the Respondent is a real estate developer engaged by a third-party company, a partner of the Complainant, to promote the sale of BACCARAT-branded products and services in the United Arab Emirates. However, the Respondent has not been authorized by the Complainant and does not hold any license granted by the Complainant to register or use domain names incorporating the BACCARAT trademark. The Complainant further submits that the disputed domain names suggest an affiliation with the BACCARAT trademark and the Complainant's hotel and residences business, and that this cannot constitute fair use. Domain names identical or similar to a complainant's trademark carry a high risk of implied affiliation. The Complainant additionally submits that the disputed domain names do not satisfy the cumulative requirements of the "Oki Data test", as the disputed domain names resolve to parking or holding pages and the Respondent holds no authorization from the Complainant.

The Complainant contends that the BACCARAT trademark enjoys a strong worldwide reputation extending over more than 260 years, including for hotel and residences services for more than twenty years. The Complainant asserts that the Respondent was certainly aware of the BACCARAT trademark at the time it registered the disputed domain names in March 2026. The Complainant argues that the composition of the disputed domain names, combining BACCARAT with "residences", "uae", and "saadiyat", corresponds precisely to the Complainant's own announced residential development project on Saadiyat Island, Abu Dhabi, and that no one could register five such domain names without having deliberately targeted the Complainant's trademark. The Complainant notes that the disputed domain names were registered on March 6, 2026, shortly after the Complainant and its official partner announced the launch of the Saadiyat project on February 10, 2026.

The Complainant submits that four of the disputed domain names: <baccaratresidences-saadiyat.com>, <baccaratresidences-uae.com>, <baccaratresidencesaadiyat.com>, and <baccaratuaeresidences.com> do not resolve to active websites, while the fifth domain name, <baccaratresidenceuae.com>, displays a purposefully constructed "Launching Soon" page with a contact form collecting names and email addresses, and a copyright notice reading "Copyright @ 2026 baccaratresidenceuae.com - All Rights Reserved". The Complainant argues that this website is not an auto-generated parking page but a deliberately constructed website using a website builder, with a custom video, a functional contact form, reCAPTCHA integration, and a cookie consent mechanism, demonstrating an investment of time and resources designed to capture commercial traffic generated by the Complainant's United Arab Emirates launch.

As regards passive holding of the four remaining disputed domain names, the Complainant invokes the Telstra doctrine (*Telstra Corporation Limited v. Nuclear Marshmallows* decision, WIPO Case No. [D2000-0003](#)) and argues that it is impossible to conceive of any plausible good-faith use to which the disputed domain names could be put, given the distinctiveness and reputation of the BACCARAT mark and the fact that the Respondent registered five domain names corresponding precisely to the Complainant's announced project. The Complainant concludes that the Respondent is targeting the Complainant and pretending to be, or to be linked with, the BACCARAT trademark and the related residences and hotel activity.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

Paragraph 4(a) of the Policy requires that a complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- i. the domain name registered by the respondent 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 domain name; and
- iii. the domain name has been registered and is being used in bad faith.

In view of the Respondents' failure to submit a Response, the Panel shall decide this dispute on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules.

The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

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 Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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, "residence(s)", "saadiyat", and "uae" may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel notes that, even if the Respondent had registered the disputed domain names to promote the services of the Complainant's partner, as the Complainant has suggested, the disputed domain names have not been actively used and there is no evidence in the record of any bona fide, or preparations to offer bona fide, goods or services. Moreover, the composition of the disputed domain names, incorporating the Complainant's distinctive and long-standing trademark with terms related to an ongoing project, is inherently misleading and falsely suggests authorization by the Complainant.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

In this case, the Panel notes that the Respondent published a news item about the planned Baccarat Residences Saadiyat project on its own website. Therefore, the Respondent was definitely aware of the Complainant and its trademarks. If the Respondent had had the Complainant's permission to register and use the disputed domain names, they could easily have come forward with this information and rebutted the Complainant's claim that the registrations took place without permission. In the absence of such a statement, and noting the Complainant's confirmation that no permission was granted, the Panel concludes that the Respondent registered the disputed domain names in bad faith.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) 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 Respondent's prior knowledge of the Complainant, and finds that in the circumstances of this case the passive holding of the disputed domain names 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 names <baccaratresidencesaadiyat.com>, <baccaratresidences-saadiyat.com>, <baccaratresidences-uae.com>, <baccaratresidenceuae.com> and <baccaratuaeresidences.com> be transferred to the Complainant.

/Áron László/

Áron László

Sole Panelist

Date: June 2, 2026