ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Groupe La Centrale v. Joe Safieh
Case No. D2026-1730

1. The Parties

The Complainant is Groupe La Centrale, France, represented by MIIP MADE IN IP, France.

The Respondent is Joe Safieh, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <drivemedia.tech> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 23, 2026. On April 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 24, 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 (information not available) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 27, 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 April 29, 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 May 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 25, 2026. The Response was filed with the Center on May 21, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on June 9, 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 formerly known as Car & Boat Media, which is a publisher of automobile classified advertising. One of its divisions operates as an advertising agency in the automotive sector under the name "DRIVEMEDIA". Amongst other things, this division develops tailor-made advertising solutions.

The Complainant promotes this advertising business from a website at "www.drivemedia.fr", which is in French. The Complainant also owns the domain names <drivemedia.online> and <drivemedia.ad>, both of which redirect to the Complainant's main site.

The Complaint also includes evidence that the Complainant owns French Registered Trademark No 4394415 which is for the figurative mark:

French Registered Trademark No 4394415 has been registered since January 26, 2018, in respect of a range of services in International Classes 25, 38, 41, and 42 including advertising and marketing services, press agency services, website and internet services.

The disputed domain name was registered on June 5, 2025. Since then, it has alternated between an initial "Hello world" WordPress landing page and variations of pages denying access. At the time this decision is being prepared, the website resolves to a landing page which states "It appears you don't have permission to access this page. 403 Error. Forbidden."

5. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of a disputed domain name, the Complainant must demonstrate each of the following:

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

(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.

Paragraph 15(a) of the Rules directs the Panel to decide the 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.

A. Jurisdiction

The Respondent claims that, as he is in the United States and the Complainant and its trademark are in France, the Complainant has no jurisdiction.

This objection is misplaced.

As the Registrar has confirmed, the terms of the registration agreement incorporate the Policy (as they must). Accordingly, the Respondent's registration of the disputed domain name is subject to compliance with the requirements of the Policy. Further, the Policy is a reaction to the global reach of the Internet which transcends national borders. Given that global reach and the ease and low cost in registering domain names, the Policy seeks to provide an efficient and economic means to protect trademark owners from unfair and opportunistic targeting of their rights whether the alleged wrongdoer is located in the same jurisdiction or somewhere else. Further still, as provided by paragraph 4(k) of the Policy, participation in the mandatory administrative proceeding does not preclude either party from taking action in an appropriate court of competent jurisdiction to protect their rights if not satisfied with the outcome of an administrative proceeding.

B. 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 proven ownership of the French registered trademark for the figurative version of DRIVEMEDIA.

The Complainant also claims rights deriving from the use of its domain name. The Complaint does not include evidence of the kind referred to in WIPO Overview 3.1, section 1.3 to support that claim. The Response does indicate, however, that the Complainant's website attracts some 1,500 viewers per month. That suggests that the Complainant's trademark does have some public recognition or drawing power but, to the extent it does, it does not materially add to the Complainant's rights through its registered trademark. For example, there is not any suggestion that the traffic comes from the United States.

Disregarding the ".tech" generic Top- Level Domain ("gTLD") and the figurative design elements, therefore, the disputed domain name would be identical to the Complainant's trademark rights.

The Respondent resists this conclusion by pointing out that the Complainant's trademark is a figurative mark and not a plain word mark, it is also registered only in France and is a descriptive or at least a very widely used and common expression.

As already mentioned, the global nature of Internet access means it has long been recognized under the Policy that the territorial nature of a trademark is no bar to a finding that a domain name held by someone in another jurisdiction is identical with or deceptively similar to the trademark. WIPO Overview 3.1, section 1.7. The territorial nature of a trademark may nonetheless be relevant to considerations under the second and third elements of the Policy.

The Panel accepts that the Complainant's registered trademark is a figurative mark, not a plain word mark. Given the limited nature of the inquiry at this stage, however, the Panel does not consider the verbal element is of such reduced impact that the usual rule disregarding figurative elements does not apply. WIPO Overview 3.1, section 1.10. This consideration and the fact that a number of other businesses use the composite expression, like the question of the territorial nature of a trademark, may nonetheless be relevant under the second and third elements of the Policy also.

Accordingly, the Panel finds that the disputed domain name is identical to the Complainant's trademark and so the Complainant has established the first requirement under the Policy.

C. Rights or Legitimate Interests

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain name.

Paragraph 4(c) of the Policy provides that the following circumstances can be situations in which the Respondent has rights or legitimate interests in a disputed domain name:

(i) before any notice to [the Respondent] of the dispute, [the Respondent's] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or

(ii) [the Respondent] (as an individual, business, or other organization) has been commonly known by the [disputed] domain name, even if [the Respondent] has acquired no trademark or service mark rights; or

(iii) [the Respondent] is making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. 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.

There is no dispute between the Parties that:

(1) The Respondent registered the disputed domain name after the Complainant registered its trademark;

(2) The Respondent is not affiliated with the Complainant;

(3) The Complainant has not otherwise authorised the Respondent to use the disputed domain name;

(4) The disputed domain name is not derived from the Respondent's name.

(5) The Respondent does not own a registered trademark from which the disputed domain name could be derived.

These factors are usually sufficient to establish a prima case that the Respondent does not have rights or legitimate interests in a disputed domain name.

The Respondent, however, states that he is the son of the recently deceased founder of Drive Media Technology LLC.

The Response includes a Certificate of Organization under the seal of the Secretary of State for the State of Geogia in the United States that Drive Media Technology LLC was incorporated in Georgia on October 12, 2020. The Articles of Organization state that Drive Media Technology LLC's general purpose is "freight brokering services and any other lawful purpose for which a limited liability company may be organized".

According to the Response, the Respondent was personally involved in establishing the business and its online presence.

Shortly before the incorporation of the company, the Respondent's father also registered the disputed domain name on October 4, 2020. In that connection, the Response includes a notification from Hostgator Marketplace that the installation of a WordPress site had been completed on that date at the disputed domain name. The Panel's own search on the Wayback Machine shows three captures of the disputed domain name before June 2025. The first two displayed "Under construction" landing pages. The capture on September 24, 2023 was a "Hello World" WordPress landing page, the same or similar to the initial landing page on July 18, 2025.

According to the Respondent, the registration of the disputed domain name lapsed due to his father's illness and decease and the Respondent re-registered it on June 5, 2025 following a lapsed namedrop. According to the Response, the Respondent intends to use the disputed domain name for a personal portfolio site and continued media and technology endeavours consistent with the LLC his father had established in 2020.

There is, with respect, a considerable degree of ambiguity in the claimed purposes. Acknowledging that the Articles of Organization do not limit the nature of business which Drive Media Technology LLC could undertake, it is not clear to the Panel how freight brokering led, or leads, into media and technology endeavours let alone a personal portfolio site. These general statements do not suggest a continuation of the business of Drive Media Technology LLC if in fact it had conducted business.

The timing of the initial registration of the disputed domain name and incorporation of the company does not support the former being derived from the latter. If there were evidence of good faith business operations, the Panel would be prepared to accept the two matters were part of a concerted plan. However, the Panel does not regard the "Hello World" and "Under construction" pages in evidence in this proceeding as sufficient to demonstrate use, or demonstrable preparations to use, the disputed domain name in connection with a good faith offering of goods or services. Nor by themselves do they justify a conclusion that the company name was adopted in good faith.

Given the Panel's conclusions under the third element of the Policy, however, it is unnecessary to reach a final decision on the Respondent's rights or legitimate interests to the disputed domain name.

D. Registered and Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain name has been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g., *Group One Holdings Pte Ltd v. Steven Hafto,* WIPO Case No. D2017-0183.

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

The Respondent denies any knowledge of the Complainant or its trademark before the Complainant notified its claims of trademark infringement. In the circumstances, that denial is not inherently implausible or contradicted by any other evidence.

As the Respondent points out, the disputed domain name consists of two ordinary English words. The Respondent further points out that their use in combination can be traced back to at least a publication in 1928, *Electric Drive Practice*, in which Gordon Fox used the combined term to refer to the mechanical components connecting a motor and the machine it was driving.

The Panel is not prepared to find that this publication establishes “drive media” as a commonly used expression like “big bang” as the Respondent asserts, particularly as there is no suggestion the Respondent plans to use the disputed domain name in connection with mechanical parts of that description.

However, the Response also includes evidence of a number of other businesses unrelated to the Complainant using the expression. For example, a Google search in the United States disclosed as the second organic result Drive Media Inc (at “www.drivemedia.co”) which describes itself on its website as “a premier full-spectrum video production company”. The third result “Drive Media House” also describes itself as a full-service video production company. There are also results for “Drive Social Media”, “Drive Media” – a one-stop shop for web design and development, “Drive Media Reviews” claiming to provide “all the fresh news on the latest cars”, “Just Drive Media” which provides public relations, social media and analytics services, “Line Drive Media” which appears to be softball related and the first returned organic search result: “Driven.media” which provides products related to customising performance cars. The Complainant’s name and website are not among the 14 page print out of the search results.

The Respondent also points out that searches of DRIVE MEDIA on TMView and the USPTO return numerous results. But, so far as the Panel can see from the printouts included in the Response, none of these include DRIVE MEDIA as a composite expression in that order apart from the Complainant’s trademark (on TMView) and JUST DRIVE MEDIA (on the USPTO search, which also disclosed MEDIA FLASH DRIVE and DRIVE PERFORMANCE MEDIA).

The Respondent further points out that the Complainant is located in France and its trademark is limited to France, giving it no rights over the conduct of someone in the United States. As already noted, it has long been established under the Policy that the global nature of the Internet requires recognition that there can be registration and use in bad faith in the face of trademark rights limited to a particular jurisdiction. See e.g. WIPO Overview 3.1, section 3.2.2. That is particularly the case where the complainant’s trademark is widely known or there are other reasons to believe the respondent has targeted the complainant’s trademark.

In the present case, however, the Complainant and its operations appear to be concentrated on France and targeted at a French-speaking audience. While the Complainant claims to be very well-known, the Google and SEMrush analytics provided in the Response suggest that the Complainant has a degree of brand recognition but not to the extent that the Panel would infer the Respondent must have, or was even likely to have, known about the Complainant’s trademark. Further, as the Respondent points out, there has not been any attempt to sell the disputed domain name to the Complainant or otherwise free ride on the Complainant’s trademark. Further, given the Respondent’s connection with Drive Media Technology LLC and the easy combination of the two words in the composite expression, the Respondent’s denial of knowledge of the Complainant and explanation for adoption of the disputed domain name are at least plausible.

In these circumstances, the Panel finds that the Complainant has not discharged its onus of proving the disputed domain name was registered in bad faith. That is sufficient for the Complaint to fail.

E. Reverse Domain Name Hijacking

The Respondent contends that there should be a finding of reverse domain name hijacking.

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. WIPO Overview 3.1, section 4.16.

There is certainly an element of concern in this case given the number of different people who are using “drive media” in their businesses and what appears (on a very brief Complaint) to be the Complainant’s own narrow and limited reputation. The Panel considers, however, that this is not an appropriate case for a finding of reverse domain name hijacking. So far as the publicly available record showed before the

Complaint was filed, the disputed domain name was recently registered (June 2025), it did not resolve to an active website (as one might expect if it was held by one of the existing active businesses) and the identity of the Respondent was not known as a result of the use of the privacy service. In addition, the Complainant's attempts to contact the holder of the disputed domain name before issuing the Complaint were ignored or at least unanswered.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Warwick A. Rothnie/
Warwick A. Rothnie
Sole Panelist
Date: June 24, 2026