

ADMINISTRATIVE PANEL DECISION

SMILY v. Flordus Mary

Case No. D2026-1913

1. The Parties

The Complainant is SMILY Sàrl, France, represented by Emroads Avocats, France.

The Respondent is Flordus Mary, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <maisonmedaille.com> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 4, 2026. On May 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 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 / Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 8, 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 May 11, 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 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 5, 2026.

The Center appointed Theda König Horowicz as the sole panelist in this matter on June 10, 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 company based in France which specializes in the selling of high-quality jewelry with artisanal skill, in particular handcrafted baptismal medals under the brand MAISON DE LA MÉDAILLE.

The Complainant is the owner of the French trademark MAISON DE LA MÉDAILLE No. 4523509 registered on June 7, 2019, and has been using the said trademark continuously.

The Complainant also operates the website “www.maisondelamedaille.com” promoting its activity, providing information on its official shops and giving the opportunity to its clients to buy the MAISON DE LA MÉDAILLE products online.

The disputed domain name was registered on November 28, 2025.

The disputed domain name resolves to a website in the French language on which baptismal medals are sold, some of which are copies of the baptismal medals created and commercialized by the Complainant. The layout of the said website resembles the Complainant’s website and prominently uses the MAISON DE LA MÉDAILLE trademark, notably on the homepage. The “Contact” page displays an address in France, and indicates that questions can be sent by interested customers through a form on which they are invited to provide their name and email address. The bottom of the homepage mentions “Droits d’auteur 2026@Maison de la Médaille Soldes”. The Terms and Conditions section which is in English language notably states “This website is operated by Maison de la Médaille Soldes and highlights that the goods promoted on the website are 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.

Notably, the Complainant contends that the disputed domain name is identical or at least confusingly similar to its trademark MAISON DE LA MÉDAILLE. Furthermore, the Respondent has no rights or legitimate interests in the disputed domain name: the Respondent was not authorized to use the Complainant’s trademark, is not related to the Complainant’s business and the disputed domain name resolves to a competing website displaying the Complainant’s trademark and copies of the Complainant’s products. Finally, basically for the same reasons, the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy to succeed:

- (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.

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 the trademark MAISON DE LA MÉDAILLE for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The dominant elements of the Complainant's mark "maison" and "médaille" are reproduced (without the accented "e") within the disputed domain name. The only missing elements are "de" (a specifier in French language) and "la" (an article in the French language). The disputed domain name is thus composed of the dominant elements of the Complainant's mark and does not contain any other additions. The mark is therefore 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.

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 Complainant has stated not to have authorized the Respondent to use its trademark MAISON DE LA MÉDAILLE and not to be affiliated with the Respondent which was not denied by the Respondent. Furthermore, the disputed domain name resolves to a jewelry website competing with the Complainant's business. Indeed, it sells jewelry including baptismal medals in which the Complainant specializes. The said website prominently uses the Complainant's MAISON DE LA MÉDAILLE trademark and has a very similar layout thus creating confusion as to its source. Although the Respondent is allegedly based in the United

States, the website linked to the disputed domain name is in French language like Complainant's official website, refers to a contact address in France, and the bottom of the homepage mentions "Droits d'auteur 2026@Maison de la Médaille Soldes". The Terms and Conditions section indicates "This website is operated by Maison de la Médaille Soldes" (in English, Maison de la Médaille Sales), giving the false impression of an affiliation with the Complainant. The Complainant has also shown that some of the medals proposed on the Respondent's website are copies of the Complainant's medals.

Such use does not confer rights or legitimate interests on the Respondent in the disputed domain name.

Additionally, panels have held that the use of a domain name for illegitimate activity here, claimed as passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 has chosen to register the disputed domain name which contains the dominant elements of the Complainant's distinctive trademark that is "maison" and "médaille", a combination which is used by the Complainant notably on the Internet through its website "www.maisondelamedaille.com" in relation to jewelry. The Complainant's website is accessible worldwide including in the United States where the Respondent is based.

Furthermore, the Respondent uses the disputed domain name for a jewelry website directly competing with the Complainant's business, website which prominently features the Complainant's trademark MAISON DE LA MÉDAILLE in its entirety. It is therefore not conceivable that the Respondent did not know about the Complainant when registering the disputed domain name.

The reasoning mentioned above under section 6.B. does also apply here. The Respondent is illegitimately passing off as the Complainant.

Additionally, panels have held that the use of a domain name for illegitimate activity here, claimed as passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <maisonmedaille.com> be transferred to the Complainant.

/Theda König Horowicz/

Theda König Horowicz

Sole Panelist

Date: June 30, 2026