

ADMINISTRATIVE PANEL DECISION

Compagnie de Saint-Gobain v. 乔建彬 (qiaojianbin)
Case No. D2026-1935

1. The Parties

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

The Respondent is 乔建彬 (qiaojianbin), China.

2. The Domain Name and Registrar

The disputed domain name <saint-gobain.top> is registered with Xin Net Technology Corporation (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on May 5, 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 7, 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 IDENTIFIED / The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication in Chinese and English to the Complainant on the same day, 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 May 11, 2026.

On May 7, 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 May 11, 2026, the Complainant requested English to 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 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 7, 2026.

The Center appointed Rachel Tan as the sole panelist in this matter on June 11, 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 specializing in the production, processing and distribution of materials for the construction and industrial markets. The Complainant claims that SAINT-GOBAIN is recognized globally for sustainable habitat and construction solutions. With a 350-year history, the Complainant is one of the world's leading industrial groups, reporting around EUR 46.5 billion in turnover in 2025 and employing about 162,000 employees.

The Complainant owns numerous trademark registrations for the SAINT-GOBAIN trademark, including:

- International Trademark  Registration No. 551682, registered on July 21, 1989, in classes 1, 6, 7, 9, 11, 12, 16, 17, 19, 20, 21, 22, 23, 24, 37, 39, and 41;
- International Trademark  Registration No. 596735, registered on November 2, 1992, in classes 1, 6, 9, 11, 12, 16, 17, 19, 20, 21, 22, 23, and 24;
- International Trademark SAINT-GOBAIN Registration No. 740183, 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 also owns the domain name <saint-gobain.com> that incorporates its SAINT-GOBAIN trademark. The domain name was registered on December 29, 1995, and is used as the Complainant's official website address.

The Respondent is reportedly based in China. The disputed domain name was registered on May 1, 2026. The disputed domain name resolves to an inactive website.

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 contains its SAINT-GOBAIN trademark without addition or deletion. The addition of the generic Top-Level Domain ("gTLD") ".top" does not prevent the likelihood of confusion between the disputed domain name and the Complainant's SAINT-GOBAIN trademark. Therefore, the disputed domain name is identical to the Complainant's SAINT-GOBAIN trademark.

The Complainant further contends that the Respondent has not been commonly known by the disputed domain name. The Respondent is not affiliated with the Complainant, and the Complainant has not authorized the Respondent to use the SAINT-GOBAIN trademark in any way. The disputed domain name resolves to an inactive website, without evidence of any actual use or demonstrable preparations to use the disputed domain name, which shows the lack of a bona fide offering of goods or services or a legitimate

noncommercial or fair use. Therefore, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant finally contends that given the reputation and distinctiveness of the Complainant's SAINT-GOBAIN trademark, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant's SAINT-GOBAIN trademark. The disputed domain name is currently inactive. It is difficult to conceive of any plausible use of the disputed domain name by the Respondent that would be legitimate without infringing the Complainant's SAINT-GOBAIN trademark. The disputed domain name has been configured with Mail Exchange ("MX") records, indicating that the disputed domain name is likely being actively used for email purposes. Therefore, 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

6.1. Procedural Issues – Language of the Proceedings

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: 1) English is the language most widely used in international relations and is one of the working languages of the Center; 2) using Chinese as language of the proceeding would unfairly disadvantage and burden the Complainant and delay the proceedings and adjudication of this matter; 3) the Center informed the Respondent in both Chinese and English and afforded the Respondent the opportunity to comment on the language of the proceedings.

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.

6.2. Substantive Issues

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 the SAINT-GOBAIN trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The gTLD “.top” as a standard registration requirement should be disregarded in the assessment of confusing similarity under the Policy. [WIPO Overview 3.1](#), section 1.11.1.

The entirety of the Complainant’s SAINT-GOBAIN trademark is reproduced within the disputed domain name without any addition or deletion, and the SAINT-GOBAIN trademark is clearly recognizable in the disputed domain name. Accordingly, the disputed domain name is identical to the SAINT-GOBAIN trademark 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.

The information in the case file shows that:

- the Respondent is not affiliated with the Complainant and has not been authorized to use the Complainant’s SAINT-GOBAIN trademark in any form;
- there is no evidence proving that the Respondent has been commonly known by the disputed domain name;
- the disputed domain name resolves to an inactive website. In the absence of any actual use of, or demonstrable preparations to use the disputed domain name by the Respondent, such passive holding cannot constitute a bona fide offering of goods or services, nor can it be regarded as legitimate, noncommercial or fair use. The disputed domain name has been configured with MX records, which indicates that the disputed domain name may have been used to send emails. Such conduct does not confer rights on or legitimate interests to the Respondent;
- the disputed domain name is identical to the Complainant’s trademark and earlier domain name, giving rise to a clear risk of implied association or affiliation with the Complainant.
- no other factors demonstrate that the Respondent has any rights or legitimate interests in the disputed domain name.

Having reviewed the available record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has failed to rebut the Complainant’s prima facie case 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 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 Complainant obtained the trademark registration for SAINT-GOBAIN as early as July 21, 1989, which significantly predates the registration date of the disputed domain name (May 1, 2026). According to the Complainant's evidence, the Panel accepts that the Complainant and its SAINT-GOBAIN trademark have gained a certain degree of reputation and recognition worldwide through its extensive use and advertising. In light of the distinctive character of the Complainant's SAINT-GOBAIN trademark, the Panel finds it implausible that the Respondent registered the disputed domain name, which is identical to the Complainant's SAINT-GOBAIN trademark and the domain name <saint-gobain.com>, without awareness of the Complainant and its rights. The Panel therefore concludes that the Respondent knew or ought to have known of the Complainant's trademark at the time of registration and finds that the disputed domain name was registered 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.

The disputed domain name resolves to an inactive website, without evidence of any actual use or demonstrable preparations to use it. 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. On 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 reputation and distinctiveness of the Complainant's SAINT-GOBAIN trademark, the composition of the disputed domain name being identical to the Complainant's SAINT-GOBAIN trademark, and the Respondent's failure to respond to the Complainant's contentions, and finds that in the circumstances of this case the Respondent's passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. See *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

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 <saint-gobain.top> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: June 25, 2026