

ADMINISTRATIVE PANEL DECISION

FINANCIERE OUI CARE, O2 DEVELOPPEMENT v. Ouicare Ouicare Case No. D2026-2174

1. The Parties

The Complainants are FINANCIERE OUI CARE, France, and O2 DEVELOPPEMENT, France, hereinafter referred to collectively as (the “Complainant”), represented by CASALONGA, France,

The Respondent is Ouicare Ouicare, France.

2. The Domain Name and Registrar

The disputed domain name <ouicareo2.com> is registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 20, 2026. On May 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 21, 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 (Anonymous) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 22, 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 27, 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 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 19, 2026.

The Center appointed Nathalie Dreyfus as the sole panelist in this matter on June 25, 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 belongs to the OUI CARE GROUP, founded in 1996, which specializes in the field of personal and home services. It operates more than ten different brands, over 23,000 employees, more than 130,000 customers and around 900 agencies in France, Spain, Mexico, Portugal, Morocco, Brazil, Senegal, Benin, and Côte d'Ivoire.

FINANCIERE OUI CARE, is the holding and management company of several entities within the OUI CARE GROUP, including O2 DEVELOPPEMENT, the Group's main operating subsidiary and operates under the distinctive sign and brand O2, which is one of the leading home services brands in France.

The OUI CARE Group has been operating its main official website at "www.ouicare.com" since December 24, 2011. Through this website, the OUI CARE Group provides access to its various brands and related services, and notably offers the possibility to apply for franchise opportunities within the Group.

According to the evidence submitted, the Complainant holds various trademark registrations, namely:

International semi-figurative trademark  No. 1388569 registered on November 10, 2017, for services in classes 35, 37, 39, 41, 43, 44 and 45 and designating United Kingdom, Sweden, Austria, Benelux, Switzerland, Germany, Spain, Italy, Monaco, Poland, Portugal, Romania, San Marino;

- French semi-figurative trademark  No. 4361458 filed and registered on May 15, 2017, for services in classes 35, 37, 39, 41, 43, 44 and 45;

- French verbal trademark registration OUI CARE GROUP No. 4302527 filed on September 27, 2016, and registered on February 10, 2017, for goods and services in classes 16, 35, 37, 39, 41, 42, 43, 44, 45.

- French verbal trademark O2 No. 4770042, filed on May 25, 2021 and registered on April 8, 2022, for goods and services in classes 1, 2, 3, 4, 5, 6, 7, 8, 11, 21, 31, 35, 37, 39, 40, 41, 42, 43, 44 and 45;

- French semi-figurative trademark  No. 3675486, filed on September 11, 2009, registered and duly renewed, covering goods and services in classes 3, 5, 7, 21, 35, 37, 39, 41, 42, 43, 44 and 45.

According to the evidence submitted, the Complainant notably owns and duly exploits the following domain names:

- <ouicare.com> registered on December 24, 2011 (duly renewed);
- <oui-care.com> registered on February 23, 2022 (duly renewed);
- <oui.care> registered on June 11, 2025;
- <ouicare.org> registered on January 14, 2025;
- <o2.fr> registered on April 16, 2000 (duly renewed);
- <o2care.fr> registered on May 16, 2013 (duly renewed);
- <o2-care.fr> registered on May 16, 2013 (duly renewed).

According to the Registrar, the Respondant is identified as "Ouicare Ouicare".

According to the evidence submitted by the Complainant, no company or legal entity under the name "Ouicare Ouicare" appears to exist in France, and the email address disclosed by the Registrar, "[...]@gmail.com", appears to refer to another natural person named differently than the identified Respondent. who appears to have held the position of "Procurement, Facilities and RE Manager" within the

Complainants' OUI CARE group from February 2017 to September 2019. The disputed domain name was registered on July 2, 2025, i.e., several years after the apparent end of the manager's former position within the OUI CARE group.

The disputed domain name <ouicareo2.com> was registered on July 2, 2025 and redirects to a browser security warning page indicating that the website is dangerous and may be used for deceptive purposes, including inducing users to install software or disclose sensitive information such as passwords, telephone numbers or credit card detail.

The Complainant states that on October 17, 2025, its representative submitted a Whois data disclosure request to the Registrar, in relation to the disputed domain name <ouicareo2.com>. This request sought disclosure of the underlying registrant's contact details, in order to enable the Complainants to send a cease-and-desist letter directly to the registrant, on the basis of the Complainants' prior trademarks. In the absence of any response, the Complainants' representative sent a reminder to the Registrar on October 28, 2025.

To date, the Registrar has neither replied nor disclosed the underlying registrant's contact details.

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 it owns rights in the OUI CARE and O2 trademarks, and that the disputed domain name is confusingly similar to those trademarks, as it incorporates both signs in their entirety, in the same sequence, namely "ouicare" followed by "o2". The Complainant further submits that the generic Top-Level Domain ("gTLD") ".com" should be disregarded for the purpose of the comparison.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant states that it has no relationship with the Respondent and that it has never licensed, authorized, or otherwise permitted the Respondent to use the OUI CARE or O2 trademarks. The Complainant further submits that the Respondent is not commonly known by the disputed domain name and has not acquired any rights in those signs.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the Respondent could not reasonably have been unaware of the Complainant's rights. In this regard, the Complainant notes that no company or legal entity named "Ouicare Ouicare" appears to exist in France, including at the address disclosed by the Registrar. Moreover, the email address disclosed by the Registrar, appears to identify a natural person, who, according to publicly available information, was formerly employed by the Complainant's OUI CARE group between February 2017 and September 2019. The disputed domain name was registered on July 2, 2025, several years after the apparent end of that employment. The Complainant submits that these circumstances strongly suggest that the Respondent had prior knowledge of the Complainant and its OUI CARE trademark at the time of registration and intentionally targeted the Complainant's rights.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the Complainant trademarks OUI CARE and O2 are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The Panel finds that the addition of the gTLD ".com" does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy.

Some of the Complainant's prior trademarks are semi-figurative. The fact that the figurative elements are not reproduced in the disputed domain name does not prevent a finding of confusing similarity, since such elements are generally incapable of representation in a domain name. Accordingly, the comparison may be made between the textual elements of the relevant trademarks, namely OUI CARE and O2, and the disputed domain name. [WIPO Overview 3.1](#), section 1.10.

The Panel finds therefore that 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 Panel notes that the Complainants have no relationship whatsoever with the Respondent, and that no license, permission nor authorization to use the wording OUI CARE or O2 was ever granted to the Respondent by the Complainant.

The Panel further notes that, according to the evidence submitted by the Complainant, no company or other legal entity named “Ouire Ouire” appears to exist in France, including at the address disclosed by the Registrar. In addition, the email address disclosed by the Registrar appears to identify a natural person who, according to publicly available information, was formerly employed by the Complainants' OUI CARE group. These circumstances further support the conclusion that the Respondent is not commonly known by the disputed domain name and has no independent rights or legitimate interests in respect of it.

Moreover, the Panel notes that accessing the disputed domain name triggers a browser security warning indicating that the website may be dangerous and may be used for deceptive purposes, including inducing Internet users to install software or disclose sensitive information.

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.

Panels have held that the use of a domain name for illegitimate activity here claimed as deceptive activity, potential phishing, or other types of fraud, 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, by registering a domain name composed exclusively of the two main trademarks of the OUI CARE GROUP, OUI CARE and O2, knew or should have known about the existence of the Complainants' trademarks.

The Panel also notes the geographical proximity between the Complainant and the Respondent makes it even more implausible that the Respondent was unaware of the Complainants, their activities and their trademark rights when registering the disputed domain name given the high reputation of the trademarks OUI CARE and O2 especially on the French market.

The Panel further notes that the email address disclosed by the Registrar appears to identify a natural person who, according to the evidence submitted by the Complainant, was formerly employed by the OUI CARE group. While the Panel makes no finding as to the identity of the Respondent, this circumstance constitutes an additional indication that the Respondent was aware of the Complainant and their trademark rights at the time of registration.

Therefore, the Panel is of the opinion 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.

Panels have held that the use of a domain name for illegitimate activity here claimed as deceptive activity, potential phishing, or other types of fraud, 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 fact that the disputed domain name resolves to a browser security warning page indicating that the website may be used for deceptive purposes further reinforces the finding of bad faith. Although the Panel is not required to determine the precise nature of the underlying activity, the browser warning indicates that the disputed domain name presents a risk to Internet users, including the potential collection of sensitive information or the distribution of malicious content. Such use is wholly inconsistent with any good-faith offering of goods or services or any legitimate non-commercial use. In the circumstances of this case, where the disputed domain name reproduces the Complainants' well-known trademarks in their entirety, this strongly supports the conclusion that the disputed domain name was registered and is being used with the intention of misleading Internet users by creating a false association with the Complainants.

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 <ouicareo2.com> be transferred to the Complainant.

/Nathalie Dreyfus/

Nathalie Dreyfus

Sole Panelist

Date: July 8, 2026