

ADMINISTRATIVE PANEL DECISION

Clariane v. Satoko Tanomoto, Ippanshadan ryouenkai inosea
shinsaibashikurinikku
Case No. D2026-2357

1. The Parties

The Complainant is Clariane, France, represented by Scan Avocats AARPI, France.

The Respondent is Satoko Tanomoto, Ippanshadan ryouenkai inosea shinsaibashikurinikku, Japan.

2. The Domain Names and Registrars

The disputed domain names <iniceaclinic.com> and <iniceaclinic.online> are registered with GMO Internet Group, Inc. d/b/a Onamae.com (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on June 1, 2026. On June 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name <iniceaclinic.com>. On June 3, 2026, and June 12, 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 (“Whois Privacy Protection Service by onamae.com”) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 4, 2026, and June 5, 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 June 8, 2026, and, on the same day, requested to add another domain name <iniceaclinic.online> to the current proceeding. On June 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the newly added disputed domain name <iniceaclinic.online>. On June 12, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

On June 5 and 15, 2026, the Center informed the Parties in Japanese and English, that the language of the Registration Agreement for the disputed domain name is Japanese. On June 8, 2026, the Complainant confirmed its request that English 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 of the Complaint in both English and Japanese, and the proceedings commenced on June 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 6, 2026. The Respondent sent an email communication to the Center on June 29, 2026. The Center commenced the panel appointment process on July 7, 2026.

The Center appointed Douglas Clark as the sole panelist in this matter on July 13, 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 European healthcare and care-services group which provides nursing home, healthcare facility, home-care and alternative living services across Europe. The Complainant was founded in 2003 and adopted the name Clariane in July 2023.

Among its healthcare activities, the Complainant operates the INICEA network of healthcare facilities. The Complainant acquired INICEA in 2020, a French healthcare company specializing in psychiatric institutions, rehabilitation facilities and other healthcare services.

Since that acquisition, INICEA has formed part of the Clariane group and serves as the group’s healthcare brand in the fields of mental health, rehabilitation care and hospital-at-home services. INICEA operates more than 100 healthcare facilities across France.

The Complainant is the owner of several INICEA registered trademarks that have been continuously used in commerce since their registration

French figurative trademark  n° 4867237 filed May 6, 2022, and registered on October 7, 2022 in classes 16, 35, 36, 37, 38, 39, 41, 43 and 44;

United Kingdom word trademark INICEA n° UK00003943262 filed on August 8, 2023, and registered on December 22, 2023 in classes 16, 20, 35, 36, 37, 38, 39, 41, 42, 43 and 44;

Italian word trademark INICEA n° 2023000128883 filed on September 4, 2023, and registered on February 2, 2024 in classes 16, 35, 36, 37, 38, 39, 41, 42, 43 and 44.

All of these trademarks names were registered prior to the disputed domain names being registered on April 26 and June 6, 2026.

The disputed domain names resolve to a page of the Registrar.

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 (i) the disputed domain names are identical or confusingly similar to the Complainant's trademark; (ii) the Respondent has no rights or legitimate interests in the disputed domain names; and (iii) the Respondent registered and is using the disputed domain names in bad faith.

The Complainant submits that it has no affiliation with the Respondent, nor has it authorized the Respondent to register or use a domain name, which includes the Complainant's marks, and that the Respondent has no rights or legitimate interests in the registration of the disputed domain names. Rather, the Complainant contends that the Respondent has acted in bad faith in acquiring the disputed domain names, when the Respondent knew of the Complainant's rights. The fact that the disputed domain names are not actively used does not prevent a finding of bad faith on the basis of the passive holding doctrine.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the disputed domain names is Japanese. Pursuant to paragraph 11(a) of the Rules, in the absence of an agreement between the Parties, or unless otherwise specified in the Registration Agreement, the language of the proceeding shall be the language of the Registration Agreement.

The Complaint was filed in English. The Complainant requested that English be the language of the proceeding. No objection regarding the language was filed.

In exercising its discretion to use a language other than that of the Registration Agreement, the Panel must do so judicially in the spirit of fairness and justice to both Parties, taking into account all relevant circumstances, including the Parties' ability to understand and use the proposed language, and considerations of time and costs.

In the present case, the Panel notes that the disputed domain names comprise the Complainant's INICEA trademark together with the English term "clinic". The Respondent has not objected to the Complainant's request that English be the language of the proceeding.

Requiring the Complainant to translate the Complaint into Japanese would result in additional expense and delay.

Having considered all the circumstances of the case, the Panel determines pursuant to paragraph 11(a) of the Rules that English shall be the language of the proceeding.

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.

In the present case, the disputed domain names are confusingly similar to the Complainant's trademarks. The Panel finds that the disputed domain names incorporate the Complainant's INICEA mark in its entirety, with the addition of the term "clinic", which does not prevent a finding of confusing similarity under the Policy.

The Panel notes that the Complainant's trademark registrations are in France, the United Kingdom, and Italy, whereas the Respondent appears to be located in Japan. However, it is well established that a complainant does not need to have trademark rights in the jurisdiction where the respondent is based in order to satisfy paragraph 4(a)(i) of the Policy. This issue may be relevant to the second and third elements.

The Panel finds 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.

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 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.

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. The Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain names, 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 <iniceaclinic.com> and <iniceaclinic.online> be transferred to the Complainant.

/Douglas Clark/

Douglas Clark

Sole Panelist

Date: July 28, 2026