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ORGANIZATION

ADMINISTRATIVE PANEL DECISION

METROPOLE 1850 v. MOHIM sarwar, MOHIM PROPERTIES LLC
Case No. D2026-2452

1. The Parties

The Complainant is METROPOLE 1850, France, represented by Domainoo, France.

The Respondent is MOHIM sarwar, MOHIM PROPERTIES LLC, United Arab Emirates ("UAE").

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 5, 2026. On June 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 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 (Redacted for Privacy, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 9, 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 9, 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 June 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 1, 2026.

The Center appointed Theda König Horowicz as the sole panelist in this matter on July 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 belonging to the famous LVMH Group of companies. The Complainant's company was founded in 1961, specializing in the operation of luxury hotels. It notably operates luxury hotels under the CHEVAL BLANC brand in exclusive locations like Paris, Courchevel, or St Barth Island in France.

The Complainant owns several trademarks for CHEVAL BLANC, without or with logo of a horse, including:

- The French trademark CHEVAL BLANC No. 3442733, registered on July 26, 2006, in classes 3, 4, 8, 10, 16, 18, 21, 24, 25, 28, and 43.

- The UAE trademark CHEVAL BLANC + horse logo No. 301063 registered on February 27, 2019, in class 44.

The Complainant also holds domain names containing the CHEVAL BLANC mark, including the domain name <chevalblanc.com> which resolves to the Complainant's official website where it promotes its exclusive facilities.

On August 4, 2025, a public announcement was made by the Complainant, widely reported in the press, of the partnership between the Complainant and a third party regarding the launch of a major "Maison Cheval Blanc" real estate project in Dubai, UAE.

The disputed domain name was registered on January 14, 2026.

The disputed domain name is linked to a website promoting high end real estate, using the brand CHEVAL BLANC and including statements giving the impression of an affiliation with the LVMH Group, for example: "Cheval Blanc Dubai Naïa Island - Cheval Blanc Maison is a refined luxury living concept by Cheval Blanc, part of the prestigious LVMH. (…)" or "This ultra-private LVMH destination balances secluded island tranquility with seamless proximity to Dubai's most iconic landmarks".

On March 10, 2026, the Complainant sent an email to the Respondent requesting notably for the transfer of the disputed domain name. The Respondent responded the same day that he would remove the CHEVAL BLANC logo from the website and choose another brand name. The disputed domain name was not transferred to the Complainant, and no substantial changes were made on the website to which the disputed domain name directs.

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 confusingly similar to the CHEVAL BLANC trademark registered by the Complainant all around the world. The generic term "maison" and the geographical term "dubai" are the only elements added to the dominant term CHEVAL BLANC in the disputed domain name, and do not differentiate the disputed domain name from the Complainant's trademarks.

The Complainant further alleges that the Respondent lacks rights or legitimate interests in the disputed domain name: to the best of Complainant's knowledge, the Respondent does not own intellectual property rights in relation to CHEVAL BLANC MAISON DUBAI and was not authorized by the Complainant to use the CHEVAL BLANC mark.

The Complainant finally asserts that the disputed domain name was registered and is being used in bad faith: the Respondent who is based in Dubai, UAE knew about Complainant's rights over CHEVAL BLANC mark since he registered the disputed domain name shortly after a public announcement of a major real estate project of the Complainant in Dubai, UAE in partnership with a third party. The disputed domain name is linked to a website prominently displaying the Complainant's CHEVAL BLANC trademark with the intent to mislead Internet users as to the source, sponsorship, or legitimacy of the services offered which is characteristic of bad faith use. According to the Complainant, the disputed domain name is being used in bad faith considering the following elements:

- Intentional attraction of users for commercial gain by creating confusion
- Disruption of the Complainant's business; and
- Use of deceptive and potentially fraudulent online practices.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving that:

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

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a Response as it considers appropriate.

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 CHEVAL BLANC for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's CHEVAL BLANC trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of the terms “maison” and “dubai” may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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.

In particular, the Respondent has not been authorized to use the Complainant’s CHEVAL BLANC trademark, either as a domain name or in any other way. Furthermore, the Complainant evidenced that the disputed domain name resolves to a website prominently displaying the Complainant’s trademark CHEVAL BLANC in relation to a real estate project in Dubai, UAE and referring to CHEVAL BLANC without authorization. Despite the Complainant’s cease and desist letter, such illegitimate use remains active as of today.

Such use of the disputed domain name qualifies neither as bona fide nor as legitimate noncommercial or fair use within the meaning of the Policy.

In this context, UDRP panels have long held that the use of a domain name for illegal activity (here, 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 obviously knew about the Complainant’s trademark when registering the disputed domain name since its registration was made only a few months after the Complainant announced having entered a partnership to launch a major luxury real estate project in Dubai, UAE. Furthermore, the Complainant operates its official website “www.chevalblanc.com” to promote its luxury hotels and related services, website which is easily accessible worldwide.

The fact that the Respondent has chosen to register the disputed domain name containing the Complainant’s trademark CHEVAL BLANC and to link the disputed domain name to a website promoting luxury real estate villas in Dubai, UAE that is in the same field of business than the Complainant, widely using CHEVAL BLANC and references to the LVMH Group to which the Complainant belongs, is a clear indication of the Respondent’s intention to disrupt the business of a competitor and/or to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark.

Such registration and use of the disputed domain name is a clear-cut case of bad faith according to 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 <chevalblancmaisondubai.com> be transferred to the Complainant.

/Theda König Horowicz/
Theda König Horowicz
Sole Panelist
Date: July 30, 2026