

ADMINISTRATIVE PANEL DECISION

2E v. Celine Cakpo
Case No. D2026-2552

1. The Parties

The Complainant is 2E, France, represented by Fidal, France.

The Respondent is Celine Cakpo, France.

2. The Domain Name and Registrar

The disputed domain name <emeraude-espace.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 11, 2026. On June 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 15, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 15, 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 19, 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 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 17, 2026.

The Center appointed Vincent Denoyelle as the sole panelist in this matter on July 30, 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 retailer of agricultural, gardening and DIY equipment.

The Complainant owns several E ESPACE EMERAUDE trade marks including the following:

- French semi-figurative trade mark E ESPACE EMERAUDE No. 1314024, filed and registered on April 2, 1985.

The Complainant is the registrant of several domain names reflecting its E ESPACE EMERAUDE trade mark including the domain name <espace-emeraude.com> which it registered on June 27, 2001.

The disputed domain name was registered on June 15, 2024 and points to a website purporting to be operated by a subsidiary of the “Emeraude Espace Group” offering for sale products in direct competition with the Complainant’s business. The website to which the disputed domain name points facilitates a scam scheme whereby unsuspecting Internet users would order products from the website, receive an invoice with the forged signature of a real employee of the Complainant and never receive any products leading them ultimately to complain to the Complainant.

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 highly similar to the Complainant’s E ESPACE EMERAUDE trade marks.

The Complainant submits that it does not know the Respondent and that it has never agreed nor authorised any use of its trade mark by the Respondent. The Complainant points to the use of the disputed domain name to fraudulently impersonate the Complainant and defraud consumers of the Complainant as a type of use that could not possibly be considered as legitimate or bona fide.

The Complainant points to the longstanding use of its E ESPACE EMERAUDE trade marks and to the reputation of the Complainant to conclude that it is not conceivable that the Respondent would not have been aware of the Complainant when it registered the disputed domain name. The Complainant highlights the fraudulent use of the disputed domain name and targeting of the Complainant has a case clearly constituting bad faith use.

B. Respondent

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

6. Discussion and Findings

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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the E ESPACE EMERAUDE trade mark is recognizable within the disputed domain name since the terms "espace" and "emeraude" of the trade mark are included in the disputed domain name but in the reverse order. Accordingly, the disputed domain name is confusingly similar to the E ESPACE EMERAUDE trade 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 Panel notes that the disputed domain name points to a website purporting to be operated by a subsidiary of the so-called "Emeraude Espace Group" offering for sale products in direct competition with the Complainant's business. The website to which the disputed domain name points facilitates a scam scheme whereby unsuspecting Internet users would order products from the website, receive an invoice with the forged signature of a real employee of the Complainant and never receive any products leading them ultimately to complain to the Complainant.

Panels have held that the use of a domain name for illegitimate activity, here, claimed passing off, and phishing, 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 finds that the Respondent must have been aware of the Complainant and its E ESPACE EMERAUDE trade mark when it registered the disputed domain name given that the disputed domain name is essentially incorporating the terms “espace” and “emeraude” of the E ESPACE EMERAUDE trade mark in reverse order and the fact that the E ESPACE EMERAUDE trade mark predates the registration of the disputed domain name by almost 40 years.

The Panel thus finds that the disputed domain name was registered in bad faith.

Turning to the issue of the use of the disputed domain name in bad faith, the Panel notes that the disputed domain name and associated website are part of a scheme to intentionally mislead and defraud unsuspecting Internet users by creating a false impression that the website is operated by a subsidiary of the Complainant.

Panels have held that the use of a domain name for illegitimate activity here, claimed passing off, and phishing, 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 <emeraude-espace.com> be transferred to the Complainant.

/Vincent Denoyelle/

Vincent Denoyelle

Sole Panelist

Date: August 12, 2026