ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Rubis Energie v. minkai zhang, Wanhe Li
Case No. D2026-2568

1. The Parties

The Complainant is Rubis Energie, France, represented by IP Twins SAS, France.

The Respondents are minkai zhang, Hong Kong, China and Wanhe Li, China.

2. The Domain Names and Registrars

The disputed domain name <rubisfonds.cc> is registered with Hefei Juming Network Technology Co., Ltd. The disputed domain name <rubisfonds.com> is registered with Name.com, Inc. (the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 12, 2026. On June 12, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On June 16, 2026, and June 18, 2026, the Registrars transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent ("minkai zhang") and contact information in the Complaint. The Center sent an email communication to the Complainant on June 18, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar(s), requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control (the "June 18 email"). The Complainant filed an amended Complaint on June 22, 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 Respondents did not submit any response. Accordingly, the Center notified the Respondent's default on July 17, 2026.

The Center appointed Francine Tan as the sole panelist in this matter on July 24, 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 and a subsidiary of the Rubis Group. It carries out energy and bitumen distribution activities, mainly in Europe, Africa, and the Caribbean. The Rubis Group was founded in 1990 and is listed on Euronext Paris (SBF 120). It operates in the energy sector, including the retail and marketing of fuel, liquefied gas, and bitumen, as well as the production of renewable electricity. The Rubis Group is involved in the Rubis Mécénat endowment fund, which was created in 2011, and undertakes cultural and social projects. It has nearly 4,500 employees and operates in over 40 countries.

The Complainant owns, inter alia, the following trademark registrations:

- United Kingdom trademark registration No. UK00002601489 for the RUBIS device mark, registered on March 9, 2012; and

- Malawi trademark registration No. 2018/001400 for the RUBIS device mark, registered on October 31, 2019.

The Complainant also owns domain names incorporating the RUBIS word mark, including <rubis.energy>, <rubis.gg>, <rubis.world>, <rubis.je>, <rubis.mg>, and <rubis.mu>.

The disputed domain names were both registered on May 22, 2026. Both disputed domain names resolved to substantially identical login pages displaying the Complainant's RUBIS device mark and fields requesting a telephone number and login password. The Complainant's representative sent takedown requests concerning both disputed domain names. Following those requests, the disputed domain name <rubisfonds.cc> ceased to resolve and displayed a DNS error, while the website associated with the disputed domain name <rubisfonds.com> remained accessible at the time reflected in the Complaint.

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 the following:

(i) The disputed domain names fully reproduce the Complainant's RUBIS trademark and is fully recognizable. The addition of the French term "fonds", meaning "fund", does not diminish the confusing similarity but, instead, reinforces it, as the Rubis Group and its subsidiaries, including the Complainant, are involved in the Rubis Mécénat endowment fund. Internet users are therefore likely to believe that the disputed domain names are associated with or sponsored by the Complainant in connection with its endowment fund.

(ii) The Respondents are not commonly known by the disputed domain names, have acquired no trademark or service mark rights in RUBIS or RUBIS FONDS, and have not been licensed or otherwise authorized to use the Complainant's trademark. The disputed domain names resolved to login pages reproducing the Complainant's RUBIS device mark, intended to mislead Internet users into believing that the websites were operated by, associated with, or endorsed by the Complainant. Accordingly, the Respondents

have made no bona fide offering of goods or services and therefore have no rights or legitimate interests in the disputed domain names.

(iii) The Respondents registered and are using the disputed domain names in bad faith. The Respondents had the Complainant and its RUBIS trademark in mind when registering the disputed domain names, as evidenced by the reproduction of the Complainant's RUBIS device mark on the associated websites. The Complainant's trademark registrations significantly predate the disputed domain names, and searches for "rubis fonds" yield results relating to the Complainant's Rubis Group. The Respondents intentionally adopted the RUBIS trademark to create an appearance of legitimacy as part of a fraudulent scheme intended to cause confusion, mistake, and deception, and has engaged in a pattern of registering multiple domain names reproducing the Complainant's RUBIS trademark without authorization.

B. Respondents

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

6. Discussion and Findings

6.1 Preliminary Issue: Consolidation of Respondents

The amended Complaint was filed in response to the June 18 email. The Complainant has requested the consolidation of the Complaint in relation to the Respondents pursuant to paragraph 10(e) of the Rules.

The Complainant alleges that the owner of the disputed domain names is one and the same entity, having common control over the disputed domain names. It noted that the disputed domain names were registered on the same day and share the same structure and name servers.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names were registered on the same date, are composed of the identical term "rubisfonds" under different Top-Level Domains, and the content of the websites to which the disputed domain names corresponded were identical. Given this, and the absence of any response or rebuttal evidence by the Respondents (referred to hereinafter as the "Respondent"), the Panel finds that the disputed domain names are more likely than not subject to common control and there is no prejudice in these proceedings being consolidated.

Accordingly, the Panel accepts the consolidation request.

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 RUBIS trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The RUBIS mark is clearly recognizable within each disputed domain name. The addition of the French term "fonds" (meaning "fund") does not prevent a finding of confusing similarity. WIPO Overview 3.1, section 1.8.

The applicable Top-Level Domains ".com" and ".cc" are generally disregarded in the comparison. WIPO Overview 3.1, section 1.11.1.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to the Complainant's RUBIS mark.

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 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 names. The Complainant has not authorized the Respondent to use its RUBIS mark, there is no evidence that the Respondent is commonly known by the disputed domain names, and the Respondent has not come forward with any evidence of rights or legitimate interests.

The composition of the disputed domain names also carries a risk of implied affiliation with the Complainant. The combination of the RUBIS mark with the term "fonds" suggests an association with the Complainant's Rubis Mécénat endowment fund.

The use of the disputed domain names for login pages displaying the Complainant's RUBIS device mark and requesting users' telephone numbers and passwords is not a bona fide offering of goods or services or a legitimate noncommercial or fair use. Panels have held that the use of a domain name for passing off, phishing, or other fraudulent activity 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.

The Complainant's RUBIS trademark registrations long predate the registration of the disputed domain names. Each disputed domain name combines the Complainant's RUBIS mark with the French word "fonds", meaning "fund", which, in the circumstances, appears to refer to the Complainant's Rubis Mécénat endowment fund. The associated websites also displayed the Complainant's RUBIS device mark. Taken

together, the Panel finds that the Respondent registered the disputed domain names with the Complainant and its RUBIS mark in mind.

Further, the disputed domain names resolved to login pages displaying the Complainant's RUBIS device mark and requesting telephone numbers and login passwords. Such use impersonates the Complainant and is calculated to create a likelihood of confusion as to source, sponsorship, affiliation, or endorsement. Panels have held that the use of a domain name for passing off, phishing, or other fraudulent activity constitutes bad faith. WIPO Overview 3.1, section 3.4.

Having regard to the totality of the evidence, the Panel finds that the Respondent registered and used the disputed domain names in bad faith.

The Panel finds the third element of the Policy has been established.

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 <rubisfonds.cc> and <rubisfonds.com> be transferred to the Complainant.

/Francine Tan/
Francine Tan
Sole Panelist
Date: August 7, 2026