

ADMINISTRATIVE PANEL DECISION

JJA v. Caudill RebeccaJ

Case No. D2026-2611

1. The Parties

The Complainant is JJA, France, represented by Dennemeyer & Associates S.A., Luxembourg.

The Respondent is Caudill RebeccaJ, United States of America.

2. The Domain Name and Registrar

The disputed domain name <atmospherafr.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 16, 2026. On June 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 17, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 18, 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 13, 2026.

The Center appointed Enrique Ochoa de González Argüelles as the sole panelist in this matter on July 22, 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, JJA, a French home-furnishings and décor company founded in 1976.

Among others, the Complainant holds rights in the following trademark registrations, hereinafter referred to as the “ATMOSPHERA trademarks”:

- International Registration No. 1151354 for ATMOSPHERA CRÉATEUR D'INTÉRIEUR registered on November 20, 2012, for classes 4, 11, 14, 16, 18, 20, 21, 23, 24, 26, 27, 34 and 35.
- European Union Trade Mark No. 010493229 for ATMOSPHERA CRÉATEUR D'INTÉRIEUR registered on June 13, 2012, in classes 3, 4, 8, 9, 11, 14, 15, 16, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, 38 and 41.

The Complainant also operates the domain name <atmosphera.com>.

The disputed domain name was registered on April 1, 2026 and resolved to a French-language e-commerce website displaying the ATMOSPHERA trademarks and offering furniture and home-decoration products allegedly copied from or associated with the Complainant.

The disputed domain name displays ATMOSPHERA trademarks on several occasions and the words “ATMPSPHERA”, “Décoration murale”, “Linge de maison”, “Objet décoratif”, “Luminaire”, “Mobilier”, “Jeux, Noel”, and “Droits d’auteur 2026 © www.atmospherafr.com”, as well as reference means of payment VISA, MASTERCARD, STRIPE, PAYPAL.

The Respondent has engaged into a pattern of conduct preventing the Complainant from reflecting its ATMOSPHERA trademarks in the disputed domain name in terms of WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”) 3.1.2, as evidenced in *JJA v. Caudill RebeccaJ*, WIPO Case No. [D2026-1563](#).

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 ATMOSPHERA trademarks in which the Complainant has right used in connection with furniture, lighting, home textiles, home furnishings, and interior decoration products.

The Complainant relies on International Registration No. 1151354, registered on November 20, 2012, and European Union Trade Mark No. 010493229, registered on June 13, 2012.

The Complainant also submits that it owns numerous additional ATMOSPHERA trademark registrations worldwide.

The disputed domain name reproduces the entirety of the most distinctive element, ATMOSPHERA, of the Complainant's ATMOSPHERA trademarks.

According to the Complainant, the only additional element is the suffix “fr”, commonly understood as a reference to France, which does not prevent a finding of confusing similarity. Rather, the Complainant asserts that this addition suggests it is an official French website or retail outlet associated with the Complainant.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Respondent has not been licensed or permitted to use the Complainant's trademark in any way. The Complainant says the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, since it resolves to a website that prominently displays the ATMOSPHERA trademarks, reproduces photographs and images allegedly originating from the Complainant, and offers products identified as ATMOSPHERA products without authorization.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith.

That the Respondent must have been aware of the Complainant's trademark because the Respondent's website reproduces the Complainant's trademark in logo form and carries reproductions of photographs copied from the Complainant's website and that the Respondent has attempted to trade on the goodwill of the Complainant for commercial gain by intentionally creating confusion between the disputed domain name and the Complainant's ATMOSPHERA trademarks.

The Complainant submits that the Respondent intentionally chose a domain name incorporating the ATMOSPHERA word in its entirety, together with the geographic reference “fr”, in order to create an impression of affiliation with the Complainant and to attract Internet users seeking the Complainant's products.

The Complainant further alleges that the disputed domain name resolves to a commercial website reproducing the Complainant's ATMOSPHERA trademarks, product images, and product names, while offering purported ATMOSPHERA products at discounted prices. According to the Complainant, such conduct is intended to capitalize on the goodwill and reputation associated with the ATMOSPHERA trademarks and to mislead consumers into believing that the website is an official website or an authorized retailer of the Complainant.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

Paragraph 15(a) of the Rules instructs the Panel to decide a complaint “on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

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 dominate feature of ATMOSPHERA trademarks is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the ATMOSPHERA trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms like "fr" for France may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the ATMOSPHERA trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Furthermore, prior UDRP panels have found confusing similarity in similar circumstances. See, e.g., *Alstom v. Name Redacted*, WIPO Case No. [D2025-0730](#). See also [WIPO Overview 3.1](#), sections 1.7 and 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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed copycat site, 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.

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.

It is worth mentioning that, in terms of the evidence of the case:

- The disputed domain name was registered after the ATMOSPHERA trademarks; and
- The composition of the disputed domain name and the content on the website indicate that Respondent was aware of the existence of the Complainant and its ATMOSPHERA trademarks.
- As mentioned earlier, the Respondent has engaged in a pattern of conduct preventing the Complainant from reflecting its ATMOSPHERA trademarks in the disputed domain name in terms of [WIPO Overview 3.1](#), section 3.1.2, as evidenced in *JJA v. Caudill RebeccaJ*, WIPO Case No. [D2026-1563](#).

The Panel finds that the Respondent registered the disputed domain name in bad faith targeting the Complainant.

Panels have held that the use of a domain name for illegitimate activity, here, claimed copycat site, 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.

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 <atmospherafr.com> be transferred to the Complainant.

/Enrique Ochoa de González Argüelles/

Enrique Ochoa de González Argüelles

Sole Panelist

Date: August 4, 2026