

ADMINISTRATIVE PANEL DECISION

**FRANCE TELEVISIONS v. NHELBERT JERMALIM, NHELBERT JERMALIM
NOVVOB ONLINE STORE**

Case No. D2026-2682

1. The Parties

The Complainant is FRANCE TELEVISIONS, France, represented by Cabinet LAVOIX, France.

The Respondent is NHELBERT JERMALIM, NHELBERT JERMALIM NOVVOB ONLINE STORE, Philippines.

2. The Domain Name and Registrar

The disputed domain name <france-tv.online> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 19, 2026. On June 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 22, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 23, 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 26, 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 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 16, 2026.

The Center appointed Edoardo Fano as the sole panelist in this matter on July 29, 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.

The Panel has not received any requests from the Complainant or the Respondent regarding further submissions, waivers or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

Having reviewed the communication records in the case file provided by the Center, the Panel finds that the Center has discharged its responsibility under the Rules, paragraph 2(a), “to employ reasonably available means calculated to achieve actual notice to [the] Respondent”. Therefore, the Panel shall issue its Decision based upon the Complaint, the Policy, the Rules and the Supplemental Rules and without the benefit of a response from the Respondent.

The language of the proceeding is English, being the language of the Registration Agreement, as per paragraph 11(a) of the Rules.

4. Factual Background

The Complainant is the French national public television broadcaster, a state-owned company formed from the integration of the public television channels France 2 (formerly Antenne 2) and France 3 (formerly France Régions 3), later joined by the legally independent channels France 4 (formerly Festival), France 5 (formerly La Cinquième) and France Info. The Complainant owns several trademark registrations for FRANCE TV, among which:

- French Trademark Registration No. 3827939 for FRANCE TV, registered on August 26, 2011; and
- International Trademark Registration No. 1109946 for FRANCE TV, registered on November 2, 2011.

The Complainant also operates on the Internet, its official website being “www.france.tv”, and also owns the domain name <francetv.fr>, registered on January 18, 1996, which redirects to its official website.

The Complainant provided evidence in support of the above.

According to the Whois records, the disputed domain name was registered on October 29, 2025, and it is currently inactive. However, when the Complaint was filed, the disputed domain name resolved to a website in French where the Complainant’s trademark was reproduced and the same services as the Complainant were offered, namely online television services, proposing on a subscription basis some of the Complainant’s channels (e.g. FRANCE 2, FRANCE 3).

On November 18, 2025, the Complainant’s legal representatives sent a cease-and-desist letter to the Respondent, without receiving any reply.

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 its trademark FRANCE TV.

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, since it has not been authorized by the Complainant to register the disputed domain name or to use its trademark within the disputed domain name, it is not commonly known by the disputed domain name, and it is not making either a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name. The disputed domain name was used to purportedly offer online television services.

The Complainant submits that the Respondent has registered the disputed domain name in bad faith, since the Complainant's trademark FRANCE TV is well-known in the field of audio-visual entertainment services. Therefore, the Respondent targeted the Complainant's trademark at the time of registration of the disputed domain name and the Complainant contends that the Respondent is purposefully disrupting the business of the Complainant, intentionally attempting to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website.

B. Respondent

The Respondent has made no response to the Complainant's contentions and is in default. In reference to paragraphs 5(f) and 14 of the Rules, no exceptional circumstances explaining the default have been put forward or are apparent from the record.

A respondent is not obliged to participate in a proceeding under the Policy, but if it fails to do so, reasonable facts asserted by a complainant – if adequately supported by evidence – may be taken as true, and appropriate inferences, in accordance with paragraph 14(b) of the Rules, may be drawn. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy in order to succeed:

- (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 respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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.

Based on the available record, the Panel finds 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 Panel finds the entirety of the mark FRANCE TV is reproduced within the disputed domain name, its two terms being separated by a hyphen. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

It is also well-accepted that a generic Top-Level Domain ("gTLD"), in this case ".online", is typically disregarded when assessing the confusing similarity between a trademark and a domain name. [WIPO Overview 3.1](#), section 1.11.1.

Based on the available record, 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.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. 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 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 disputed domain name incorporating the Complainant’s trademark resolved to a website in French where the same services as the Complainant were offered, namely online television services, directed to the same French-speaking audience as the Complainant, proposing on a subscription basis some of the Complainant’s channels (e.g. FRANCE 2, FRANCE 3) without authorization.

The Panel therefore concludes that the disputed domain name is not being used in connection with a bona fide offering of goods or services.

Based on the available record, 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, regarding the registration in bad faith of the disputed domain name, the reputation of the Complainant’s trademark FRANCE TV in the field of audio-visual entertainment services is clearly established, in particular in the French speaking community, and the Panel finds that the Respondent must have known of the Complainant, and deliberately registered the disputed domain name in bad faith, especially because the disputed domain name incorporating the Complainant’s trademark resolved to a website in which the same services as the Complainant were offered to the same target audience of the Complainant, in an attempt to take unfair advantage of the Complainant’s reputation and mislead consumers for financial gain.

As regards the use in bad faith of the disputed domain name, the Panel notes that the Respondent was trying to attract Internet users to its website by creating likelihood of confusion with the Complainant’s trademark as to the website’s source, sponsorship, affiliation or endorsement, an activity clearly detrimental to the Complainant’s business.

The above suggests to the Panel that the Respondent intentionally registered and was using the disputed domain name in order to attract, for commercial gain, Internet users to its website in accordance with paragraph 4(b)(iv) of the Policy.

As regards the current use of the disputed domain name, being inactive, 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. [WIPO Overview 3.1](#), section 3.3. Having reviewed the record, the Panel notes the reputation of the Complainant’s trademark within the audio-visual entertainment industry, the composition of the disputed domain name (incorporating the the Complainant’s trademark in its entirety), and the failure of the Respondent to submit a response, and finds that in the circumstances of this case, the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

Based on the available record, 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 name <france-tv.online> be transferred to the Complainant.

/Edoardo Fano/

Edoardo Fano

Sole Panelist

Date: August 6, 2026