ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Comité National pour la Sécurité des Usagers de l'Electricité (CONSUEL) v. Karl Schnurch, EdenMedia
Case No. D2026-2724

1. The Parties

The Complainant is Comité National pour la Sécurité des Usagers de l'Electricité (CONSUEL), France, represented by Coblence Avocats, France.

The Respondent is Karl Schnurch, EdenMedia, Seychelles.

2. The Domain Name and Registrar

The disputed domain name <wwwconsuel.com> is registered with Key-Systems GmbH (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 23, 2026. On June 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 24, 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 24, 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 amendment to the Complaint on June 25, 2026.

The Center verified that the Complaint [together with the amendment to the Complaint/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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 24, 2026.

The Center appointed Geert Glas as the sole panelist in this matter on July 27, 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 non-profit association officially recognized as being of public interest under a French decree dated September 29, 2004. Its public interest mission is to support the professionalism of the electrical sector to limit the risks of accidents by encouraging electrical contractors to self-check their work with regard to regulations and standard before powering up the installations. Use is thereby made of a compulsory certificate of conformity which has to be submitted each time by the electrical contractors.

According to its 2025 Annual Report, the Complainant issued in that year 873.916 certificates of conformity, validated 866.363 certificates and performed 182.392 on-site inspections.

The Complainant is the owner of a number of trademark registrations in which the word CONSUEL is the main element and which cover an extensive list of goods and services. These trademark registrations include:

- French semi-figurative trademark C CONSUEL No. 3945414 registered on September 12, 2012;

- French semi-figurative trademark CONSUEL FAISONS AVANCER LA SÉCURITÉ ÉLECTRIQUE No. 3945426 registered on September 12, 2012; and

- French semi-figurative trademark CONSUEL No. 4690165 registered on October 9, 2020.

The Complainant presents its activities notably through its website ”www.consuel.com” for which it registered the <consuel.com> domain name on February 25, 1999.

It also owns a large number of domain names which consist of the word CONSUEL or of which the word CONSUEL is the main element. These domain names include <consuel.net> (registered on December 15, 2006), <consuel.org> (registered on October 2, 2009, <consuelpro.com> (registered on February 4, 2010) and <consuel.info> (registered on April 4, 2011).

No information is available on the Respondent. Initially his identity was redacted. As indicated in the Procedural History above, upon request from the Center, the Registrar of the disputed domain name, provided the Respondent’s identity and contact information from which it appeared that the Respondent is based in the Seychelles.

The disputed domain name was registered on November 16, 2015.

It appears from the evidence provided by the Complainant that no use has ever been made of the disputed domain name. Initially it was redirected to a parking page which contained the message “wwwconsuel.com – buy this domain name”. More recently it was sometimes redirected to a page stating “this site is not accessible”.

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 prior CONSUEL trademarks. As the addition of the generic Top-Level Domain ("gTLD") ".com" cannot be taken into account when comparing the Complainant's trademarks and the disputed domain name (WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") section 1.11.1) this comparison is one between CONSUEL and "wwwconsuel". "www" stands for "World Wide Web" and this addition at the beginning of the disputed domain name is not such as to avoid the confusing similarity. These letters "www" have no distinguishing capacity in the context of domain names for they represent, when preceded by a period, an extremely common prefix to the domain name in a URL for a webpage on the Internet.

The Complainant also contends that it does not know the Respondent who is in no way affiliated with the Complainant and that the Respondent has not been authorized by the Complainant to use its prior trademark or to proceed with the registration of a domain name including the Complainant's CONSUEL trademark. The Complainant thereby underlines that the disputed domain name merely redirects to a page which indicates that the site is either not accessible or that the disputed domain name is for sale. As a result, the Respondent has not made a legitimate, non-commercial or fair use of the disputed domain name as it only attempts to misleadingly divert consumers or to tarnish the Complainant's prior trademarks. Consequently, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant also argues that the Respondent could not have been unaware of the Complainant's prior rights when it registered the disputed domain name. Reference is thereby also made to the fact that the word "consuel" has no meaning in the English (or for that matter the French) language. Moreover, the addition of the "www" acronym serves to confuse consumers by suggesting that this is the website operated by the Complainant. This clearly indicates that the Respondent had the Complainant's prior rights in mind when registering the disputed domain name. Reference is also made to the fact that the disputed domain name is inactive and that the Respondent is trying to conceal its identity. As a result, the Complainant concludes that the disputed domain name was registered and is being used in bad faith.

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 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 Panel finds the CONSUEL mark is recognizable within the disputed domain name. Therefore, the Panel finds that the disputed domain name is confusingly similar to the trademark.

Although the addition of other terms, here the term “www”, 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 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.

There is indeed no evidence whatsoever of the Respondent being permitted to use the disputed domain name, or using the disputed domain name (or having demonstrable plans for such use) in the framework of a bona fide offering of goods or services, or being commonly known by the disputed domain name, or making a legitimate noncommercial or fair use of the disputed domain name.

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, the Panel notes that the word “consuel” has no meaning in either English or French and had already been intensively used by the Complainant for quite some time when the Respondent registered the disputed domain name. The fact that the Respondent opted to register a domain name in which the word “consuel” is preceded by the letters “www” does give the impression that the Respondent wanted to refer to a CONSUEL webpage on the Internet, affiliated with the Complainant. The only such active website was and is the Complainant’s website which can be reached through its domain name <consuel.com>. This indicates that when registering the disputed domain name, the Respondent knew or should at least have known about the Complainant’s CONSUEL mark and the website the Complainant operates and which is accessed by way of the ”www.consuel.com” entry point. This may well show the intention of the Respondent, already when registering the disputed domain name, to create a likelihood of confusion with the Complainant and its CONSUEL mark.

Based on the available record, the Panel finds that the disputed domain name has been registered in bad faith.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be a breach of the respondent's registration agreement). WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes both the distinctiveness and reputation of the Complainant's CONSUEL trademark, the composition of the disputed domain name and the failure of the Respondent to submit any response. In the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel notes that considerable time has lapsed between the registration of the disputed domain name and the filing of the complaint in this case. Panels have however widely recognized that such mere delay neither bars a complainant from filing such case, nor from potentially prevailing on the merits. Panels have, however, noted that in specific cases, certain delays in filing a UDRP complaint may make it more difficult for a complainant to establish its case on the merits, particularly when the respondent can show detrimental reliance on the delay. WIPO Overview 3.1, section 4.17. The latter situation does not seem to be the case in this matter as the Respondent has continued redirecting the disputed domain name to a mere parking page which contained the message "wwwconsuel.com – buy this domain name" or to a page stating "this site is not accessible". As a result, the Respondent would not be in a position to show any detrimental reliance on the delay, as illustrated by its choice not to submit a reply.

Having reviewed the record, the Panel finds the Respondent's 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 <wwwconsuel.com> be transferred to the Complainant.

/Geert Glas/
Geert Glas
Sole Panelist
Date: August 10, 2026