ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Bigben Connected v. RAltieri Suzan
Case No. D2026-3191

1. The Parties

The Complainant is Bigben Connected, France, represented by Cabinet Chaminade, France.

The Respondent is RAltieri Suzan, United States of America.

2. The Domain Name and Registrar

The disputed domain name <forcemobishop.com> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in French with the WIPO Arbitration and Mediation Center (the "Center") on July 21, 2026. On July 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 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 July 23, 2026.

On July 22, 2026, the Center informed the parties in French and English, that the language of the registration agreement for the disputed domain name was English. On July 23, 2026, the Complainant submitted the Complaint translated into English.

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 August 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 27, 2026.

The Center appointed Benoit Van Asbroeck as the sole panelist in this matter on September 8, 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, operating an online shop under the domain name <force-mobility.fr> through which it sells mobile phone accessories from its FORCE range since 2018.

The Complainant is the owner of several FORCE-formative trademarks, including:

1. International trademark number 1305982 for FORCE GLASS, registered on April 22, 2016, for goods and services in Nice class 9;

2. European Union trademark number 016077571 for FORCE CASE, registered on March 28, 2017, for goods and services in Nice class 9; and

3. European Union trademark number 016541377 for FORCE POWER, registered on December 10, 2020, for goods and services in Nice class 9.

The abovementioned trademarks will be collectively referred to as the "FORCE trademarks".

The disputed domain name was registered by the Respondent on November 5, 2024. The disputed domain name resolves to a website titled "FORCE" which displays the Complainant's FORCE trademarks and logos, and the name "FORCE-MOBILITY", offering for sale Complainant's branded products at discounted prices.

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.

The Complainant asserts that the disputed domain name is confusingly similar to its trademarks, as the disputed domain name <forcemobishop.com> incorporates the FORCE element of its FORCE trademarks which significantly predate the Respondent's registration of the disputed domain name. The addition of the terms "mobi" (a clipping of "mobile") and "shop" leaves the trademarks clearly recognisable and therefore does not dispel the likelihood of confusion, especially since it reproduces the combination "force" and "mobi", which constitutes an imitation of the look and presentation of the official website, <force-mobility.fr>. The Complainant also contends that the generic Top-Level Domain ("gTLD") ".com" should be disregarded for the purposes of this assessment.

Furthermore, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, as it has never authorised the Respondent to use its FORCE trademarks or to register any domain name incorporating those marks. The Complainant also states that the Respondent has not taken concrete steps to use the disputed domain name in connection with a bona fide offering of goods or services and is not commonly known by the disputed domain name.

Moreover, the Complainant sets out that the Respondent registered and used the disputed domain name in bad faith, as the disputed domain name reproduces the "Force Mobility" trading name, its top banner labels, the name FORCE and the FORCE GLASS/ FORCE CASE/ FORCE POWER/ FORCE PLAY trademarks. The disputed domain name offers a "lifetime guarantee" as well, which is a distinctive feature of the FORCE

range, which can indicate that this imitation intends to mimic the Complainant's website to lure its customers. The Complainant additionally contends that the provision of incomplete contact details, combined with the absence of any conceivable legitimate good-faith use of the disputed domain name, supports a finding of bad faith registration and use.

Furthermore, and according to the records, on July 3, 2026, the Complainant instructed a judicial commissioner to make a report setting out his findings regarding the reproduction of the FORCE trademarks on the disputed domain name website <forcemobishop.com>, that bears the designation FORCE and the logos of the FORCE trademarks. On the same day and under the supervision of the judicial commissioner, a trap purchase was placed by a third-party purchaser on the disputed website. The Complainant contends from the witness statement of the third-party purchaser that the order was never fulfilled (no confirmation, no parcel), that the customer's credentials did not work and that the payment was diverted to a third-party payee collecting funds in Nairobi.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, in order to succeed in this proceeding, the Complainant must prove each of the following three elements:

(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.

The Panel will proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied in the present case.

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, supported by an international trademark registration and multiple European Union trademark registrations for the FORCE trademarks. WIPO Overview 3.1, section 1.2.1.

The Panel finds the FORCE trademarks are recognizable within the disputed domain name. Indeed, the Panel notes that the disputed domain name incorporates the Complainant's "FORCE" element of its trademarks in its entirety (which is the common element in the Complainant's trademarks), followed by "mobi" (short for "mobile" or "mobility") and "shop". The FORCE trademarks are clearly recognizable within the disputed domain name (WIPO Overview 3.1, sections 1.7 and 1.9). The gTLD ".com" is generally disregarded in the comparison under the first element, as it is a standard registration requirement (WIPO Overview 3.1, section 1.11). Therefore, the disputed domain name is confusingly similar to the Complainant's trademarks.

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 illegal activity here, passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1. The Panel finds that the disputed domain name which resolves to a website which imitates the look and presentation of the Complainant's official website <force-mobility.fr>, using the names "FORCE" and "FORCE-MOBILITY", displaying the Complainant's FORCE trademarks and logos, and offering for sale the Complainant's branded products at discounted prices, supports the Complainant's claim that the Respondent intends to pass itself off as the Complainant. There are also reasonable suspicions that the disputed domain name may be used for phishing or other fraudulent activities targeting the Complainant's customers, as supported by evidence collected by a judicial commissioner.

The Respondent has not filed a response and has not provided any evidence to establish rights or legitimate interests in the disputed domain name.

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.

In the present case, the Panel notes that by registering and using the disputed domain name, the Respondent has not only intentionally reproduced the "FORCE" element of the Complainant's trademarks but also imitated the home-page banner, the logos of the FORCE trademarks and the present promotion of "lifetime guarantee". As a result, the Panel finds that the Respondent has manifestly attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location.

Panels have held that the use of a domain name for illegal activity here, claimed passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, and especially evidence collected by a judicial commissioner that the disputed domain name may be used for phishing or other fraudulent activities targeting the Complainant's customers, the Panel confirms its finding that the Respondent's registration and use of the disputed domain name constitute 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 <forcemobishop.com> be transferred to the Complainant.

/Benoit Van Asbroeck/
Benoit Van Asbroeck
Sole Panelist
Date: September 21, 2026