

ADMINISTRATIVE PANEL DECISION

CBK Interactive v. friedrich hummel

Case No. D2026-3697

1. The Parties

The Complainant is CBK Interactive, France, represented by Cabinet Lex-Insight, France.

The Respondent is friedrich hummel, Germany.

2. The Domain Name and Registrar

The disputed domain name <nouslibertin-fr.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed in French with the WIPO Arbitration and Mediation Center (the "Center") on August 20, 2026. On August 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 20, 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 (no information, Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 21, 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 the same day.

On August 21, 2026, the Center informed the parties in French and English, that the language of the registration agreement for the disputed domain name is English. On the same date, 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 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 15, 2026.

The Center appointed Flip Jan Claude Petillion as the sole panelist in this matter on September 17, 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, CBK Interactive, is a French company operating an online dating service. Until 2022, the Complainant used the name "NousLibertins" for this service. Following a rebranding, the service is now operated under the abbreviated name "NousLib" at <nouslib.com>. The evidence submitted with the Complaint indicates that the former name "NousLibertins" continues to appear in search results and third-party references to the Complainant's service.

The Complainant is the owner of the following trademark registration:

- NOUSLIBERTINS, French trademark registration No. 3748861, registered on November 12, 2010, in classes 25, 28, 35, 38, 41 and 43 for, inter alia, telecommunications, providing access to a global computer network, and electronic messaging services.

The disputed domain name <nouslibertin-fr.com> was registered on November 16, 2025. According to the Complainant's evidence, the disputed domain name resolved to a French-language website presenting an adult dating service under the name "Nouslibertin". The website repeatedly used that name, including in statements describing "Nouslibertin" as an adult dating platform. The website's Terms of Use and Privacy Policy stated that the website was operated by "Nouslibertin", without identifying a legal entity or providing corporate details or an address. The disputed domain name currently does not appear to resolve to an active website.

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 contends that the disputed domain name is confusingly similar to its NOUSLIBERTINS trademark, as it reproduces the mark almost in its entirety, omitting only the final letter "s" and adding the term "fr".

Second, the Complainant claims that the Respondent has no rights or legitimate interests in respect of the disputed domain name. In summary, the Complainant states that:

- it has never authorized the Respondent to use its NOUSLIBERTINS trademark, whether in that form or in the variant "Nouslibertin";
- the Respondent is not commonly known by the disputed domain name; and

- the disputed domain name is used for a website repeatedly using the “Nouslibertin” sign to offer adult dating services and redirect users to a third-party service. This demonstrates a commercial purpose or, at the very least, an intention to benefit from the traffic generated by the Complainant’s trademark.

Finally, the Complainant claims that the disputed domain name was registered and is being used in bad faith. The Complainant relies on the prior registration and historical use of its NOUSLIBERTINS trademark, the composition of the disputed domain name, the French-language adult dating content of the associated website, the repeated use of the “Nouslibertin” sign, and the redirection of users to an unrelated third-party service. In the Complainant’s view, the Respondent uses the NOUSLIBERTINS trademark and the confusion created by the disputed domain name to attract Internet users searching for the Complainant’s website and then redirect them to a third-party service.

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 of WIPO Panel Views on Select UDRP Questions (“[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 for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name reproduces the Complainant’s NOUSLIBERTINS trademark with the omission of the final letter “s” and the addition of a hyphen and the term “fr”. The Panel finds that the Complainant’s mark is recognizable within the disputed domain name. The omission of the final letter “s” and the addition of the term “fr” 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](#), sections 1.8 and 1.9.

It is well established that the generic Top-Level Domain, here “.com”, may be disregarded when considering whether the disputed domain name is confusingly similar to a trademark in which the Complainant has rights. [WIPO Overview 3.1](#), section 1.11.

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.

The Panel notes that the Respondent has not been shown to be commonly known by the disputed domain name. According to the information provided by the Registrar, the Respondent is friedrich hummel. The Respondent's use and registration of the disputed domain name was not authorized by the Complainant.

Fundamentally, a respondent's registration of a domain name will not be considered "fair" if it falsely suggests affiliation with the trademark owner. The correlation between a domain name and the complainant's mark is often central to this inquiry. Even where a domain name consists of a trademark plus an additional term, UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner.

[WIPO Overview 3.1](#), section 2.5.1.

The Panel observes that the disputed domain name includes two dictionary words in French, "nous" and "libertin". However, the assessment of rights or legitimate interests is not limited to the dictionary meaning of the terms. In this case, the specific combination "nouslibertin" chosen by the Respondent is identical to the Complainant's NOUSLIBERTINS trademark except for the omission of the final "s". The addition of the term "fr" may also be considered to refer to the Complainant, which is based in France. The Panel finds that this composition signals the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website. See [WIPO Overview 3.1](#), sections 2.5.1 and 2.10.1.

Beyond looking at the disputed domain name and the nature of any additional terms appended to the mark, UDRP panels also assess whether the overall facts and circumstances of the case, including the content of the website linked to a disputed domain name and the absence of a response, support a fair use or not. [WIPO Overview 3.1](#), sections 2.5.2 and 2.5.3.

According to the Complainant's undisputed evidence, the disputed domain name resolved to a website presenting itself as an adult dating platform under the name "Nouslibertin". The website repeatedly used that sign and apparently redirected users seeking to join the service to a third-party service unrelated to the Complainant. The website's Terms of Use and Privacy Policy stated that the website was operated by "Nouslibertin", without identifying a legal entity or providing corporate details or an address. In the Panel's view, this does not amount to a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name.

The fact that the disputed domain name currently appears to be inactive does not change this conclusion.

The Respondent had the opportunity to demonstrate rights or legitimate interests but did not do so. In the absence of a Response, the prima facie case established by the Complainant has not been rebutted.

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. Among these factors demonstrating bad faith registration and use is the use of a domain name to intentionally attempt to attract, for commercial gain, Internet users to a website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on the website or location.

In the present case, the Panel finds it more likely than not that the Respondent was aware of the Complainant and its trademark rights when it registered the disputed domain name. The NOUSLIBERTINS trademark predates the registration of the disputed domain name by more than 15 years. Although the Complainant ceased using the full NOUSLIBERTINS name as its primary commercial name in 2022 and now uses the abbreviated form "NousLib", the former name remains directly related to the same dating service and continues to appear in online references to it.

The composition and use of the disputed domain name provide further evidence of targeting. The disputed domain name reproduces the Complainant's trademark almost in its entirety, with the omission of the final letter "s" and the addition of "fr", which can be considered as referring to the Complainant's business in France. The website linked to the disputed domain name was in French, repeatedly used the "Nouslibertin" sign, and appeared to offer adult dating services corresponding to those historically offered by the Complainant under its NOUSLIBERTINS mark. In these circumstances, the Panel considers it unlikely that the Respondent selected the disputed domain name independently of the Complainant and its trademark.

The undisputed evidence also shows that the website associated with the disputed domain name invited users to join and start chatting and redirected them to a third-party service unrelated to the Complainant. In the Panel's view, this indicates that the Respondent intentionally attempted to attract Internet users to its website, and ultimately to a third-party service, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website. Such conduct constitutes evidence of registration and use in bad faith under paragraph 4(b)(iv) of the Policy.

The fact that the disputed domain name no longer resolves to an active website does not alter the Panel's finding in light of the Respondent's prior use of the disputed domain name and the circumstances described above.

By failing to respond to the Complaint, the Respondent did not contest the foregoing. Pursuant to paragraph 14 of the Rules, the Panel may draw the conclusions it considers appropriate.

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 <nouslibertin-fr.com> be transferred to the Complainant.

/Flip Jan Claude Petillion/

Flip Jan Claude Petillion

Sole Panelist

Date: September 28, 2026