

ADMINISTRATIVE PANEL DECISION

Mirova v. Benjamin Eriksson, Mirova Marketing
Case No. D2026-3730

1. The Parties

The Complainant is Mirova, France, represented by MIIP MADE IN IP, France.

The Respondent is Benjamin Eriksson, Mirova Marketing, Sweden.

2. The Domain Name and Registrar

The disputed domain name <mirovamarketing.com> is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed 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 confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 formal response. Accordingly, the Center notified the Respondent’s default on September 15, 2026. The Respondent sent email communications to the Center on September 15, 2026.

Following email communications from the Respondent dated September 15, 2026, on September 18, 2026, the Center notified the Parties of the possibility of suspending the proceeding to facilitate settlement discussions pursuant to paragraph 17 of the Rules. The Complainant in its email correspondence as of September 18, 2026, subsequently requested that the Respondent consent to the transfer of the disputed

domain name and advised that, upon such consent, it would seek suspension of the proceeding to implement the settlement. No settlement was reached, and the proceeding continued in accordance with the Rules.

The Center appointed Kateryna Oliynyk as the sole panelist in this matter on September 25, 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 affiliate to a well-known company specialized in the banking and financial sector.

The Complainant owns several registrations for the MIROVA trademark:

- the European Union Trademark Registration No. 010787307 for MIROVA, registered on September 10, 2012, for goods and services in International Classes 16, 35, and 36;
- the European Union Trademark Registration No. 011123726 for MIROVA (combined), registered on January 14, 2013, for goods and services in International Classes 16, 35, and 36;
- the International Trademark Registration No. 1146522 for MIROVA, registered on August 14, 2012, for services in International Classes 35 and 36.

Prior UDRP panels have acknowledged and recognized the MIROVA trademark as well known.

The Complainant's affiliate also owns two domain names incorporating the MIROVA trademark:

- the domain name <mirova.com> registered on October 14, 2009; and
- the domain name <mirova.fr> registered on March 7, 2012.

The disputed domain name was registered on August 15, 2026, and resolves to an under-construction webpage. The associated Mail Exchange ("MX") records have been configured.

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.

Identical or Confusingly Similar

The Complainant contends that it owns rights in the MIROVA trademark.

The Complainant further alleges that the disputed domain name, which incorporates the MIROVA trademark in its entirety with the mere addition of the term "marketing", is confusingly similar to the Complainant's MIROVA trademark.

No Rights or Legitimate Interests

The Complainant asserts that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant claims that it has not licensed or authorized the Respondent to register or use the disputed domain name, nor is the Respondent affiliated with the Complainant in any form.

There is no evidence demonstrating that the Respondent might be commonly known by the disputed domain name.

There is no evidence of the Respondent's use of the disputed domain name in connection with a bona fide offering of goods or services, nor any evidence of a legitimate noncommercial or fair use of the disputed domain name by the Respondent.

Registered and Used in Bad Faith

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

The Complainant submits that the disputed domain name is inherently confusing, as it combines the Complainant's distinctive MIROVA mark with an element associated with the Complainant's business, creating a likelihood that Internet users will mistakenly assume an affiliation with the Complainant.

The Complainant considers that the registration of a domain name that is confusingly similar to a widely known trademark, as is the case here, creates a presumption of bad faith. The Complainant adds that the Respondent knew or should have known of the Complainant's trademark rights at the time of registration of the disputed domain name, considering the reputation of the MIROVA trademark, which was widely used in commerce well before the registration of the disputed domain name. The Complainant also considers that the Respondent is not using the disputed domain name for any legitimate or fair purpose and asserts that the lack of active use of the disputed domain name does not prevent a finding of bad faith.

The Complainant further asserts that the configuration of MX records for the disputed domain name also demonstrates bad faith registration and use of the disputed domain name.

B. Respondent

The Respondent did not submit a formal Response to the Complainant's contentions. In email communications dated September 15, 2026, the Respondent stated that he had taken the disputed domain name down or cancelled it approximately one week earlier, apologized, and stated that he did not know he could not use it. The Respondent subsequently stated that he may only have cancelled renewal of the disputed domain name and that, after deleting the associated Google Workspace account, he intended to contact the Registrar for assistance in deleting the disputed domain name.

6. Discussion and Findings

6.1. Consent to Remedy

The WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)") section 4.10, states, in response to the question "How do panels handle cases involving a respondent's informal or unilateral consent for the transfer of the domain name to the complainant outside the 'standard settlement process' described above?" that:

"Where parties to a UDRP proceeding have not been able to settle their dispute prior to the issuance of a panel decision using the "standard settlement process" described above, but where the respondent has nevertheless given its consent on the record to the transfer (or cancellation) remedy sought by the complainant, many panels will order the requested remedy solely on the basis of such consent. In such cases, the panel gives effect to an understood party agreement as to the disposition of their case (whether by virtue of deemed admission, or on a no-fault basis).

In some cases, despite such respondent consent, a panel may in its discretion still find it appropriate to proceed to a substantive decision on the merits. Scenarios in which a panel may find it appropriate to do so include (i) where the panel finds a broader interest in recording a substantive decision on the merits – notably recalling UDRP paragraph 4(b)(ii) discussing a pattern of bad faith conduct, (ii) where while consenting to the requested remedy the respondent has expressly disclaimed any bad faith, (iii) where the complainant has not agreed to accept such consent and has expressed a preference for a recorded decision on the merits, (iv) where there is ambiguity as to the scope of the respondent's consent, or (v) where the panel wishes to be certain that the complainant has shown that it possesses relevant trademark rights."

The Panel notes that, although the Respondent stated in email communications that he had taken down the website associated with the disputed domain name, apologized, and expressed an intention to delete or relinquish the registration, he did not expressly consent to the remedy requested by the Complainant. The Panel further notes that the Respondent did not reply to the Complainant's subsequent invitation to confirm a voluntary transfer of the disputed domain name. In these circumstances, the Panel considers that ambiguity remains as to the scope of the Respondent's intentions and therefore proceeds to determine the Complaint on its merits.

6.2. Substantive Matters

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "[a] Panel shall 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."

Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

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

Considering that the Respondent did not reply to the Complainant's contentions, in order to determine whether the Complainant has met its burden as stated in paragraph 4(a) of the Policy, the Panel bases its decision on the statements and documents submitted in accordance with the Policy and the Rules.

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 disputed domain name comprises the MIROVA trademark in its entirety, together with the descriptive term "marketing" and the generic Top-Level Domain ".com".

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other term here, "marketing", 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.

The evidence on record shows that the Respondent is not commonly known by the disputed domain name. The Respondent is not making legitimate noncommercial or fair use of the disputed domain name or use it for a bona fide offering of goods or services, because the disputed domain name does not direct to an active website. The Respondent has not been authorized by the Complainant to use the Complainant’s trademark in a domain name.

There is no evidence that, before notice of the dispute, the Respondent made any demonstrable preparations to use the disputed domain name in connection with a legitimate offering of goods or services. Furthermore, the Respondent has not come forward with any evidence demonstrating rights or legitimate interests in the disputed domain name.

In addition, the Panel considers that the composition of the disputed domain name creates a high risk of implied affiliation with the Complainant, which cannot constitute fair use. [WIPO Overview 3.1](#), section 2.5.1.

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.

In the present case, the Panel notes that the Respondent is not making any use of the disputed domain name which resolves to an under construction webpage. Given the distinctiveness of the MIROVA trademark, and its reputation and the activation of MX records, the Panel considers that the Respondent has registered and used the disputed domain name with full knowledge of the Complainant’s trademarks.

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.

The Panel finds that based on the record, the Complainant has demonstrated the existence of the Respondent’s bad faith registration and use of the disputed domain name, 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](#), sections 3.2.1 and 3.3.

The Panel notes that, although the Respondent sent several informal email communications, these communications did not address the merits of the Complaint or provide any evidence of rights or legitimate interests in the disputed domain name. Nor did the Respondent offer any credible explanation for the registration of a domain name incorporating the Complainant's distinctive MIROVA trademark. Instead, the Respondent merely indicated that he had attempted to cancel or remove the disputed domain name after being notified of the proceeding. The Panel does not consider these informal communications to rebut the Complainant's prima facie case or otherwise support a finding of good-faith registration or use.

The Panel also notes that the Respondent's statement that he had "taken the domain down" and regretting having created the disputed domain name was made only after the Center had issued the Notification of Respondent Default. However, the Respondent did not provide any explanation for the registration of a domain name incorporating the Complainant's distinctive trademark, nor any evidence of actual or contemplated good-faith use. In the Panel's view, the Respondent's subsequent efforts to deactivate or remove the disputed domain name do not cure the circumstances of its registration and use, nor do they rebut the Complainant's case.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's MIROVA trademark, the composition of the disputed domain name, the configuration of MX records, the absence of any plausible good-faith use, and the Respondent's failure to submit a formal response or provide supporting evidence for his assertions. In these circumstances, the Panel considers it appropriate to draw adverse inferences from the Respondent's failure to substantively address the Complaint. The Panel further notes that the Respondent's apparent efforts to remove or cancel the disputed domain name only after commencement of the proceeding do not cure the Respondent's prior conduct or negate a finding of bad faith.

Accordingly, the Panel finds that, in the circumstances of this case, the passive holding of the disputed domain name does not prevent a finding of bad faith registration and use 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 <mirovamarketing.com> be transferred to the Complainant.

/Kateryna Oliinyk/

Kateryna Oliinyk

Sole Panelist

Date: October 12, 2026