ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Federation AGIRC-ARRCO v. Blanchemin Elodie, Elodie
Case No. D2026-4465

1. The Parties

The Complainant is Federation AGIRC-ARRCO, France, represented by Scan Avocats AARPI, France.

The Respondent is Blanchemin Elodie, Elodie, France.

2. The Domain Name and Registrar

The disputed domain name <agirc-arrco.site> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 1, 2026. On October 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 5, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 6, 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 October 8, 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 October 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was November 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 2, 2026.

The Center appointed Louis-Bernard Buchman as the sole panelist in this matter on November 5, 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, headquartered in Paris, France, is the sole institution providing compulsory complementary pension schemes for private-sector employees in France. It was created through the merger in 2019 of two organizations, namely AGIRC ("Association Générale des Institutions de Retraite des Cadres") and ARRCO ("Association des Régimes de Retraite Complémentaire"). The Complainant is the pension provider for more than 34 million workers in France, 20 million of whom are active and 14 million are retired.

The Complainant is the owner of several trademarks containing the "AGIRC-ARRCO", , including the French trademark No. 4213686, for RETRAITE COMPLEMENTAIRE AGIRC ET ARRCO, registered on January 22, 2016, and the French trademark No. 4549762, for RETRAITE COMPLEMENTAIRE AGIRC-ARRCO, registered on August 30, 2019 (together hereinafter referred to as: "the Mark").

The Complainant maintains an online presence through its primary domain name, <agirc-arrco.fr>, registered on July 24, 2002, and also owns the <agirc-arrco.com> domain name, registered on May 25, 2000.

The disputed domain name <agirc-arrco.site> was registered on September 15, 2026.

The Respondent is apparently located in France.

At the time of the Complaint's filing, the disputed domain name was not resolving to any active page. The Complainant has submitted evidence that Mail Exchange ("MX") servers were configured under the disputed domain name. At the time of this Decision, the disputed domain name still does not resolve to any 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.

Notably, the Complainant contends that:

(i) the disputed domain name reproduces the Mark, in which the Complainant has rights, and is confusingly similar to the Mark insofar as the disputed domain name is almost identical to the Mark;

(ii) it never authorized the Respondent to use the Mark in any manner and it never had any affiliation with the Respondent, who has no rights or legitimate interests in respect of the disputed domain name;

(iii) the Respondent has registered and is using the disputed domain name in bad faith; in particular, the Respondent had knowledge of the Mark when registering the disputed domain name, and it registered the disputed domain name with the purpose of selling, renting or otherwise transferring the disputed domain name to the Complainant or to a competitor, and the Respondent is using the disputed domain name in bad faith.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Aspects - Failure to Respond

Under the Rules, paragraphs 5(f) and 14(a), the effect of a failure to submit a formal response by the Respondent is that, in the absence of exceptional circumstances, the Panel shall proceed to a decision on the basis of the Complaint.

Under paragraph 4(a) of the Policy, it is the Complainant's burden to establish that all three of the required criteria for a transfer of the disputed domain name have been met, even in the absence of a formal response.

Under paragraph 14(b) of the Rules, the Panel is empowered to draw such inferences from the Respondent's failure to file a formal response as it considers appropriate under the circumstances.

In this case, the Panel finds that the Respondent has failed to rebut any of the reasonable factual assertions that are made and supported by evidence submitted by the Complainant.

In particular, by failing to respond, the Respondent has failed to offer the Panel any of the types of evidence set forth in paragraph 4(c) of the Policy or otherwise, from which the Panel could conclude that the Respondent has any rights or legitimate interests in the disputed domain name, such as making legitimate noncommercial or fair use of the disputed domain name.

Moreover, as discussed below, the Respondent has failed to provide any exculpatory information or reasoning that might have led the Panel to question the Complainant's arguments that the Respondent has acted in bad faith.

6.2. Three Elements under Paragraph 4(a) of the Policy

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. WIPO Overview 3.1, section 1.2.1.

The Panel notes that, as aforesaid, the Respondent did not rebut these assertions and finds that the disputed domain name is confusingly similar to the Mark, the only difference being the colored banner containing the words "RETRAITE COMPLEMENTAIRE" in the Mark, (and in the case of French trademark No. 4213686 for RETRAITE COMPLEMENTAIRE AGIRC ET ARRCO, the term "ET" is also omitted), as such words do not appear in the disputed domain name.

The Panel finds that 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.

Regarding the generic Top-Level Domain ("gTLD") ".site" in the disputed domain name, it is well established that a gTLD does not generally affect the assessment for the purpose of determining identity or confusing similarity. WIPO Overview 3.1, section 1.11.1.

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 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.

Furthermore, the Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. 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

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.

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. 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. WIPO Overview 3.1, section 3.3.

Having reviewed the available record, the Panel notes the composition of the disputed domain name, identical to the Complainant's domain names, the apparent location of the Respondent in France and the very large number of people subscribing to or benefiting from the Complainant's pension services in France. The Panel finds that the Respondent was more likely than not aware of the Mark when she registered the disputed domain name and aimed to target the Mark.

The Panel also notes that the Complainant's activity takes place in the pension providers industry, and that the Respondent used the disputed domain name to configure MX servers, thus creating for the Complainant a present and ongoing risk of phishing or fraudulent use.

The Panel 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.

Finally, some UDRP panels have held that in certain circumstances, registrants of domain names would have a duty to abstain from registering and using a domain name, which is either identical or confusingly similar to a prior trademark held by others and which would infringe upon or otherwise violate the rights of a third party. See Policy, paragraph 4(b); *Nike, Inc. v. B. B. de Boer*, WIPO Case No. D2000-1397; *Nuplex Industries Limited v. Nuplex*, WIPO Case No. D2007-0078; *Mobile Communication Service Inc. v. WebReg, RN*, WIPO Case No. D2005-1304; *BOUYGUES v. Chengzhang, Lu Ciagao*, WIPO Case No. D2007-1325; *Media General Communications, Inc. v. Rarenames, WebReg*, WIPO Case No. D2006-0964; and *mVisible Technologies, Inc. v. Navigation Catalyst Systems, Inc.*, WIPO Case No. D2007-1141.

Having reviewed the record, the Panel finds the Respondent's registration and 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 <agirc-arrco.site> be transferred to the Complainant.

/Louis-Bernard Buchman/
Louis-Bernard Buchman
Sole Panelist
Date: November 10, 2026