

## **ADMINISTRATIVE PANEL DECISION**

ME Group France v. jiang zhu  
Case No. DAI2025-0067

### **1. The Parties**

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

The Respondent is jiang zhu, China.

### **2. The Domain Name and Registrar**

The disputed domain name <photomato.ai> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 15, 2025. On December 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 15, 2025, 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 (ANONYMOUS / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 17, 2025, 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 December 22, 2025.

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 December 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 14, 2026.

The Center appointed Karen Fong as the sole panelist in this matter on January 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**

Based in France, the Complainant has been manufacturing and marketing photo booths worldwide for more than a century under the brand PHOTOMATON. The Complainant operates in more than 18 countries with over 28,000 self service vending machines installed. Besides its photo booths the Complainant also provides photo printing solutions and kiosks. The Complainant says that there are more than 8,600 PHOTOMATON photo booths installed in France at metro stations, train stations, townhalls, amusement parks with more than 12 million photos taken each year.

A study conducted by the Poll & Roll Institute on trade mark awareness in 2023, found that nearly all French people aged between 18 to 65 have used a PHOTOMATON booth at least once. Half have used one in the past two years and nearly two-thirds have done so in the past five years.

The Complainant promotes its business online at the domain name <photomaton.com>, which was registered in 2020.

The PHOTOMATON trade mark is registered in various jurisdictions including the following:

- French Trade Mark Registration No. 5135297 for PHOTOMATON, registered on August 15, 2025;
- International Trade Mark Registration No. 795520 for PHOTOMATON, registered on December 20, 2002; and
- International Trade Mark Registration No. 1883312 for PHOTOMATON, registered on August 18, 2025 (individually and collectively, the "Trade Mark").

The Respondent who appears to be based in China registered the disputed domain name on September 11, 2025. The disputed domain name is connected to a website which offers an AI-powered photography generation on a paid subscription basis (the "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 the disputed domain name is confusingly similar to the Trade Mark, that the Respondent has no rights or legitimate interests with respect to the disputed domain name, and that the disputed domain names 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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name consists of a misspelling of the Trade Mark with the last letter "n" missing. Common, obvious, or intentional misspellings of a trade mark is considered by panels to be confusingly similar to the relevant mark for the purposes of the first element. [WIPO Overview 3.0](#), section 1.9. The Panel finds the Trade 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 3.0](#), section 1.7.

Based on the available record, 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.

While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the 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.

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 Respondent must have been aware of the Trade Mark when he registered the disputed domain name given that the Trade Mark registrations predate the disputed domain name and considering the reputation of the Trade Mark. Further, the disputed domain name is a misspelling of the Trade Mark. It is therefore implausible that the Respondent was unaware of the Complainant when he registered the disputed domain name.

In the [WIPO Overview 3.0](#), section 3.2.2 states as follows:

“Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant’s mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant’s mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent’s claim not to have been aware of the complainant’s mark.”

The fact that there is a clear absence of rights or legitimate interests coupled with the Respondent’s choice of the disputed domain name without any explanation is also a significant factor to consider (as stated in [WIPO Overview 3.0](#), section 3.2.1). The disputed domain name falls into the category stated above and the Panel finds that registration is in bad faith.

The disputed domain name resolves to a commercial website operating in the same sector as the Complainant for the Respondent’s commercial benefit. It is highly likely that Internet users, who encounter the disputed domain name via a search engine, would be expecting to reach a website operated by, or affiliated with, the Complainant as they do not notice the subtle difference between the disputed domain name and the Trade Mark. The disputed domain name is therefore likely to cause confusion among Internet users. The use of the “.ai” Top-Level Domain further enhances this likelihood of confusion, as Internet users are likely to perceive it as denoting a new, innovative, or technology-driven service offered by, or related to, the Complainant.

The Panel finds that the Respondent is seeking to exploit the reputation of the Trade Mark in order to mislead Internet users into visiting the Respondent’s Website. On the basis of the record, the Panel concludes that the Respondent has intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Website, within the meaning of paragraph 4(b)(iv) of the Policy.

Taking all of the above circumstances into account, the Panel finds that the disputed domain name has been registered and is being used in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Based on the available record, the Panel finds the third element of the Policy has been established.

## **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 <photomato.ai> be transferred to the Complainant.

*/Karen Fong/*

**Karen Fong**

Sole Panelist

Date: February 10, 2026