ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
SCI Phoenix v. Vin Busquet, Vin Busquet
Case No. DAI2026-0011

1. The Parties

The Complainant is SCI Phoenix, France, represented by CLEACH AVOCATS, France.

The Respondent is Vin Busquet, Vin Busquet, Brazil.

2. The Domain Name and Registrar

The disputed domain name <arsene.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 February 18, 2026. On February 19, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 19, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 20, 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 February 23, 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 February 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 19, 2026. The Respondent sent an email communication to the Center on March 19, 2026. The Center sent a possible settlement email to the Parties on March 23, 2026, but the Complainant did not request the suspension of the proceeding.

The Center appointed Edoardo Fano as the sole panelist in this matter on April 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.

The Panel has not received any requests from the Complainant or the Respondent regarding further submissions, waivers or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

Having reviewed the communication records in the case file provided by the Center, the Panel finds that the Center has discharged its responsibility under the Rules, paragraph 2(a), "to employ reasonably available means calculated to achieve actual notice to [the] Respondent". Therefore, the Panel shall issue its Decision based upon the Complaint, the Policy, the Rules and the Supplemental Rules and without the benefit of a formal response from the Respondent.

The language of the proceeding is English, being the language of the Registration Agreement, as per paragraph 11(a) of the Rules.

4. Factual Background

The Complainant is SCI Phoenix, a French company that has constituted an intellectual property rights portfolio of several trademark registrations worldwide for ARSENE or including the term ARSENE, among which:

- French Trademark Registration No. 3263433 for ARSÈNE and design, registered on March 2, 2007;

- European Union Trademark Registration No. 018004249 for ARSENE and design, registered on May 17, 2019;

- International Trademark Registration No. 1453924 for ARSENE and design, registered on December 24, 2018.

- French trademark Registration No. 4411603 for ARSENE INNOVATION registered on March 30, 2018.

The Complainant's trademarks are exploited under license by Arsene, a French law firm composed of a team of more than one hundred lawyers specialized in matters related to taxation and strategic advice to companies.

The Complainant's licensee also owns several domain name registrations for ARSENE, among which <arsene.fr>.

The Complainant provided evidence in support of the above.

According to the WhoIs records, the disputed domain name was registered on April 16, 2024, and it resolves to a parking page with pay-per-click ("PPC") links, although when the Complaint was filed it resolved to a page displaying a warning message indicating that the domain has been blocked due to malicious and phishing activities.

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 disputed domain name is confusingly similar to its trademark.

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, since it has not been authorized by the Complainant to register the disputed domain name or to use its trademark within the disputed domain name, and it is not making either a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name.

The Complainant submits that the Respondent has registered the disputed domain name in bad faith, since the Complainant's trademark ARSENE is well known in the legal field. Therefore, the Respondent targeted the Complainant's trademark at the time of registration of the disputed domain name and the Complainant contends that the use of the disputed domain name to redirect Internet users to a malicious website for the distribution of malware or other security risks constitutes bad faith registration and use.

B. Respondent

The Respondent has made no formal response to the Complainant's contentions. However, as noted above, on March 19, 2026, the Respondent sent the following informal email communication to the Center:

"Thank you for your message. I acknowledge receipt of the notification. At this time, I do not intend to submit a formal Response or otherwise participate in the proceeding. If the Complainant wishes to proceed with the transfer of the domain name, I do not object. Please proceed as you deem appropriate."

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy in order to succeed:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(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.

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 trademarks and the disputed domain names. 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 or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

It is also well-accepted that a country code Top-Level Domain ("ccTLD"), in this case ".ai", is typically ignored when assessing the similarity between a trademark and a domain name. WIPO Overview 3.1, section 1.11.1.

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 3.1, 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. The disputed domain name resolves to a parking page with PPC links. The use of a disputed domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the Complainant's trademark. WIPO Overview 3.1, section 2.9.

When the Complaint was filed, the disputed domain name resolved to a page displaying a warning message indicating that the disputed domain name has been blocked due to malicious and phishing activities. Panels have held that the use of a domain name for illegal activity, here phishing and malware distribution, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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, regarding the registration in bad faith of the disputed domain name, the reputation of the Complainant's trademark ARSENE in the legal field is clearly established, and particularly the Panel notes that the Complainant provides certain services under ARSENE INNOVATION.

The Respondent did not provide any explanation for its registration of a disputed domain name identical to the ARSENE trademark under the ccTLD ".ai", and for its use of the disputed domain name.

In the circumstances, the Panel considers more likely than not that the Respondent registered the disputed domain name in bad faith.

When the Complaint was filed, the disputed domain name resolved to a page displaying a warning message indicating that the domain has been blocked due to malicious and phishing activities. Panels have held that the use of a domain name for illegal activity, here phishing and malware distribution, constitutes bad faith. WIPO Overview 3.1, section 3.4.

As regards the current use of the disputed domain name, resolving to a parking page there are PPC links, the Panel finds that the disputed domain name is being used in bad faith since the Respondent is trying to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the disputed domain name's source, sponsorship, affiliation or endorsement,

an activity clearly detrimental to the Complainant's business.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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, <arsene.ai> be transferred to the Complainant.

/Edoardo Fano/
Edoardo Fano
Sole Panelist
Date: May 5, 2026