

## **ADMINISTRATIVE PANEL DECISION**

Apicil Transverse v. Johnn Leed  
Case No. DCO2025-0059

### **1. The Parties**

The Complainant is Apicil Transverse, France, represented by Foster Avocats Lyon, France.

The Respondent is Johnn Leed, China.

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

The disputed domain name <apicil.co> is registered with Above.com, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 18, 2025. On July 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 22, 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 (Withheld for privacy purposes) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 25, 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 July 25, 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 July 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 24, 2025.

The Center appointed Gareth Dickson as the sole panelist in this matter on August 29, 2025. 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 non-profit association managing the Apicil Group's human and material resources, including its domain names. Apicil Group is active in the fields of health insurance, personal protection, savings and financial services, and retirement, employing over 2,600 people and serving nearly 2 million policyholders.

The Complainant owns several registered trade marks for APICIL (the "Mark"), including:

- French Trade Mark No. 4215393, registered on October 5, 2015, in classes 16, 36, and 42;
- European Union Trade Mark No. 017972606, registered on February 15, 2019, in classes 16, 35, 36, and 42.

The Complainant owns and operates the domain name <apicil.com>.

The disputed domain name <apicil.co> was registered on June 22, 2025. Screenshots show that it resolved to a website displaying French-language sponsored links related to insurance and health services, including references to competitors of the Complainant.

#### **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 identical to the Mark.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It submits that the Respondent is not known by the name "APICIL", is not affiliated with the Complainant, and has never been licensed or authorised to register or use the Mark. The Complainant points out that its trade mark rights in the Mark predate the registration of the disputed domain name, which was only registered in June 2025. It further argues that the disputed domain name has been used to resolve to a parked page containing French-language sponsored links referring to the Complainant's sector of activity, including links to its competitors, which suggests that the Respondent's purpose is to mislead Internet users for commercial gain. According to the Complainant, the similarity between its own domain name <apicil.com> and the disputed domain name <apicil.co> is a further indication of typosquatting.

The Complainant also asserts that the disputed domain name was registered and is being used in bad faith. It submits that the Respondent deliberately registered a domain name identical to the Mark in order to take advantage of the reputation of the Complainant and its business. The Complainant argues that the Respondent's use of the disputed domain name to display advertising links relating to health insurance and financial services, and to the Complainant's competitors in particular, amounts to an intentional attempt to attract Internet users by creating a likelihood of confusion with the Mark for commercial gain. The Complainant adds that the Respondent's conduct could also facilitate fraudulent impersonation over

email given that the disputed domain name and the Complainant's own domain name differ in only the final letter, especially in light of the Complainant's activities in the financial and insurance sectors. The Complainant also foresees the Respondent's failure to respond to the Complaint, and contends that such failure reinforces the inference of 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 trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

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 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 3.0](#), section 1.7.

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 3.0](#), 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 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 Respondent has registered a domain name that is identical to the Mark, with only the “.co” country-code Top-Level Domain differing from the Complainant’s domain name <apicil.com>. The disputed domain name resolves to a website containing French-language sponsored links related to the Complainant’s field of business, including links to its competitors. This constitutes an intentional attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s Mark as to the source, sponsorship, affiliation, or endorsement of the website.

The Respondent has provided no explanation for its registration and use of the disputed domain name, and none is apparent from the evidence before the Panel.

Accordingly, 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 <apicil.co> be transferred to the Complainant.

*/Gareth Dickson/*

**Gareth Dickson**

Sole Panelist

Date: September 16, 2025