

ADMINISTRATIVE PANEL DECISION

LESAFFRE ET COMPAGNIE v. Kelly costantino

Case No. DCO2026-0065

1. The Parties

The Complainant is LESAFFRE ET COMPAGNIE, France, represented by Nameshield, France.

The Respondent is Kelly costantino, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <lesaffres.co> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 25, 2026. On August 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 26, 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 (not identified) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 28, 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 September 1, 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 September 3, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 23, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 24, 2026.

The Center appointed Mengyuan Li as the sole panelist in this matter on October 7, 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 global key player in yeasts and fermentation, designing, manufacturing and marketing innovative solutions for baking, food taste, health care and biotechnology. Founded in northern France in 1853, the Complainant employs 11,700 people in more than 62 countries.

The Complainant is the owner of several LESAFFRE trademarks, registered in many countries, namely:

- International Trademark LESAFFRE (figurative), No. 1775809, registered on October 12, 2023, in classes 1, 5, 29, 30, 31, 32, 35, 37, 38, 39, 41, and 42, designating, among others, the United States; and
- French Trademark LESAFFRE, No. 3202372, registered on January 2, 2003, in classes 1, 5, 16, 29, 30, 31, 32, 33, 35, 38, 39, 41, 42, and 45.

The Complainant is also the owner of many domain names including the LESAFFRE trademark such as the domain name <lesaffre.com> registered on December 19, 1996, and the domain name <lesaffre.co> registered on April 28, 2010.

The Respondent is reportedly based in the United States.

The disputed domain name was registered on August 18, 2026. The Complainant has provided evidence that the disputed domain name previously resolved to a registrar parking page, displaying pay-per-click ("PPC") links. The disputed domain name currently resolves to a registrar parking page with sponsored commercial PPC links.

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:

Firstly, the disputed domain name is identical or confusingly similar to the LESAFFRE trademarks in which the Complainant has rights.

The disputed domain name is composed of the trademark LESAFFRE added with the letter "s" as a suffix, and the slight spelling variation does not prevent a disputed domain name from being confusingly similar to the Complainant's trademark.

The country code Top-Level Domain ".co" is not to be taken into consideration when examining the identity or similarity between the Complainant's trademarks and the disputed domain name.

Secondly, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Respondent is not commonly known by the disputed domain name. The Respondent is not affiliated with nor authorized by the Complainant in any way, and the Complainant has never licensed or authorized the Respondent to make any use of the Complainant's trademark LESAFFRE or apply for registration of the disputed domain name. Furthermore, the disputed domain name resolved to a parking page with PPC links, does not represent a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Finally, the disputed domain name was registered and is being used in bad faith.

Given the well-known character of the LESAFFRE trademark, the Respondent could not have been unaware of its existence when it registered the disputed domain name.

Besides, the disputed domain name resolved to a parking page with PPC links. The Respondent has attempted to attract Internet users for commercial gain to his own website thanks to the Complainant's trademarks for its own commercial gain, which is evidence 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 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 entirety of the mark is reproduced 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 the letter "s" may bear on assessment of the second and third elements, the Panel finds the addition of such letter 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 1.9.

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.

Firstly, the Respondent has no rights or legitimate interests in the disputed domain name. In the absence of any authorization or license from the Complainant to use its LESAFFRE trademark, and being in no way affiliated with the Complainant, the Respondent nonetheless registered and used the disputed domain name which incorporates the Complainant's trademark.

Secondly, there is no evidence to suggest that the Respondent has been commonly known by the disputed domain name.

Thirdly, the Respondent's use of the disputed domain name as a parking page with PPC links in the circumstances of this case is neither a bona fide offering of goods or services nor legitimate noncommercial or fair use.

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 Panel notes that the Respondent has registered the disputed domain name in bad faith. The Complainant's LESAFFRE mark predates the registration of the disputed domain name by many years and enjoys strong reputation and goodwill internationally, including in the United States where the Respondent is located. Given the widespread availability of online search engines and trademark databases, it is inconceivable that the Respondent was unaware of the Complainant's LESAFFRE mark and the Complainant's domain names <lesaffre.com> and <lesaffre.co> when registering the disputed domain name, which reproduces the mark in its entirety. In addition, the addition of the letter "s" at the end of the Complainant's LESAFFRE mark in the disputed domain name may be intended to capture Internet users who intend to visit the Complainant's official website, thereby increasing the likelihood of confusion between the Complainant's business and the disputed domain name.

The Panel also notes that the Respondent has used the disputed domain name in bad faith. The disputed domain name currently resolves to a registrar parking page with sponsored commercial PPC links. Under the circumstances, the Panel presumes that the Respondent has put the disputed domain name to use with the intent to attract Internet users for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the online location to which the disputed domain name resolves. This amounts to registration and use of the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy.

Therefore, the Panel finds that the Respondent has registered and used the disputed domain name in bad faith.

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 <lesaffres.co> be transferred to the Complainant.

/Mengyuan Li/

Mengyuan Li

Sole Panelist

Date: October 20, 2026