

PANEL DECISION

Television Francaise 1 v. Peter Mala
Case No. DEU2025-0020

1. The Parties

The Complainant is Television Francaise 1, France, represented by Scan Avocats AARPI, France.

The Respondent is Peter Mala, Czech Republic.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <automototv.eu> is the European Registry for Internet Domains (“EURid” or the “Registry”). The Registrar of the disputed domain name is GoDaddy.com, LLC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 19, 2025. On August 20, 2025, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On August 21, 2025, the Registry 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 2025, providing the registrant and contact information disclosed by the Registry, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on August 27, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the “ADR Rules”) and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the “Supplemental Rules”).

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 3, 2025. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was September 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 24, 2025.

The Center appointed Luca Barbero as the sole panelist in this matter on October 1, 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 ADR Rules, Paragraph B(5).

4. Factual Background

The Complainant, known as TF1, was founded in 1974 and is a leading European company in the field of production and broadcasting of news, entertainment, current affairs and fiction related TV programs.

Known as the first and oldest television channel in France, in 1987 the Complainant integrated the TF1 Group, which comprises several generalist and thematic television channels, including TF1, as well as the production and distribution companies for the film and television industries and more recently digital services on its online platforms, notably "MYTF1", allowing access to replays as well as video-on-demand services.

Among its many activities, the Complainant is particularly well known for broadcasting since 1975, on the French general channel TF1, the famous television show Automoto, dedicated to the world of cars and motorcycles and one of the longest-running television shows in the French audiovisual landscape.

The program is currently broadcasted weekly and accessible in replay online.

In 2021, Automoto had over 800,000 average callers and a 15% audience share whilst at present the Automoto show continues to make headlines after breaking audience records, with more than 900,000 viewers and a 19% audience share.

In 2018, following the licensing agreement between the Complainant and the French media group Mediawan, the TV channel "AB Moteurs" was renamed "Automoto La Chaine", in reference to the weekly program Automoto broadcast on TF1 by the Complainant. Automoto is therefore now known also as a TV channel, which is also available online.

The Complainant is the owner of several trademark registrations for AUTO-MOTO and AUTOMOTO, including the following, as per trademark registration details submitted as annex F to the Complaint:

- French trademark registration No. 1705387 for AUTO-MOTO (word mark), filed on October 13, 1989, and registered on April 10, 1992, in classes 3, 4, 9, 16, 18, 21, 22, 24, 25, 28, 29, 30, 32, 35, 38 and 41;
- French trademark registration No. 4510303 for AUTOMOTO (figurative mark), filed on December 21, 2018, and registered on May 17, 2019, in classes 9, 35, 38 and 41;
- International trademark registration No. 1494070 for AUTOMOTO (figurative mark), registered on June 21, 2019, in classes 09, 35, 38 and 41, designating, amongst others, Benelux;
- French trademark registration No. 4648527 for AUTOMOTO (figurative mark), filed on May 18, 2020, and registered on November 27, 2020, in classes 35, 36, 37 and 39.

The Complainant owns the domain names <automoto.fr> registered on January 20, 2000, and <auto-moto.fr>, registered on July 3, 2008. The Complainant is also the owner of the domain name <automoto-lachaine.fr>, which was registered on March 5, 2018, and is used in connection with the online version of the Automoto TV channel, operated by the French media group Mediawan under license agreement with the Complainant.

The disputed domain name <automototv.eu>, registered on May 7, 2025, currently does not resolve to an inactive website. Based on the screenshots submitted as Annex E2 to the Complaint – which have not been contested by the Respondent - prior to the present proceeding the disputed domain name pointed to a parking page with sponsored links related to cars.

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 trademark AUTOMOTO in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the term "tv" and the country code Top Level Domain (ccTLD) ".eu". The Complainant further submits that considering the letters "tv" (meaning "television") are particularly relevant to the Complainant's activity in the field of television, this addition shall not prevent a finding of confusing similarity.

The Complainant states that the Respondent has no rights or legitimate interests in respect of the disputed domain name since: i) the Respondent has never been authorized to register or use the Complainant's mark; ii) the Respondent is in no way related to the Complainant or its business and does not carry out activity for or has business with the Complainant; iii) the Respondent has never been licensed or otherwise permitted by the Complainant to use its prior AUTOMOTO trademark in any way; iv) the Respondent is not currently and has never been known under the name "Auto Moto TV", which refers directly to the Complainant's trademarks and activity; and v) the sole use of the disputed domain name by the Respondent to date has been a parking page with sponsored links related to the Complainant's core business.

The Complainant submits that the Respondent registered and used the disputed domain name in bad faith because: i) several AUTOMOTO trademarks and domain names were registered by the Complainant many years before the disputed domain name was registered; ii) the Complainant has been actively using these trademarks in France and abroad since the 1980s, many years before the disputed domain name was registered, and has since that date enjoyed a worldwide reputation for its services; iii) the disputed domain name is confusingly similar to the Complainant's trademark and related domain names and the addition of the term "tv" to the trademark is clearly aimed at targeting the Complainant since it directly refers to its core business in the field of TV programs; iv) a simple search via Google or any other search engine using the keyword "Auto Moto" or "Auto Moto TV" demonstrates that all main results relate to the Complainant's websites or business; v) the registration of the disputed domain name, which is evidently connected with the Complainant's trademark, and its use in connection with a parking page, suggest the Respondent acted in opportunistic bad faith; and vi) the Respondent never answered to the Complainant's cease and desist letter and subsequent reminders.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issues

Due to the similarities of the ADR Rules and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), the Panel will also take into account the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), and the cases decided under both the UDRP and the ADR Rules.

6.2. Substantive Issues

Pursuant to Paragraph B(11)(d)(1) of the ADR Rules, the Panel shall issue a decision granting the remedies requested by the Complainant in the event that the Complainant prove the following elements:

- (i) the domain name is identical or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law and; either
- (ii) the domain name has been registered by the Respondent without rights or legitimate interest in the name; or
- (iii) the domain name has been registered or is being used in bad faith.

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

For the purposes of Paragraph B11(d)(1)(i), in an ADR Proceeding where the respondent is the holder of a .eu domain name registration in respect of which the complaint was brought, the complainant must prove that the domain name is identical or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law.

In the case at hand, the Complainant has shown rights in respect of a trademark or service mark for the purposes of the ADR rules, paragraph B11(d)(1)(i). Indeed, the Complainant has provided evidence of ownership of valid trademark registrations for the word mark AUTO-MOTO in France and for the figurative mark AUTOMOTO in France and Benelux.

The Panel notes that the core of the Complainant's trademarks, consisting of the denominative element "automoto", is entirely reproduced in the disputed domain name, with the mere addition of the term "tv" (acronym of "television"). Therefore, the disputed domain name is confusingly similar to the Complainant's mark. [WIPO Overview 3.0](#), section 1.8.

The ".eu" ccTLD can be disregarded for the purposes of assessing confusing similarity with the Complainants' trademarks since it is a standard technical requirement for registration. [WIPO Overview 3.0](#), section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the Complainant's mark for the purposes of the ADR Rules, Paragraph B11(d)(1)(i).

B. Rights or Legitimate Interests

Under Paragraph B(11)(e) of the ADR Rules, rights or legitimate interests may be demonstrated where:

- (i) prior to any notice of the dispute, the respondent has used the disputed domain name or a name corresponding to the domain name in connection with the offering of goods and services or has made demonstrable preparations to do so;
- (ii) the respondent, being an undertaking, organization or natural person, has been commonly known by the domain name, even in absence of a right recognized or established by national and/or European Union law;
- (iii) the respondent is making a legitimate and noncommercial or fair use of the domain name, without intent to mislead consumers or harm the reputation.

While the overall burden of proof in ADR Rules proceedings lies with the complainant, panels have acknowledged that proving a respondent lacks its rights or legitimate interests in a domain name can often result in the challenging task of "proving a negative", which requires information typically within the respondent's knowledge or control. Consequently, when a complainant establishes a *prima facie* case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to provide relevant evidence demonstrating their rights or legitimate interests in the domain name. If the respondent fails to present such 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.

The Panel notes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not an affiliate or licensee of the Complainant, nor has the Respondent otherwise obtained authorization to use the Complainant's mark.

Moreover, there is no element from which the Panel could infer the Respondent's rights over the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The Panel further notes i) the composition of the disputed domain name, combining the Complainant's trademark with the two-letter term "tv", which refers to the Complainant's field of activity; ii) the prior redirection of the disputed domain name to a parking page with sponsored links; and iii) the current passive holding of the disputed domain name, and finds that the Respondent's registration and use of the disputed domain name does not amount to a *bona fide* offering of goods or services under Paragraph B(11)(e)(1) of the ADR Rules, nor a legitimate noncommercial or fair use according to Paragraph B(11)(e)(3) of the ADR Rules.

Therefore, the Panel finds the Complainant has satisfied the condition set out at Paragraph B(11)(d)(1)(ii) of the ADR Rules.

C. Registered or Used in Bad Faith

According to Article B(11)(d)(1)(iii) of the Regulation, a complainant is required to demonstrate that a domain name has been registered or used in bad faith.

Article 21(3) of the Regulation and Paragraph B(11)(f) of the ADR Rules provide a non-exhaustive list of circumstances which, if found by the Panel to be present, may be evidence of the registration or use of a domain name in bad faith:

- (1) circumstances indicating that the domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name to the holder of a name in respect of which a right is recognized or established by national and/or European Union law, or to a public body; or
- (2) the domain name has been registered in order to prevent the holder of such a name in respect of which a right is recognized or established by national and/or European Union law, or a public body, from reflecting this name in a corresponding domain name, provided that:
 - (i) the Respondent has engaged in a pattern of such conduct; or
 - (ii) the domain name has not been used in a relevant way for at least two years from the date of registration; or
 - (iii) here are circumstances where, at the time the ADR Proceeding was initiated, the Respondent has declared its intention to use the domain name, in respect of which a right is recognized or established by national and/or European Union law or which corresponds to the name of a public body, in a relevant way but failed to do so within six months of the day on which the ADR Proceeding was initiated;
- (3) the domain name was registered primarily for the purpose of disrupting the professional activities of a competitor; or

(4) the domain name was intentionally used to attract Internet users, for commercial gain to the Respondent's website or other on-line location, by creating a likelihood of confusion with a name on which a right is recognized or established, by national and/or European Union law, or it is a name of a public body, such likelihood arising as to the source, sponsorship, affiliation or endorsement of the website or location or of a product or service on the website or location of the Respondent; or

(5) the domain name is a personal name for which no demonstrable link exists between the Respondent and the domain name registered.

The Panel finds that, in view of the prior registration of the Complainant's trademark AUTOMOTO, and the Complainant's promotion of its TV show and broadcasting services on television and online under such trademark on the website at "www.automoto-lachaine.fr", the Respondent was or should have been aware of the Complainant and its trademark rights at the time of registration. Indeed, a simple online search would have revealed the existence of the Complainant and its trademarks. [WIPO Overview 3.0](#), section 3.2.2.

Moreover, the composition of the disputed domain name, incorporating the trademark AUTOMOTO in combination with the term "tv", suggests that the Respondent was aware of, and intended to target, the Complainant and its trademark.

The Panel further finds that, considering the prior redirection of the disputed domain name to a parking page with sponsored links, the Respondent intentionally used the disputed domain name to attract Internet users, for commercial gain, to its website, by creating a likelihood of confusion with the Complainant and its trademark as to the source, sponsorship, affiliation or endorsement of its website, according to Paragraph B(11)(f)(4) of the ADR Rules.

The disputed domain name does not currently resolve to an active website. In view of the composition of the disputed domain name, which is closely related to the Complainant's business, and considering the Respondent's failure to respond to the Complainant's cease and desist letter and to the Complaint to provide any evidence of actual or contemplated good-faith use, the Panel finds that the current passive holding of the disputed domain name does not prevent a finding of bad faith registration and use of the disputed domain name. [WIPO Overview 3.0](#), section 3.3.

Therefore, the Panel finds that the Complainant has established the third element set out at Paragraph B(11)(d)(1)(iii) of the ADR Rules as well.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, the Panel orders that the disputed domain name, <automototv.eu>, be transferred to the Complainant.¹

/Luca Barbero/

Luca Barbero

Sole Panelist

Date: October 15, 2025

¹(i) The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.

(ii) As the Complainant is located in France, a Member State of the European Union, it satisfies the general eligibility criteria for registration of the disputed domain name set out in Article 3 of the Regulation (EU) 2019/517. Therefore, the Complainant is entitled to request the transfer of the disputed domain name.