

ADMINISTRATIVE PANEL DECISION

TEFAL v. Mr. AhmadReza Khalatbari

Case No. DIR2024-0019

1. The Parties

The Complainant is TEFAL, France, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Mr. AhmadReza Khalatbari, Iran (Islamic Republic of).

2. The Domain Name and Registrar

The disputed domain name <tefaliran.ir> is registered with IRNIC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 23, 2024. On December 23, 2024, the Center transmitted by email to IRNIC a request for registrar verification in connection with the disputed domain name. On December 24, 2024, IRNIC 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 (Registrant Information Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 24, 2024, 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 27, 2024. Hard copies of the Complaint were received by the Center on December 22, 2024.

The Center verified that the Complaint and the amended Complaint satisfied the formal requirements of the .ir Domain Name Dispute Resolution Policy (the “Policy” or “irDRP”), the Rules for .ir Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .ir Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

The Respondent sent emails to the Center on December 27, 2024, and on March 6, 2025, expressing its willingness to cancel and/or transfer the disputed domain name to the Complainant.

In order to explore the possibility of a settlement the Complainant requested the suspension of the proceeding on January 13, 2025, and requested extensions to the suspension on February 11, 2025, March 12, 2025, and April 7, 2025. The Complainant requested the reinstatement of the proceeding on May 6, 2025.

The administrative proceeding was therefore suspended between January 15, 2025, and May 8, 2025.

In accordance with the Rules, paragraphs 2(a) and 4(a), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on May 9, 2025. In accordance with the Rules, paragraph 5(a), the due date for Response was May 29, 2025. Accordingly, the Center informed the Parties about the Commencement of Panel Appointment Process on May 30, 2025.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on June 12, 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 cookware and small appliance manufacturer. In 1968, the Tefal Company and its five European subsidiaries were acquired by Groupe SEB, a world leader in small domestic equipment.

The Complainant maintains a strong online presence, promoting the Tefal brand through the use of its various domain names, chief among them <tefal.fr> and <tefal.com>. According to SimilarWeb.com, the Complainant's primary domain name <tefal.fr> ranks 78th in its category.

The Complainant is, inter alia, the owner of the following:

Iranian trademark registration number 31291 for the TEFAL (word) trademark, registered on July 24, 1968;

International trademark registration number 204783 for the TEFAL (device) trademark, registered on November 11, 1957;

International trademark registration number 1109645 for the TEFAL (word) trademark, registered on January 31, 2012.

Currently the disputed domain name is not linked to an active website. However, from the submissions provided by the Complainant, it appears that previously (at least on November 22, 2024) the disputed domain name resolved to a website displaying the Complainant's copyrighted logo and product images, and offering the Complainant's branded goods for sale without authorization.

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:

- a) the disputed domain name, which fully incorporates its TEFAL trademark, is confusingly similar to it because the addition of the term "iran" to the trademark in the disputed domain name is not sufficient to distinguish the disputed domain name from the trademark;
- b) the Respondent has no rights or legitimate interests in respect of the disputed domain name, and

c) the use of the Complainant's TEFAL trademarks, logo and imagery on the website at the disputed domain name shows the Respondent's awareness of its trademarks at the time of registration of the disputed domain name as well as the Respondent's intent to deceive consumers into believing that it is a website operated or authorized by the Complainant. The Complainant has further documented that the Respondent, during the suspension of the proceeding, tried to sell the disputed domain name to the Complainant and to force the Complainant to cooperate with the Respondent. Thus, the Complainant concludes that the domain name was registered and is being used in bad faith.

B. Respondent

The Respondent submitted two informal emails on December 27, 2024, and March 6, 2025.

In the first email, the Respondent asserted that the website attached to the disputed domain name belonged to a regular store that has been selling Tefal products for several years and that previously was a sales representative of the Sab Pars group company. The Respondent further said it sold only Tefal products and that the French Tefal representative had visited the store a few years earlier. The Respondent then concluded that the store would close the following year and that they would soon cancel the disputed domain name.

In the second email, the Respondent said that the website linked to the disputed domain name had been completely disconnected following the notification, that the disputed domain name was no longer in use, and that the Respondent could transfer it to the Complainant.

6. Discussion and Findings

6.1 Consent to Transfer

A proceeding under the irDRP may be suspended to implement a settlement agreement between the Parties. Given the similarities between the irDRP and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), taking into account the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 4.10, the Panel finds that when the Complainant seeks the transfer of the disputed domain name, and the Respondent agrees to the transfer, the Panel may proceed to make an order for transfer.¹

In this case, with its second communication to the Center, the Respondent said that the website linked to the disputed domain name had been completely disconnected after the notification, that the disputed domain name was no longer in use, and that the Respondent could transfer it to the Complainant.

From the case file, it appears that the Parties, after some negotiations and quite a lengthy suspension of the proceeding, then reached an agreement. This is shown by a settlement agreement signed by the parties, whereby the Respondent undertook to transfer the disputed domain name to the Complainant, which was submitted by the latter to the Center and to the IRNIC.

However, IRNIC cannot transfer the disputed domain name autonomously, and informed the Parties that the transfer must be done by the domain name owner/registrant and not by IRNIC, thus it urged the Complainant to ask the Respondent to start the transfer process. The Respondent, however, stopped replying to the Complainant's requests to cooperate with finalizing the transfer. Consequently, the transfer was not finalized.

¹The Panel finds it appropriate to refer to UDRP jurisprudence, including reference to the [WIPO Overview 3.0](#), except to the extent of relevant differences between the policies.

The Panel notes: a) the IRNIC's undocumented assertion that "the respondent stated that no agreement has been reached between [the parties]" (IRNIC's email dated May 7, 2025), and b) that the Respondent did not cooperate with the Complainant's requests to finalize the transfer.

The Panel further notes that, from the case file it appears that the Respondent was copied on the Complainant's communications asking the Center and IRNIC to proceed with the transfer and attaching the settlement agreement signed by the Respondent; but in the case file there is no communication sent from the Respondent to the Center showing the Respondent's opposition to the transfer and/or his denial of having signed the settlement agreement.

While the record largely appears to indicate the Respondent's unilateral consent to remedy, noting the settlement implementation issues, the Panel consider it appropriate, for the sake of completeness and to avoid any uncertainty, to proceed to a substantive decision on the merits.

6.2. Substantive Issues

In order for the Complainant to obtain a transfer of the disputed domain name, paragraphs 4(a)(i) - (iii) of the Policy require that the Complainant must demonstrate to the Panel that:

- (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 or 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 trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name consists of the TEFAL trademark with the addition of the term "iran". This Panel agrees with the Complainant's assertion that the addition of the term "iran" in the disputed domain name does not prevent a finding of confusing similarity between the Complainant's TEFAL trademark and the disputed domain name.

The country-code Top-Level Domain ("ccTLD") is generally disregarded under the test for confusing similarity for the purposes of the Policy as it is viewed as a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1.

Thus, the Panel finds that the Complainant's trademark, which is reproduced in its entirety within the disputed domain name, is clearly recognizable. Accordingly, the disputed domain name is confusingly similar 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 irDRP 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 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 Respondent’s unsupported claims to resell the Complainant’s goods are insufficient to rebut the Complainant’s prima facie case, and moreover the Panel notes that the website at the disputed domain name is inherently misleading and falsely suggests an official affiliation with the Complainant.

The Panel finds the second element of the Policy has been established.

C. Registered or Used in Bad Faith

Based on the evidence put forward by the Complainant, the Panel is of the opinion that the Respondent was aware of the Complainant’s trademark registrations and rights to the renowned TEFAL mark when it registered the disputed domain name. This is clearly evidenced by the use of the Complainant’s copyrighted logo and product images on the website linked to the disputed domain name.

In the present case, the Panel notes that the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s trademarks due to the Respondent’s use of the disputed domain name to resolve to an online shop claiming, without the Complainant’s authorization, to be “the official website of Tefal Iran”.

Consequently, 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 <tefaliran.ir> be transferred to the Complainant.

/Fabrizio Bedarida /

Fabrizio Bedarida

Sole Panelist

Date: June 25, 2025