

ADMINISTRATIVE PANEL DECISION

Compagnie Générale des Etablissements Michelin v. Liviu Cortac
Case No. DMD2025-0003

1. The Parties

The Complainant is Compagnie Générale des Etablissements Michelin, France, represented by Dreyfus & associés, France.

The Respondent is Liviu Cortac, Republic of Moldova.

2. The Domain Name and Registrar

The disputed domain name <michellinorhei.md> (the “Disputed Domain Name”) is registered with Inovare-Prim SRL (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on September 24, 2025. On September 25, 2025, the Center transmitted by email to the Registry Information Technology and Cyber Security Service (the “Registry”) a request for registrar verification in connection with the Disputed Domain Name. On September 30, 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 (Not disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 30, 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 October 1, 2025.

On September 30, 2025, the Center informed the parties in Romanian and English, that the language of the registration agreement for the Disputed Domain Name is Romanian. On October 1, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in English and Romanian of the Complaint and the amended Complaint, and the proceedings commenced on October 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 5, 2025.

The Center appointed Monica Novac as the sole panelist in this matter on November 11, 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, established in 1889 in France, is currently a worldwide leading tire company, dedicated to improving the mobility of goods and people by manufacturing and marketing tires for each type of vehicle, including airplanes, automobiles, bicycles/motorcycles, earthmovers, farm equipment and trucks. The Complainant also offers electronic mobility support services on its website at the domain name <viamichelin.com> and publishes travel guides, hotel and restaurant guides, maps and road atlases.

The Complainant is present in more than 171 countries worldwide, has 107,800 employees and operates 68 production facilities in 17 different countries. The Complainant is also present in Europe (including in Romania), with a 45% production capacity, operating 46 production facilities, 3,000 dealerships and counting with 67,000 employees.

The Complainant owns several MICHELIN trademarks worldwide, including the following:

- Moldova Trademark Registration No. 19137 MICHELIN (word), registered on October 23, 2009, in classes 1, 3, 4, 8, 9, 11, 12 and 21;
- International Trademark Registration No. 492879 MICHELIN (word), registered on May 10, 1985, in class 12, designating numerous jurisdictions, including Moldova; and
- International Trademark Registration No. 517586 MICHELIN (word), registered on September 24, 1987, in classes 9, 35 and 38, designating numerous jurisdictions, including Moldova.

Previous UDRP panels have already recognized the well-known character of the MICHELIN trademarks.

The Complainant holds and operates numerous domain names comprising the MICHELIN trademarks, such as <michelin.com>, registered on December 1, 1993. This domain name is used by the Complainant in connection with its business activities.

The Respondent is Liviu Cortac, apparently located in the Republic of Moldova. The Respondent registered the Disputed Domain Name on May 15, 2024. According to the evidence in the Complaint, at least until June 18, 2025, the Disputed Domain Name resolved to a webpage in Romanian displaying the Complainant's trademark and visuals and offering automotive services. At the date of rendering this Decision, when accessed by the Panel, the Disputed Domain Name resolves to an inactive website.

Before commencing this proceeding, on July 10, 2025, the Complainant sent an email communication to the Registrar informing about the infringement of their MICHELIN trademarks and requesting the lock of the Disputed Domain Name. The Registrar replied the same day, informing that they notified the Respondent about the Complainant's allegations and demands, and also providing the Respondent's email address in order for the Complainant to approach him directly. The Registrar also referred to the Complainant to seek suspension of the Disputed Domain Name from the Registry. No reaction was received from the Respondent further to the Registrar's notification sent to him, as per the above.

According to the evidence filed by the Complainant, mail exchange ("MX") servers had been set up at the Disputed Domain Name, purporting the Complainant to consider that there might have been a risk that the Respondent was engaged in phishing activities. The Panel notes however the Registrar's email communication sent to the Complainant dated July 11, 2025, assuring that, at least by that date, the Respondent did not use the Disputed Domain Name in relation to 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:

- the Disputed Domain Name is confusingly similar to the Complainant's MICHELIN trademarks;
- the Respondent has no rights or legitimate interests in the Disputed Domain Name; and
- the Disputed Domain Name has been registered and it is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

A. Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the Disputed Domain Name is Romanian. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the following: (i) the location of the Complainant and the fact that it has no knowledge of Romanian; (ii) the principle of fairness towards the parties, which implies avoiding the Complainant's burden of ordering translations and incurring additional costs thereof, as well as avoiding unnecessary delays in the proceedings; and (iii) English is the primary language for international relations.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

The Panel is familiar with both Romanian and English languages.

The Panel notes that the Complainant and its representative are French companies and none of them has knowledge of Romanian language.

The Center notified the parties both in Romanian and English of the language of the proceeding, as well as of the commencement of the proceeding. The Respondent did not file any objection in respect to the language of the proceeding and did not present any arguments why it would be treated unfairly if the proceeding is held in English, respectively did not provide any reason why the adoption of the English language may delay the proceeding.

Moreover, further to its independent search, the Panel has become aware that the Parties were involved in a similar UDRP case (see *Compagnie Générale des Etablissements Michelin v. Liviu Cortac*, WIPO Case No. [DMD2024-0004](#), having as object the domain name <michelinorhei.md>), where the proceeding was carried out in English, despite the fact that the language of the registration agreement for that domain name was Romanian.

Further to all the above, the Panel believes that the adoption of English as language of this proceeding would not negatively affect the Respondent's ability to defend itself or the equality of the parties. The Panel is of the opinion that the adoption of English as the language of the proceeding would be fair and would contribute to conducting the proceeding with due expedition and without an unreasonable increase of costs.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

B. 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 Panel finds that the Complainant's MICHELIN trademark is recognizable within the Disputed Domain Name. The Disputed Domain Name contains a typosquatted version of the MICHELIN trademark, the only difference thereof being the addition of the letter "l" in the Disputed Domain Name, which is an obvious misspelling of the Complainant's mark. UDRP panels held that a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered to be confusingly similar to the relevant mark for purposes of the first element of the Policy. [WIPO Overview 3.0](#), section 1.9.

The Disputed Domain Name also contains the term "orhei" (i.e., the name of a city in the Republic of Moldova, which coincides with the place of domicile of the Respondent), however the Panel finds that the addition of this element does not prevent finding a confusing similarity between the Disputed Domain Name and the Complainant's trademark for the purposes of the Policy. According to the [WIPO Overview 3.0](#), section 1.8, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.

According to the [WIPO Overview 3.0](#), section 1.11.1, the country code Top-Level Domain ("ccTLD") ".md" in the Disputed Domain Name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Further to all the above, the Panel finds the first element of the Policy has been established.

C. 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.

It is accepted by the Panel that the Respondent is not related to the Complainant in any way and that the Complainant has not authorized the Respondent to use and register the Complainant’s trademark or to apply for the registration of the Disputed Domain Name. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name or by the name “Michelin”.

The Disputed Domain Name contains a typosquatted version of the Complainant’s MICHELIN trademark, plus the geographical term “orhei”, which refers to a city in the Republic of Moldova. The Panel is of the opinion that the Respondent registered the Disputed Domain Name with the ultimate intent to mislead the Internet users and to erroneously make them believe that the Disputed Domain Name is operated by or associated with the Complainant. Although at the time of this Decision, the Disputed Domain Name resolves to an inactive website, as per the evidence filed by the Complainant, shortly before the commencement of this proceeding, the Disputed Domain Name resolved to a webpage offering automotive services (such as car repair/maintenance services, car wash, etc.) and unlawfully displaying the Complainant’s trademark and visuals. In this sense, it has been established that “respondent’s use of a domain name will not be considered “fair” if it falsely suggests affiliation with the trademark owner; the correlation between a domain name and the complainant’s mark is often central to this inquiry”. [WIPO Overview 3.0](#), section 2.5.

The Panel considers that the composition of the Disputed Domain Name, coupled with its recent use for a website that advertises automotive services similar to those offered by the Complainant, while displaying the Complainant’s trademark and visuals, signals the Respondent’s intention of taking unfair advantage of the Complainant’s mark.

Further to the above, the Panel is of the opinion that the Respondent does not use the Disputed Domain Name in connection with a bona fide offering of goods or services, nor does it make a legitimate noncommercial or fair use of the Disputed Domain Name as per the Policy.

The Respondent did not respond to the Complainant’s contentions, thus the Respondent did not present any evidence for supporting any rights or legitimate interests in the Disputed Domain Name.

Further to all the above, the Panel finds the second element of the Policy has been established.

D. 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel notes that the Complainant registered and used its MICHELIN trademark long before the Respondent registered the Disputed Domain Name. In view of the worldwide reputation of the Complainant, the well-known character of its trademark and the composition of the Disputed Domain Name, it is unlikely that the Respondent was not aware of the Complainant's trademark and business when registering the Disputed Domain Name. The Panel considers that the Respondent targeted the Complainant when registering the Disputed Domain Name.

The Panel is of the opinion that the Respondent's registration of the Disputed Domain Name which contains a typosquatted version of the Complainant's trademark plus a geographical term signals an intention on the part of the Respondent to confuse users seeking or expecting the Complainant and it is a clear proof of the Respondent's bad faith.

Moreover, shortly before the commencement of this proceeding, the Disputed Domain Name resolved to a webpage unlawfully displaying the Complainant's trademark and visuals, without any notable disclaimer; this, together with the offering of automotive and services similar to those provided by the Complainant, indicates the Respondent's intent to mislead Internet users into believing that the website is affiliated with or endorsed by the Complainant, which supports an inference of bad faith registration and use of the Disputed Domain Name on behalf of the Respondent.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] web site or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] web site or location or of a product or service on [the respondent's] web site or location" is evidence of registration and use in bad faith. In view of all the above, the Panel is of the opinion that the Respondent's intention was to attract Internet users to the webpage at the Disputed Domain Name, by creating a likelihood of confusion and making them believe that said webpage is held, controlled or related to the Complainant, for the Respondent's commercial gain.

The Panel also notes the Respondent's failure to submit a response in the present proceeding or to reply to the notification sent to him by the Registrar further to the Complainant's allegations and demands of July 10, 2025, which may be considered as a further indication of the Respondent's bad faith.

Further to all the above, 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 <michellinorhei.md> be transferred to the Complainant.

/Monica Novac/

Monica Novac

Sole Panelist

Date: November 25, 2025