



URS | DETERMINATION
(URS Procedure 9, URS Rules 13)

URS DISPUTE NO. F89B09C9

Determination DEFAULT

I. PARTIES

Complainant: VEOLIA ENVIRONNEMENT
Complainant's authorized representative: IP Twins

Respondent: Domain Privacy (Domain Name Privacy Inc.)

II. THE DOMAIN NAME, REGISTRY OPERATOR AND REGISTRAR

Domain Name: VEOLIA.PRO
Registry Operator: Afilias
Registrar: Galcomm

III. PROCEDURAL HISTORY

Complaint submitted: 2024-06-20
Lock of the domain name: 2024-09-04
Notice of Complaint: 2025-09-05
Default Date: 2024-09-20
Notice of Default: 2024-09-21
Panel Appointed: 2024-09-21
Default Determination issued: 2024-09-25

IV. EXAMINER

Examiner's Name: Ganna Prokhorova

The Examiner certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as the Examiner in this administrative proceeding.

V. RELIEF SOUGHT

The Complainant requests that the domain name be suspended for the balance of the registration period.

The Respondent has not submitted a Response.

VI. STANDARD OF REVIEW

Clear and convincing evidence.

VII. DISCUSSIONS AND FINDINGS

A. Complainant:

The Complainant is PRIVATE LIMITED VEOLIA ENVIRONNEMENT, the holding company of the Veolia group. The Complainant, which is transnational company, organized under the laws of France and active in the environmental services industry. In particular, the Complainant is the holder of a wide range of trademark registrations around the world, as VEOLIA is a renowned brand in the sphere of water, waste and energy management. In 2023, VEOLIA served 113 million people with drinking water and 103 million with wastewater services, produced 42 terawatt-hours of energy and recovered 63 million metric tons of waste.

In particular, the Complainant is the owner of the following trademarks:

- International trademark "VEOLIA" No. 814678 registered on September 11, 2003, for the following ICGS classes: 01, 06, 09, 11, 17, 19, 32, 35, 36, 37, 39, 40, 41, 42;
- American trademark "VEOLIA" No. 3543738 registered on December 9, 2008, for the following ICGS classes: 16, 35, 37, 39, 40, 42.

The Complainant asserts the following regarding the Respondent:

1. The registered domain name <veolia.pro> is identical or confusingly similar to a word mark [URS 1.2.6.1]:

(i) For which the Complainant holds a valid national or regional registration and that is in current use;

2. The Respondent has no legitimate right or interest to the domain name [URS 1.2.6.2];

3. The domain name was registered and is being used in bad faith [URS 1.2.6.3]:

d. By using the domain name(s), the Respondent intentionally attempted to attract for commercial gain, Internet users to the Respondent's web site or other on-line 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.

B. Respondent:

The identification of the Respondent is hidden.

The Respondent has not filed an official response within the deadline.

C. Procedural findings:

Having reviewed the communications records, the Examiner finds that MFSD has discharged its responsibility under the URS Procedure paragraphs 3 and 4 and URS Rules paragraph 4.

In accordance with URS Rules Paragraph 9(d), in absence of a Response, the language of the Determination shall be English.

D. Findings of fact:



Despite the Respondent's default, URS Procedure 1.2.6 requires the Complainant to make a *prima facie* case, proven by clear and convincing evidence, for each of the following three elements to obtain an order that a domain name should be suspended.

[URS 1.2.6.1] The registered domain name(s) is/are identical or confusingly similar to a word mark:

- (i) for which the Complainant holds a valid national or regional registration and that is in current use; or
- (ii) that has been validated through court proceedings; or
- (iii) that is specifically protected by a statute or treaty in effect at the time the URS complaint is filed.

[URS 1.2.6.2] Registrant has no legitimate right or interest to the domain name.

[URS 1.2.6.3.] The domain was registered and is being used in bad faith.

E. Reasoning:

1. The domain name(s) is(are) identical or confusingly similar to a word mark

To satisfy URS 1.2.6.1, a complainant needs to prove its rights in a word mark and the domain name(s) is/are identical or confusingly similar to the word mark.

In the present case, the Examiner finds that the Complainant is a globally reputed company, due to its activity in the environmental services industry. The Complainant also owns trademark registrations for "VEOLIA" in different jurisdictions all over the world.

The Complainant claims that the Disputed Domain Name is at least confusingly similar to the "VEOLIA" trademark. The Examiner finds that the Disputed Domain Name includes the Complainant's "VEOLIA" trademark in its entirety.

In addition, the Examiner also finds that the use of the ".pro" new generic top-level domain ("new gTLD") does not prevent the finding of confusing similarity under the first element. The ".pro" new gTLD in the Disputed Domain Name is also viewed as a standard registration requirement.

For the foregoing reasons, the Panel finds the Complainant has satisfied URS 1.2.6.1 as the Disputed Domain Name is at least confusingly similar to the Complainant's registered trademarks.

2. Respondent has no rights or legitimate interests to the domain name(s)

To satisfy URS 1.2.6.2, the Complainant must first make a *prima facie* case that the Respondent lacks rights and legitimate interests in the domain name(s), and the burden of prove then shifts to the Respondent to show it does have rights or legitimate interests.

The Complainant asserts that the Respondent has not been authorized by the Complainant to use the "VEOLIA" trademark in the Disputed Domain Name. There is no legal or business relationships between the Complainant and the Respondent. The Respondent has no prior rights such as trademarks or legitimate interests in the Disputed Domain. Thus, the Respondent's use is not a legitimate noncommercial or fair use and is not in connection with a *bona fide* offering of goods or services.

The Examiner finds that the Complainant has met its burden and established a *prima facie* case that the Respondent has no rights or legitimate interests in the Disputed Domain Name and the Respondent has not rebutted the assertion.

For the foregoing reasons, the Panel finds the Complainant has satisfied URS 1.2.6.2 as the Respondent has no legitimate rights or interest to the Disputed Domain Name.

3. The domain name(s) was(were) registered and is(are) being used in bad faith

To satisfy URS 1.2.6.3, the Complainant must prove both the registration and use of the Disputed Domain Name in bad faith.

It seems clear that the Disputed Domain Name has been used in connection with a "pay-per-click" or "domain name parking" service. The website under the Disputed Domain Name contains sponsored links that direct users to third-party services, and the Respondent receives "click-through revenue" when internet users click on the mentioned links. Given that the Disputed Domain Name incorporates the Complainant's "VEOLIA" trademark in its entirety, such registration and use may lead to confusion on the part of Internet users and result in an increased number of Internet users being drawn to the website under the Disputed Domain Name. The confusion in this context typically refers to the initial confusion that directs the Internet user to the Respondent's website (such as when the user mistakenly enters the domain name in their browser or encounters the website during a search).

Thus, the Respondent is unfairly capitalizing on the value and widespread recognition of the Complainant's "VEOLIA" trademark to attract Internet users for commercial gain.

The website also displays the following notice: "The domain veolia.pro may be for sale. Click here to inquire about this domain". The hyperlink directs to a GoDaddy service at which the Disputed Domain Name is advertised as being for sale for a disproportionately high price. GoDaddy has also designated the Disputed Domain Name as "premium", as it is considered "more valuable than other domains because they are based on common words or phrases people often use in their online searches".

As noted above, the Complainant's "VEOLIA" trademark is highly distinctive and very well reputed internationally. The Respondent has failed to respond to the Complaint and has used a privacy service to hide its identity. In the circumstances of such a well reputed trademark that has been used internationally for many decades, the Panel finds that it is highly implausible that the Respondent could seek to put the Disputed Domain Name to any good faith use. This is particularly evident given that the Disputed Domain Name redirects to a GoDaddy page, where it is advertised for sale at an inflated price. It appears that the Respondent has most likely registered the Disputed Domain Name with a view to re-selling it at a profit in excess of the registration costs. Additionally, the website contains "pay-per-click" links, which are evidently aimed at generating unfair commercial gain by creating confusion with the Complainant's "VEOLIA" trademark. Thus, the Panel finds that the Disputed Domain Name has been



registered and used in bad faith and that the Complaint also succeeds under this element of the Policy.

Moreover, the Panel underlines that the Respondent received notice of the Complainant's rights from the TMCH when he registered the Disputed Domain Name, which is another proof of bad faith.

For the foregoing reasons, the Panel finds that the Complainant has satisfied URS 1.2.6.3 as the Respondent registered the Disputed Domain Name and is using them in bad faith.

4. Abusive Complaint

The Examiner finds that the Complaint was neither abusive nor contained material falsehoods.

VIII. DETERMINATION

A. Demonstration of URS elements

Demonstrated

B. Complaint and remedy

Complaint: Accepts

Domain Name: VEOLIA.PRO

Suspends for the balance of the registration period

C. Abuse of proceedings

Finding of abuse of proceedings: Not finds

D. Publication

Publication: Publish the Determination

SIGNATURE

Name: Ganna

Surname: Prokhorova

Date: 25 September 2024