

ADMINISTRATIVE PANEL DECISION

Belfius Bank SA / Belfius Bank NV v. QSVS DQGSDG
Case No. D2025-1717

1. The Parties

The Complainant is Belfius Bank SA / Belfius Bank NV, Belgium, internally represented .

The Respondent is QSVS DQGSDG, Morocco.

2. The Domain Names and Registrar

The disputed domain names <belfiusbonbonus.space>, <belfiuswinbonnnus.space>, and <directbelfius.site> are registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 29, 2025. On April 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 30, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Domain Admin Registrant, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 2, 2025, 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 May 5, 2025.

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 May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 27, 2025.

The Center appointed Dr. Clive N.A. Trotman as the sole panelist in this matter on June 5, 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 Belgian bank 100 percent owned by the Belgian government, with its operations essentially in Belgium. The scale of the Complainant is to have some 5,000 employees and over 650 agencies.

The Complainant owns trademarks for BELFIUS and BELFIUS DIRECT, including:

BELFIUS, European Union trademark, registered on May 24, 2012, registration number 010581205, in classes 9, 16, 35, 36, 41, and 45; and

BELFIUS DIRECT, European Union trademark, registered on March 13, 2024, registration number 018939941, in classes 9, 16, 35, 36, 41, 42, and 45.

The Complainant also owns and trades through the domain name <belfius.be>, as well as a number of other domain names incorporating the trademark BELFIUS or variations thereof, alone or in combination.

Nothing of significance is known about the Respondent except for such contact details as were provided to the Registrar at the time of registration of the disputed domain names, being April 7, 2025 for <belfiuswinbonnus.space>, and April 8, 2025 for <belfiusbonbonus.space> and <directbelfius.site>. The disputed domain names do not resolve to any active websites.

The Complainant sent cease-and-desist notices with the subject line “Cease & Desist. Suspicion of phishing purpose” by email via the abuse desk at the Registrar of the disputed domain names in respect of each disputed domain name separately, on April 16, 2025 in respect of <belfiuswinbonnus.space>, on April 10, 2025 for <belfiusbonbonus.space>. and on April 14, 2025 for <directbelfius.site>. There were no replies.

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 names.

Notably, the Complainant contends that the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The trademark BELFIUS appears in each of the disputed domain names. The word “direct” also appears in the disputed domain name <directbelfius.site>, transposing the words of the Complainant's trademark BELFIUS DIRECT.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant's trademarks predate the registration of the disputed domain names. The Respondent is not in any way associated with the Complainant and has no authority to use the Complainant's trademarks. The Respondent does not have any trademark rights in the term “belfius”.

The Complainant says the Respondent is not making a legitimate noncommercial or fair use of the disputed domain names or using them at all and says that passive holding of domain names is, in appropriate circumstances, evidence of a lack of rights or legitimate interests in the disputed domain names.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. In terms of registration in bad faith, the Respondent would have known or ought to have known about the Complainant's trademarks or has been willfully blind. The Respondent should have searched for the Complainant's trademarks. The Internet is universal and the Complainant has established a substantial presence on the Internet. The Respondent must have had the Complainant in mind when registering the disputed domain names.

In terms of use in bad faith, the Complainant meant to say that the disputed domain names have been passively held since April 2025, thus there has been no bona fide offering of goods or services and no legitimate noncommercial or fair use or any demonstrable preparations for use. There is no evidence the Respondent has been commonly known by the disputed domain names.

The Complainant refers to the jurisprudence of passive holding and says that there may be bad faith when there is no plausible use of the disputed domain names by the Respondent that would not infringe the Complainant's rights in its trademarks, and says furthermore that the Respondent has provided incomplete contact details.

The Complainant has cited previous decisions under the Policy that it considers to be relevant.

The Complainant requests the transfer of the disputed domain names.

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 Selected UDRP Questions, Third Edition, ("[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 the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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 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 names. 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 names such as those enumerated in the Policy or otherwise.

The disputed domain names do not resolve to any active websites. There is no evidence of their use or preparations for use for any bona fide offering of goods or services or of any legitimate noncommercial or fair use. There is no evidence the Respondent has been commonly known by a name related to any of the disputed domain names.

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.

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.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

The disputed domain names evidently have not been used since their registration. The Complainant has cited instances of the jurisprudence around passive holding dating back to the case of *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#). The matters generally considered by panels include "(i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put". [WIPO Overview 3.0](#), section 3.3.

It is not clear how widespread is the reputation of the Complainant's trademarks, since by its own statements, "the Complainant is a renowned Belgian bank and financial services provider with a solid reputation in Belgium and beyond", and the activities of the Complainant "are focused on the Belgian territory. Nevertheless, the trademark is also shown outside Belgium as the Complainant sponsors several national sports teams and sports events". The trademark BELFIUS does, however, have the distinctiveness inherent in being a synthetic construct. A Google search for BELFIUS made by the Panel yielded exclusively references related to the Complainant in the first five pages. The Panel finds that the Complainant's trademark is distinctive within the present context. Furthermore, the registration of the disputed domain name <directbelfius.site> transposing the words of the Complainant's trademark BELFIUS DIRECT indicates that the Respondent knew and targeted the Complainant.

The Respondent has not provided any evidence of actual or contemplated use of the disputed domain names in good faith.

The Respondent has used a privacy service to conceal its registration details. The use of a privacy service, in and of itself, is not necessarily an indication of bad faith, may well be prudent, and is commonly done. In

this instance, however, the Respondent has gone further in apparently having set out to frustrate attempts to establish contact. The registrant name and address, including street and city names, appear to be randomly typed characters without meaning. The nine-digit national telephone and fax number proffered to the Registrar in respect of both <belfiuswinbonnnus.space> and <directbelfius.site> is an unconvincing palindrome of consecutive numbers typed on a standard keyboard in forward and reverse, causing the Panel to have little or no confidence that the Respondent's purported country of residence, namely Morocco, is correct either. The courier service for the delivery of the physical documents reported "invalid ZIP/Postal code". Faxes could not be delivered. The Respondent has not replied to the Complainants cease-and-desist notices sent via the Registrar, who would of necessity be able to forward them to the Respondent. The Respondent did not acknowledge receipt of the Notification of Complaint and Commencement of Administrative Proceeding sent to the Respondent's stated email address and to those of the Registrar and the Respondent's privacy service.

Given the distinctiveness of the Complainant's BELFIUS trademark, the Panel cannot conceive of any potential future use of the disputed domain names by the Respondent that would not be in bad faith.

On the evidence, and on the balance of probabilities, the Panel finds the Respondent to have registered and held the disputed domain names passively for the purpose of targeting specifically the Complainant or the interests of the Complainant with nefarious intent. The Respondent is found to have registered and used the disputed domain names in bad faith within the ambit of paragraph 4(a)(iii) 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 names <belfiusbonbonus.space>, <belfiuswinbonnnus.space>, and <directbelfius.site> be transferred to the Complainant.

/Dr. Clive N. A. Trotman/

Dr. Clive N. A. Trotman

Sole Panelist

Date: June 19, 2025