

## **ADMINISTRATIVE PANEL DECISION**

BPCE v. Recupa Avw  
Case No. D2026-0568

### **1. The Parties**

The Complainant is BPCE, France, represented by KALLIOPE Law Firm, France.

The Respondent is Recupa Avw, Benin.

### **2. The Domain Name and Registrar**

The disputed domain name <financegroupebpce.com> is registered with Hostinger Operations, UAB (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 11, 2026. On February 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 12, 2026, the Registrar 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 (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 13, 2026, 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 February 18, 2026.

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 February 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 12, 2026.

The Center appointed Andrea Cappai as the sole panelist in this matter on March 20, 2026. 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 BPCE, a French joint stock company with its head office in Paris, France acting as the central institution responsible for the two banking networks Banques Populaires and Caisses d'Épargne. The Complainant is active in banking, financing and insurance activities.

The Complainant relies, inter alia, on the following trademark registrations:

- European Union trade mark BPCE (word), No. 008375842, registered January 12, 2010, in Class 36.
- European Union trade mark BPCE (figurative), No. 008375875, January 12, 2010, in Class 36.
- International Registration BPCE, No. 1033662, registration date December 15, 2009, covering Class 36.

The record indicates that the Complainant operates domain names including <bpce.fr> and <groupebpce.fr>.

The disputed domain name was registered on January 13, 2026.

The evidence submitted by the Complainant includes a screenshot showing that an attempt to access the disputed domain name produced a browser error, indicating that the disputed domain name is inactive.

#### **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 its BPCE trademark because it contains the BPCE mark in its entirety together with the prefix "finance groupe", which the Complainant submits directly refers to BPCE's activity and does not prevent confusing similarity. The Complainant further submits that the Respondent has no rights or legitimate interests in the disputed domain name, asserting that the Respondent is not affiliated with the Complainant, has not been authorised to use the BPCE trademark, and has made no bona fide use of the disputed domain name. Finally, the Complainant argues that the disputed domain name was registered and is being used in bad faith, asserting that the Respondent deliberately chose a domain name combining the BPCE mark with terms referring to the Complainant's business in order to generate a likelihood of confusion and to mislead Internet users into believing that the disputed domain name is related to the Complainant.

##### **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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, such as "finance" and "groupe" may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 that 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 3.1](#), 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.

The Complainant submits that it has not authorised the Respondent to register or use any domain name incorporating the BPCE trademark, and there is no evidence before the Panel that the Respondent has been commonly known by the disputed domain name. The materials before the Panel do not show any website content to which the disputed domain name resolves, and indicate that the disputed domain name is inactive. In these circumstances, and absent any explanation from the Respondent, the Panel sees no evidence of use of the disputed domain name, or demonstrable preparations to use it, in connection with a bona fide offering within the meaning of paragraph 4(c)(i) of the Policy. Nor is there any indication on this record of legitimate noncommercial or fair use within the meaning of paragraph 4(c)(iii) of the Policy.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name, which incorporates the Complainant's BPCE trademark in its entirety together with the terms "finance" and "groupe", which directly refer to the Complainant's activities. The disputed domain name was registered after the Complainant's trademark registrations. In light of the composition of the disputed domain name and the timing of its registration, and absent any explanation from the Respondent, the Panel finds it reasonable to infer that the Respondent was aware of the Complainant and its trademark at the time of registration.

The materials before the Panel do not show any website content to which the disputed domain name resolves. They indicate that the disputed domain name has been inactive.

Panels have found that the non-use of a domain name (including a blank page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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 <financegroupebpce.com> be transferred to the Complainant.

*/Andrea Cappai/*

**Andrea Cappai**

Sole Panelist

Date: April 6, 2026