

## **ADMINISTRATIVE PANEL DECISION**

Banque Palatine v. Michel Geindre  
Case No. D2025-0212

### **1. The Parties**

The Complainant is Banque Palatine, France, represented by KALLIOPE Law Firm, France.

The Respondent is Michel Geindre, France.

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

The disputed domain name <palatineinfo.com> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 20, 2025. On January 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 21, 2025, 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 January 22, 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 January 23, 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 January 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 18, 2025.

The Center appointed Benjamin Fontaine as the sole panelist in this matter on February 20, 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 Banque Palatine, a French bank with origins dating back to 1780, specializing in small and medium-sized companies as well as private banking and asset management.

Banque Palatine is a wholly owned subsidiary of Groupe BPCE, one of France's largest banking groups, active on the international market and present in over 40 countries through its various subsidiaries.

The Complainant owns numerous registered trade marks for PALATINE, such as the European Union Trade Mark PALATINE registered under No. 4353223 on July 31, 2006.

The Complainant is also the owner of the domain name <palatine.fr> registered since October 13, 2004, and corresponding to an active website: the Complainant's institutional portal.

The disputed domain name was registered on November 5, 2024, by the Respondent. It was initially linked to a parking page with links to websites, especially in the banking sector. It appears that a mail server (MX server) was set up, enabling the Respondent to create email addresses. The MX configuration is still active.

On December 13, 2024, the Complainant sent a cease-and-desist letter to the registrar and the registrant of the disputed domain name but did not receive any answer.

#### **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 identical or confusingly similar to a trade mark or service mark in which it has rights. The disputed domain name incorporates the word "palatine", which is identical to the Complainant's registered trade marks. The addition of the term "info", shortened version of the word "information", is only descriptive and does not enable the disputed domain name to be distinguished from the Complainant's trade marks. It is well established that the addition of other terms to a trade mark in a domain name does not prevent the finding of confusing similarity, especially when the relevant trade mark is recognizable within the disputed domain name. The addition of the generic Top-Level Domain ("gTLD") ".com", which is merely a technical requirement of registration, should not be taken into account to assess the confusing similarity between the disputed domain name and the Complainant's trade mark.

Second, the Complainant indicates that it has never authorized the Respondent to register and/or use any domain name incorporating its trade marks. The Complainant has not granted any license, nor any authorization to the Respondent to use its trade marks, including as a domain name. Previous UDRP Panels have stated that in the absence of any license or permission from the Complainant to use any of its trade marks or to apply for or use any domain name incorporating those trade marks, no actual or contemplated bona fide or legitimate use of the disputed domain name could be claimed by the Respondent. Consequently, the Respondent has no right to use the disputed domain name, and any use it makes of it cannot be considered as a bona fide offer of goods and services.

Finally, the Complainant states that the disputed domain name was registered and is being used in bad faith. The Complainant operates in France and around the world, particularly for consumers in the financial and banking markets. An elementary Internet search by the Respondent would have disclosed the

Complainant's websites and the trade mark registrations for PALATINE. The choice of the disputed domain name does not seem to be a mere coincidence, but on the contrary reveals an intention to create a likelihood of confusion with the Complainant's trade marks. In addition, the Complainant contends that the Respondent is using the disputed domain name in bad faith due to its initial redirection to a parking page with sponsored links. The Complainant also stresses that MX activation allows the Respondent to create email addresses using the disputed domain name. In the field of banking services, consumer protection and security services are a key issue given the sensitive nature of the data processed and the Complainant is particularly concerned about this situation. Finally, the Complainant notes that the Respondent concealed its identity and apparently provided false contact details when registering the disputed domain name. Moreover, the Respondent has already been involved in a prior and recent dispute involving the domain name <palatineonline.com> (see *Banque Palatine v. MICHEL GEINDRE*, WIPO Case No. [D2024-4685](#)).

The Complainant requests the transfer of the disputed domain name.

## **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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

Although the addition of other terms, here "info", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 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.

Furthermore, the Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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 this matter, a number of converging circumstances allow the Panel to draw the conclusion that the Respondent has registered and used the disputed domain name in bad faith.

The first element is the configuration of the disputed domain name, which combines the distinctive element, the Complainant's trade mark, PALATINE, with the word "info". This suggests that the disputed domain name is meant to provide users with information on the services provided by the Complainant.

Second, the use of the current disputed domain name, initially resolving to a parking page, with links to banking services, cannot be considered as use in good faith with no intention of commercial gain. [WIPO Overview 3.0](#), section 3.5.

Third, the Panel notes that the Respondent has configured MX records for the disputed domain name, suggesting an intention to use the disputed domain name for illegal purposes and it's well known that the banking sector, given the sensitivity of user data, is very exposed to phishing and fraudulent activities.

Fourth, the Respondent has provided false contact details when registering the disputed domain name. The address provided does not exist.

Fifth, the Respondent was already involved in prior cybersquatting activities, targeting the same Complainant and the same trade mark. See *Banque Palatine v. MICHEL GEINDRE*, WIPO Case No. [D2024-4685](#). The Respondent has engaged in a pattern of registering several domain names that are confusingly similar to the trade mark of the Complainant.

Therefore, based on the available record and failing any rebuttal by the Respondent, the Panel finds the third element of the Policy is established.

## **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 <palatineinfo.com> be transferred to the Complainant.

*/Benjamin Fontaine/*

**Benjamin Fontaine**

Sole Panelist

Date: March 6, 2025