

ADMINISTRATIVE PANEL DECISION

Banque et Caisse d'Epargne de l'Etat, Luxembourg v. HYUNWOO YOO
Case No. D2025-0781

1. The Parties

Complainant is Banque et Caisse d'Epargne de l'Etat, Luxembourg, Luxembourg, represented by Office Freylinger S.A., Luxembourg.

Respondent is HYUNWOO YOO, Republic of Korea.

2. The Domain Name and Registrar

The disputed domain name <s-net.net> (the "Domain Name") is registered with Sav.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 25, 2025. On February 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On February 26, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name, which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on February 27, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on February 28, 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 Respondent of the Complaint, and the proceedings commenced on March 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 24, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on March 26, 2025. Due to an apparent issue with the notification, on March 31, 2025, the Center granted Respondent a ten-day period to indicate whether it wishes to participate to this proceeding. Respondent did not submit any response.

The Center appointed Christopher S. Gibson as the sole panelist in this matter on April 17, 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

Complainant is a Luxembourgish company, incorporated in 1989 and internationally active in banking services, exploiting its trademark S-NET for banking, insurance, and financial services. Complainant owns S-NET trademark registrations in the European Union, Benelux, and the United Kingdom ("UK"). In particular, Complainant is the owner of the following trademark registrations:

- Benelux trademark S-NET, No. 644249, filed on April 12, 1999, and registered on August 1, 1999, for services in class 36;
- European Union trademark S-NET, No. 009110644, filed on May 17, 2010, and registered on July 1, 2012, for services in classes 35, 36, 38 and 41; and
- UK trademark S-NET, No. UK00909110644, filed on May 17, 2010, and registered on July 1, 2012, for services in classes 35, 36, 38 and 41.

In addition, Complainant is the owner of the domain name <snet.lu>, which has been registered since March 22, 2016.

The Domain Name was registered on December 12, 2024. At the time the Complaint was filed, it resolved to a GoDaddy webpage where it is offered for sale.

Complainant states that as all information about the Domain Name owner is hidden, and as the related website is inactive, Complainant had no other choice but to initiate an UDRP case to obtain transfer of the Domain Name.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for transfer of the Domain Name.

(i) Identical or confusingly similar

Complainant states it is well known in the banking sector and has widely exploited the S-NET trademark for banking, insurance, and financial services. Complainant notes the name S-NET is particularly distinctive for the covered services and no other trademark registration containing this term exists for a bank.

Additionally, Complainant has provided evidence that a Google search shows the first results relating to the use of the sign S-NET refer to Complainant.

Complainant submits the Domain Name reproduces precisely and entirely the S-NET trademarks, in particular, the Benelux, European Union, and UK marks. In addition, the generic Top-Level Domain ("gTLD") ".net" is not to be taken into consideration when examining the identity or similarity between Complainant's marks and the Domain Name. For the above-mentioned reasons, Complainant concludes the Domain Name is, at least, almost identical to the S-NET trademarks in which Complainant has exclusive rights.

(ii) Rights or legitimate interests

Complainant states that Respondent is not affiliated with Complainant in any way, nor has Complainant authorized Respondent to use and register its trademarks, or to seek registration of any domain name incorporating the marks. Furthermore, Respondent has no prior rights or legitimate interest in the Domain Name. In previous UDRP decisions, panels have found that in the absence of any license or permission from Complainant to use a trademark, no actual or contemplated bona fide or legitimate use of the domain name could reasonably be claimed.

Moreover, Complainant contends the Domain Name is identical, or at least almost identical, to Complainant's trademark registrations, such that Respondent cannot reasonably pretend it was intending to develop legitimate activity through the Domain Name. Finally, Complainant's trademark searches performed on the specialized platform FOVEA, show that Respondent has no right worldwide on the signs "S-NET" or "SNET." Indeed, the results demonstrate that there is no record of ownership in the name of Respondent on a prior sign, identical or similar, to Complainant's S-NET marks or to the sign SNET.

For all of the above reasons, Complainant concludes that Respondent has no rights or legitimate interests in respect of the Domain Name.

(iii) Registered and used in bad faith

Complainant contends it is implausible that Respondent was unaware of Complainant's trademark rights when registering the Domain Name. The S-NET trademarks can be easily found by performing a simple Google search, which demonstrates that all the first results relate to Complainant and its goods and services. The S-NET mark is generally known by the public in Luxembourg and refers to Complainant's banking app, used in relation to its financial and banking services offered on Complainant's website. Complainant has a history of 160 years (since 1856) and has therefore acquired throughout the years a standing experience and reputation in the international financial markets. Therefore, Complainant maintains its S-NET trademark is well-known by the public worldwide, with Complainant being ranked among the ten safest banks in the world in 2019. Complainant contends that as an entity publicly known at an international level, the fact Respondent registered the Domain Name, which is identical and highly similar to Complainant's trademarks, cannot be pure chance but instead constitutes registration in bad faith.

In addition, Complainant urges bad faith can be found where Respondent "knew or should have known" of Complainant's trademark rights and, nevertheless, registered the Domain Name in which it had no rights or legitimate interests. In view of the above circumstances, Respondent knew or at least should have known of the existence of Complainant's S-NET mark at the time of the Domain Name's registration.

Complainant contends that Respondent also uses the Domain Name in bad faith. Complainant refers to paragraph 4(b) of the Policy, in particular, "(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name."

Here, Respondent registered the Domain Name in December 2024, and it is identical or almost identical to Complainant's S-NET trademark registrations. Shortly thereafter, the Domain Name was put up for sale and Respondent's website redirects to the GoDaddy site, which displayed an announcement that "s-net.net is for sale – Get this domain." When a visitor clicks on the link "Get this domain," it leads to another page of the GoDaddy site offering to sell the Domain Name for the amount of USD 2,2023.99. In parallel, when the visitor seeks the Domain Name on the GoDaddy website, a list of similar domain names is communicated at much lower prices. Complainant argues Respondent's behavior demonstrates that the acquisition of the Domain Name was made in bad faith.

Complainant also observes that the list of circumstances in the Policy that are evidence of registration and use in bad faith is not exhaustive. Respondent cites previous UDRP decisions to argue that registration of a domain name identical to a trademark may lead to an inference that the respondent had actual knowledge of that trademark, and that passive holding by a respondent in the face of a complainant's well-known mark may support an inference of registration and use in bad faith. Given the investments made to promote Complainant's mobile app under the S-NET trademark, the press articles mentioning this trademark, consumer opinions and case studies relating to the mobile app submitted in evidence, Complainant asserts Respondent could not have been unaware of the existence of Complainant's trademark. Thus, the reason for registering the Domain Name and putting it up for sale almost immediately was to obtain financial consideration from Complainant. All aforementioned circumstances confirm that the Domain Name is used in bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

In order to succeed on its Complaint, Complainant must demonstrate that the three elements set forth in paragraph 4(a) of the Policy have been satisfied. Those elements are as follows:

- (i) the Domain Name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) Respondent has registered and is using the Domain Name in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element of the Policy functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between Complainant's S-NET trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in its registered S-NET trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The entirety of the marks are reproduced in the Domain Name, with no variation.

Accordingly, the Domain Name is identical to Complainant's marks for the purposes of the Policy and the Panel finds the first element has been established. [WIPO Overview 3.0](#), section 1.7.

B. Rights or Legitimate Interests

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 in this case, the Panel finds that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Complainant has indicated that Respondent is not affiliated with Complainant, nor has Complainant authorized Respondent to use Complainant's trademarks, or to register the Domain Name incorporating Complainant's marks. Furthermore, Complainant has submitted evidence that Respondent has no prior rights or legitimate interests in the Domain Name. Complainant's trademark searches demonstrate there is no record of Respondent's ownership in a name or sign, identical or similar, to Complainant's S-NET trademarks or to the sign SNET. Finally, Complainant contends the Domain Name is identical, or at least almost identical to Complainant's trademark registrations, such that Respondent cannot reasonably pretend it was intending to develop legitimate activity through the Domain Name.

Respondent, having failed to submit a response, has not rebutted Complainant's prima facie showing and has not come forward with any evidence demonstrating rights or legitimate interests in the Domain Name.

Accordingly, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The third element of paragraph 4(a) of the Policy requires that Complainant demonstrate that Respondent registered and is using the Domain Name in bad faith. [WIPO Overview 3.0](#), section 3.1, states "bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark." Paragraph 4(b) of the Policy indicates that certain circumstances may, "in particular but without limitation," be evidence of the registration and use of a domain name in bad faith.

In this case, Complainant contends that given the investments made to promote its S-NET trademark for its mobile app and its reputation, and that the Domain Name is identical to Complainant's S-NET mark, it is implausible that Respondent was unaware of Complainant's trademark rights when registering the Domain Name. Complainant contends Respondent knew, or in any event should have known, of the existence of Complainant's S-NET mark at the time of the Domain Name's registration, and a simple Google search would have revealed Complainant and its S-NET mark. Moreover, Complainant claims that Respondent, having almost immediately put the Domain Name up for sale through the GoDaddy website, registered it primarily for the purpose of selling it to Complainant for valuable consideration in excess of out-of-pocket costs. See Policy, paragraph 4(b)(i).

Having reviewed the available record, the Panel notes the inherent distinctiveness of Complainant's S-NET trademark, not only within the financial services sector but more generally. There is no obvious descriptive meaning to be associated with the "s-net" term, particularly in view of the placement of the hyphen between the "s" and "n" characters in the term. Having conducted several publicly available online searches, the Panel finds that even the term "snet" is itself not a descriptive term, but instead can be used as an acronym by various relevant organizations. Under these circumstances and knowing that the Domain Name is identical to Complainant's distinctive mark and was immediately put up for sale, and finally without Respondent putting forth any plausible reason for registering the Domain Name, the Panel concludes that the Domain Name was registered and is being used in bad faith. See [WIPO Overview 3.0](#), section 3.1.1 ("Particularly where the domain name at issue is identical...to a highly distinctive or famous mark, panels have tended to view with a degree of skepticism a respondent defense that the domain name was merely registered for legitimate speculation (based for example on any claimed dictionary meaning) as opposed to targeting a specific brand owner") and section 3.2.1 ("Particular circumstances panels may take into account in assessing whether the respondent's registration of a domain name is in bad faith include ... (vi) a clear absence of rights or legitimate interests coupled with no credible explanation for the respondent's choice of the domain name, or (vii) other indicia generally suggesting that the respondent had somehow targeted the complainant").

Accordingly, the Panel finds that 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 Domain Name <s-net.net> be transferred to Complainant.

/Christopher S. Gibson/

Christopher S. Gibson

Sole Panelist

Date: May 5, 2025