

ADMINISTRATIVE PANEL DECISION

BPCE v. Host Master, Njalla Okta LLC

Case No. D2025-1300

1. The Parties

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

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

2. The Domain Name and Registrar

The disputed domain name <caisse-epargne-info.com> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 31, 2025. On March 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 31, 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 April 1, 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 April 4, 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 April 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 2, 2025.

The Center appointed María Alejandra López García as the sole panelist in this matter on May 9, 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 French joint stock company that performs as the central institution responsible for the two banking networks Banques Populaires and Caisses d'Epargne with its head office in Paris, France.

The Complainant is a well-known banking group in France and is present in more than 40 countries. The Complainant pursues a full range of banking, financing, and insurance activities, working through its two major Banque Populaire and Caisse d'Epargne cooperative banking networks and through its different subsidiaries. The Complainant has 105,000 employees and 36 million customers.

The Complainant owns the following trademarks:

- French trademark for CAISSE D'EPARGNE (and design), Registration No. 1658134, in International Classes ("ICs") 9, 16, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45; registered on April 26, 1991, and in force until April 26, 2031.
- European Union trademark for CAISSE D'EPARGNE (and design), Registration No. 000637504, in ICs 9, 16, 35, 36, 38, 41, and 42, registered since April 8, 1999, and in force until September 24, 2027.
- French trademark for LA CAISSE D'EPARGNE (word mark), Registration No. 3155888, in ICs 36 and 41 registered on March 27, 2002, and in force until March 27, 2032.

The Complainant also owns the domain name <caisse-epargne.com> registered since October 6, 1998, and <caisse-epargne.fr>, registered since January 16, 2009, which enables d'Epargne's customers to access their bank accounts online for remote access and management.

The Complainant sent a cease and desist letter to the Respondent on February 21, 2025, which remains unanswered.

The disputed domain name was registered on January 13, 2025. According to the evidence submitted by the Complainant, the disputed domain name resolves, including by the time of this Decision, to a "deceptive website" warning page stating "Attackers on the site you tried visiting might trick you into installing software or revealing things like your passwords, phone, or credit card numbers".

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 contains in its entirety the well-known trademark CAISSE D'EPARGNE with the addition of the suffix "-info" which does not prevent a finding of confusing similarity. Thus, the composition of the disputed domain name misleads the Internet users and generates a false association with the Complainant.

As regards the second element, the Complainant contends that has never authorized or granted any license to the Respondent to register and/or use any domain name incorporating its trademarks.

Concerning the third element, the Complainant contends the disputed domain name has been registered in bad faith, given that its trademarks are well-known in France and at a worldwide level; that such notoriety has been confirmed by previous UDRP panelists. Consequently, the choice of the disputed domain name has not been a simple coincidence. Concerning the use, the Complainant contends that it has also been done in bad faith, given that the disputed domain name resolves to a website that is blocked by the browser due to potentially harmful materials and possible phishing activity. Additionally, the Respondent has incurred in previous UDRP cases.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant to succeed, must satisfy each of the three following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

No Response or any kind of communication has been submitted by the Respondent, despite the opportunity given by the Center to present its case. However, the Complainant must establish the three elements of paragraph 4(a) of the Policy. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3. Therefore, this Panel shall analyze the evidence submitted by the Complainant and decide this dispute under the "balance of probabilities" or "preponderance of the evidence" standard. See paragraphs 14 and 15(a) of the Rules, and [WIPO Overview 3.0](#), section 4.2.

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. Concerning trademark registrations with design elements, such elements are largely disregarded for purposes of assessing identity or confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.7. and section 1.10.

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 CAISSE D'EPARGNE mark is recognizable 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.

As for the applicable generic Top-Level Domain ("gTLD") ".com", it is well established that such element may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark, as it is a technical requirement of registration. [WIPO Overview 3.0](#), section 1.11.1.

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.

In this case, the composition of the disputed domain name cannot constitute fair use given that seeks to create a risk of user confusion.

The disputed domain name resolves to a “deceptive website” warning page provided by the browser, due to suspected phishing activity. Nothing in the record suggests that the disputed domain name is being used in connection with a bona fide offering of goods and services, or for a legitimate noncommercial or fair use, as set out in paragraphs 4(c)(i) and 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.

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.

According to the provided evidence, the Complainant holds a well-known trademark with worldwide presence, which by the time of the disputed domain name’s registration, the Respondent most likely knew or should have known about its value, with it constituting bad faith registration. [WIPO Overview 3.0](#), section 3.2.2.

Regarding its bad faith use, given the present scenario where the disputed domain name resolves to a “deceptive website” warning page provided by the browser, due to potentially harmful materials, i.e., malware, and suspected phishing activity. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes 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 <caisse-epargne-info.com> be transferred to the Complainant.

/María Alejandra López García/

María Alejandra López García

Sole Panelist

Date: May 21, 2025