

ADMINISTRATIVE PANEL DECISION

BPCE v. 于青青 (yu qing qing)

Case No. D2025-1567

1. The Parties

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

Respondent is 于青青 (yu qing qing), China.

2. The Domain Name and Registrar

The disputed domain name <bpce.xyz> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on April 17, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 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 (Jian su) and contact information in the Complaint. The Center sent an email communication to Complainant on April 24, 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 in English on April 25, 2025.

On April 24, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On April 25, 2025, Complainant confirmed its request that English be the language of the proceeding. Respondent did not submit any comment on Complainant’s submission.

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 in English and Chinese of the Complaint, and the proceedings commenced on April 28, 2025. In accordance with the

Rules, paragraph 5, the due date for Response was May 18, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 22, 2025.

The Center appointed Yijun Tian as the sole panelist in this matter on May 26, 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

A. Complainant

Complainant is BPCE, a company incorporated in France and headquartered in Paris. It serves as the central institution for the Banques Populaires and Caisses d'Epargne networks and is the second-largest banking group in France. BPCE provides banking, financing, and insurance services through its subsidiaries, employing 105,000 staff and serving 36 million customers, including 9 million cooperative shareholders. It operates in over 40 countries (Annex 5 to the Complaint).

Complainant is the owner of numerous BPCE trademarks worldwide, including the French trademark registration for BPCE, registered on May 29, 2009 (registration number: 3653852); the European Union (EU) trademark registration for BPCE, registered on January 12, 2010 (registration number: 8375842); the International trademark registration for BPCE, registered on December 15, 2009 (registration number: 1033662); and the United States of America trademark registration for GROUPE BPCE, registered on May 7, 2019 (registration number: 5743541) (Annex 6 to the Complaint).

B. Respondent

Respondent is 于青青 (yu qing qing), China.

The disputed domain name <bpce.xyz> was registered on February 13, 2025.

According to the Complaint and relevant evidence provided by Complainant, the disputed domain name redirected to a webpage offering it for sale for USD 1,450 (Annex 8 to the Complaint).

5. Parties' Contentions

A. Complainant

Complainant contends that the disputed domain name is identical to Complainant's trademark. The exact reproduction of the trademark in the disputed domain name is sufficient to establish confusing similarity.

Complainant contends that Respondent lacks rights or legitimate interests in the disputed domain name.

Complainant contends that the disputed domain name was registered and is being used in bad faith.

Complainant requests that the disputed domain name be transferred to it.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

6.1. Procedural Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

From the evidence presented on the record, no agreement appears to have been entered into between Complainant and Respondent to the effect that the language of the proceeding should be English. Complainant filed initially its Complaint and amended Complaint in English, and has requested that English be the language of the proceeding for the following reasons:

- (a) Complainant is based in France and does not understand Chinese. Requiring translation would impose significant additional costs and procedural burden.
- (b) The disputed domain name consists solely of Latin characters. This suggests Respondent has knowledge of English or another non-Chinese language.
- (c) English is also the primary language of international commerce.
- (d) In similar circumstances, WIPO panels have granted requests to proceed in English.

Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

On the record, Respondent appears to be located in China and thus presumably not a native English speaker, but considering the following aspects, the Panel has decided that the language of the proceeding shall be English: (a) the disputed domain name is registered in Latin characters (i.e., "bpce"), rather than Chinese script; (b) the generic Top-Level Domain ("gTLD") of the disputed domain name is ".xyz", so the disputed domain name seems to be prepared for users worldwide, particularly English speaking countries; (c) the Center has notified Respondent of the language of the proceeding in both Chinese and English; (d) the Center also notified Respondent in both Chinese and English of the Complaint, and informed Respondent that it would accept a response in either English or Chinese, but Respondent chose not to file any response.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues: Three Elements

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 Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, the Panel finds 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 entirety of the BPCE mark is reproduced within the disputed domain name. More specifically, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Based on the available record, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognised that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. 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 record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

More specifically,

(i) there has been no evidence adduced to show that Respondent used the disputed domain name in connection with a bona fide offering of goods or services. Respondent has not provided evidence of reasons to justify the choice of the terms “bpce”, which, as combined, is Complainant’s BPCE trademark that enjoys long-standing prior use, in the disputed domain name. There has been no evidence to show that Complainant has licensed or otherwise permitted Respondent to use the BPCE mark or to apply for or use any domain name incorporating the BPCE marks;

(ii) there has been no evidence adduced to show that Respondent has been commonly known by the disputed domain name. There has been no evidence adduced to show that Respondent has any registered trademark rights with respect to the disputed domain name. The disputed domain name is identical to Complainant’s BPCE marks, which carries a high risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1; and

(iii) there has been no evidence adduced to show that Respondent was making a legitimate noncommercial or fair use of the disputed domain name. Notably, the disputed domain name redirected to a webpage where the disputed domain name was offered for sale. In the circumstances, Respondent’s use of Complainant’s mark to redirect users to an aftermarket website where it is offered for sale would not support a claim to rights or legitimate interests.

Based on the available record, 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 Respondent has registered and used the disputed 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.

In this case, the disputed domain name is identical to Complainant's BPCE trademark, which has been internationally registered since 2009. Given the timing and Complainant's reputation, it is not conceivable that Respondent was unaware of Complainant's trademark at the time of registration in 2025.

Based on the information provided in the Complaint, following the registration, Respondent offered the disputed domain name for sale at USD 1,450 (Annex 8 to the Complaint).

Thus, the Panel concludes, on the balance of probabilities, that Respondent's registration and use of the disputed domain name is primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name to Complainant or to a competitor of Complainant, for valuable consideration likely in excess of the documented out-of-pocket costs directly related to the disputed domain name. Such use constitutes bad faith pursuant to paragraph 4(b)(i) of the Policy.

Based on the available record, the Panel finds the third element of the Policy has been 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 <bpce.xyz> be transferred to Complainant.

/Yijun Tian/

Yijun Tian

Sole Panelist

Date: June 4, 2025