

## ADMINISTRATIVE PANEL DECISION

Belfius Bank SA / Belfius Bank NV v. eric japie

Case No. D2025-1890

### 1. The Parties

The Complainant is Belfius Bank SA / Belfius Bank NV, Belgium, internally represented.

The Respondent is eric japie, France.

### 2. The Domain Names and Registrar

The disputed domain names <belfius-ebanking.com> and <ebanking-belfius.com> are registered with OwnRegistrar, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2025. On May 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names 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 May 15, 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 May 19, 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 May 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 11, 2025.

The Center appointed Christopher J. Pibus as the sole panelist in this matter on June 19, 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 carries on business in Belgium as a government-owned bank, offering a wide range of banking and insurance products and services, in association with its BELFIUS trademark and through its primary website at [belfius.be](http://belfius.be). The Complainant has more than 5,000 employees and has a significant commercial presence in Belgium and internationally.

The Complainant has used its BELFIUS formative marks in commerce for more than 12 years and owns the following registrations, among others in its portfolio:

- BELFIUS, European Union Trade Mark No. 010581205, dated May 24, 2012, in classes 9, 16, 35, 36, 41 and 45; and
- BELFIUS, Benelux trademark Registration No. 914650, dated May 10, 2012, in classes 9, 16, 35, 36, 41 and 45.

The disputed domain names were registered on April 19, 2025, and do not resolve to active websites.

#### **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 names.

Notably, the Complainant contends that its BELFIUS trademarks are highly distinctive as the name BELFIUS is a coined word, comprised of “bel” as in “Belgium”, “fi” as in “finance” and “us” as in the English pronoun “us”. The Complainant invokes the passive holding doctrine to urge a finding of bad faith, relying on the composition of the disputed domain names and the complete absence of any justification for the appropriation of the mark. In the circumstances, the Complainant urges the Panel to find deliberate targeting of the well-known mark for improper purposes.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (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.

#### **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 Selected UDRP Questions, Third Edition, ("WIPO Overview 3.0"), section 1.7.

The Complainant has provided evidence of the existence of relevant trademarks, by providing proof of registrations including those listed in paragraph 4 above. The Panel concludes that the Complainant has established that it owns sufficient rights, for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the BELFIUS mark is reproduced within the disputed domain names and the Panel finds the mark is recognizable within both disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of another term, here "ebanking", may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the disputed domain names 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 names. In particular, the Complainant has presented evidence of the long-standing use of the BELFIUS brand and has put forward evidence and submissions that the Respondent has not been commonly known under the "Belfius" name, nor has it ever been licensed or otherwise authorized to register or use the mark. 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 names such as those enumerated in the Policy or otherwise.

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 submits that the Respondent was likely fully aware of the Complainant's rights in the BELFIUS mark, due to the distinctive nature of the mark, the duration of its prior use dating back to 2012, and its reputation for banking services within the European Union. The Panel notes the exact reproduction of the mark in the disputed domain names combined with the term "ebanking", a descriptive term for online banking which forms part of the Complainant's channels of trade. In addition, the Panel notes the evidence of the Complainant's substantial presence on the Internet, exemplified by the fact that it has registered more than 200 BELFIUS-formative generic Top-Level Domain ("gTLD") and country code Top-Level Domain ("ccTLD") names. In all the circumstances, it appears that the Respondent was targeting the Complainant when it registered the disputed domain names in 2025.

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.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, the composition of the disputed domain name (that is, the misappropriation of the distinctive mark BELFIUS, and the combination with the descriptive term "ebanking", which only increases the likelihood of confusion), and the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use. The Panel finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under 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 names <belfius-ebanking.com> and <ebanking-belfius.com> be transferred to the Complainant.

/Christopher J. Pibus/  
**Christopher J. Pibus**  
Sole Panelist  
Date: July 2, 2025