

ADMINISTRATIVE PANEL DECISION

BPCE v. Chinonso Okoro, Wifex Inc

Case No. D2025-1940

1. The Parties

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

The Respondent is Chinonso Okoro, Wifex Inc, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <grupbpce.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 May 14, 2025. On May 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 15, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 16, 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 16, 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 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 11, 2025.

The Center appointed Charles Gielen 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 is a French joint stock company, one of the largest banking groups in France, with 105,000 employees, serving a total of 36 million customers. The Complainant offers a full range of banking, financing and insurance services through its two cooperative banking networks, Banque Populaire and Caisse d'Epargne. It has a presence in more than 40 countries through different subsidiaries and maintains its main website at "www.groupebpce.fr".

The Complainant is the owner of numerous trade marks, consisting in whole or in part of the term BPCE, including:

- European Union trade mark registration No. 8375842 for the wordmark BPCE, filed on June 19, 2009 and registered on January 12, 2010, for services in international class 36;
- French trade mark registration No. 3653852, for the figurative mark BPCE filed on May 29, 2009 and registered on November 6, 2009, for goods and services in international classes 9, 16, 35, 36, 38, 41 and 45;
- International trade mark registration No. 1033662 for the figurative mark BPCE, registered on December 15, 2009, for services in international class 36;
- United States of America trade mark registration No. 5743541 for the figurative mark GROUPE BPCE, filed on May 25, 2018 and registered on May 7, 2019 for services in class 36.

The Complainant also owns and operates different domain names, directly and also via its subsidiary GCE TECHNOLOGIES, such as <bpce.fr>, <groupebpce.fr> and <groupebpce.com>.

The disputed domain name was registered on April 16, 2025 and directs to an inaccessible website. The Complainant submits that mail exchanges, so-called MX records, are configured in connection with the disputed domain name.

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 confusingly similar to the Complainant's trade mark. It contains the exact trade mark of the Complainant with the only difference being the insertion of a prefix containing the term "grup" which is a misspelling of "group". The addition of such an element does not prevent the finding of confusing similarity. The applicable generic Top-Level Domain ("gTLD") in a domain name is viewed as a standard registration requirement and as such is disregarded for the purpose of determining whether a domain name is identical or confusingly similar to a trade mark.

Furthermore, the Complainant contends that the Respondent does not have any rights or legitimate interests in the disputed domain name. The Complainant gives several reasons for this. First, the Respondent has no trade marks or trade names corresponding to the disputed domain name. Second, the Complainant has never authorized the Respondent to register and/or use any domain name incorporating the trade mark of the Complainant. Third, the Respondent's use of the disputed domain name does not qualify as a bona fide offering of goods and services.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain name in bad faith. Several reasons are given for this. First, the Complainant contends that it is unquestionable that the Complainant's trade mark pre-dates the registration of the disputed domain name. This trade mark is well-known in France and throughout the world, notably by the financial and banking market consumers. The choice of the disputed domain name does not seem to be a mere coincidence, but on the contrary seems to have been done on purpose to generate a likelihood of confusion with the trade mark of the Complainant. Second, the Respondent concealed its identity at the time of registration of the disputed domain name and provided an inexistent address when registering the disputed domain name. Third, the disputed domain name has been registered with a so called MX record, the activation of which allows the Respondent to create email addresses using the disputed domain name for phishing attacks usually used to steal user data, including logins and credit card numbers. This causes concerns because, in particular in the field of banking services, consumer protection and security services are a key issue given the sensitive nature of the data processed.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of trade marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trade mark. It contains the word "bpce" and the only difference between the disputed domain name and the Complainant's trade mark is that the disputed domain name has the additional term "grup." This difference does not prevent the finding of confusing similarity between the trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.8.

Therefore, the requirement under paragraph 4(a)(i) of the Policy is met.

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.

First, the Respondent did not show that it owns any rights to the name "grupbpce" nor that it has any license from the Complainant to use its trade mark BPCE. Second, the Respondent did not argue that it is commonly known, or that it has ever been known under the name "grupbpce". Furthermore, the Panel did not find any evidence that the Respondent has used, or prepared to use, the disputed domain name in connection with a bona fide offering of goods or services. On the contrary, the disputed domain name directs to an inaccessible website.

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.

Having reviewed the available record, the Panel notes first of all the distinctiveness and reputation of the Complainant's trade mark, and the composition of the disputed domain name, clearly indicating that the Respondent had the distinctive and reputed trade mark BPCE in mind at the time of registering the disputed domain name. The Panel further notes that the disputed domain name directs to an inaccessible website showing that the Respondent does not have any intentions of bona fide use. The bad faith intentions of the Respondent also follow from the fact that the disputed domain name has been registered with a so-called MX record, the activation of which allows the Respondent to create email addresses using the disputed domain name for phishing attacks usually used to steal user data, including logins and credit card numbers. The Panel agrees with the Complainant that this causes concerns because, in particular in the field of banking services, consumer protection and security services are a key issue given the sensitive nature of the data processed. Finally, the bad faith intentions of the Respondent also follow from the fact that the Respondent did not file any response.

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 <grupbpce.com> be transferred to the Complainant.

/Charles Gielen/

Charles Gielen

Sole Panelist

Date: June 26, 2025