

ADMINISTRATIVE PANEL DECISION

Canadian Imperial Bank of Commerce v. Sahad Mohammed Riviera, Sahari Muti Inc

Case No. D2025-2054

1. The Parties

The Complainant is Canadian Imperial Bank of Commerce, Canada, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Sahad Mohammed Riviera, Sahari Muti Inc, Spain.

2. The Domain Name and Registrar

The disputed domain name <cibc-onlinebanking.com> is registered with OwnRegistrar, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 23, 2025. On May 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 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 (WhoisSecure) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 26, 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 27, 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 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 18, 2025.

The Center appointed Jeremy Speres as the sole panelist in this matter on June 27, 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, founded in 1867, is a large Canadian bank, and has, since 1985, offered its banking services under the CIBC mark. Prior panels under the Policy have found that this mark is well known. See *Canadian Imperial Bank of Commerce v. Canacord Capital Corp. Belize*, WIPO Case No. [D2004-0892](#).

The Complainant's CIBC mark is registered in various jurisdictions, including in the Respondent's jurisdiction of Spain in the form of European Union Trademark Registration No. 008443731 CIBC in classes 9, 16, and 36, having a registration date of January 28, 2010. The Complainant also owns a registration for Canadian Trademark Registration No. TMA839054 CIBC ONLINE BANKING in class 36, having a registration date of December 27, 2012.

The disputed domain name was registered on January 15, 2025, and currently does not resolve to any website.

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 was registered and has been used in bad faith under the doctrine of passive holding in order to take advantage of confusion with the Complainant's well-known mark for the Respondent's commercial gain.

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 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 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 entirety of the Complainant's CIBC ONLINE BANKING mark is reproduced 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. The presence of the hyphen does not prevent a finding of confusing similarity in this case. *Six Continents Hotels, Inc. v. Helen Siew*, WIPO Case No. [D2004-0656](#).

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.

The Respondent’s apparent non-use of the disputed domain name cannot confer rights or legitimate interests. *Philip Morris USA Inc. v. Muhammad Faisal*, WIPO Case No. [D2016-0621](#). Neither can the likely use of the disputed domain name for phishing, as discussed in relation to bad faith below. [WIPO Overview 3.0](#), section 2.13.1.

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.

Panels have consistently found that the mere registration of a domain name that is confusingly similar to a widely known trademark, as in this case, by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The disputed domain name wholly incorporates the Complainant’s well-known CIBC mark along with the terms “online” and “banking”, both of which are firmly associated with the Complainant and its industry. Internet searches for the second-level portion of the disputed domain name return results overwhelmingly relating to the Complainant. In these circumstances, there is no conceivable good faith use of the disputed domain name, which points to bad faith targeting. [WIPO Overview 3.0](#), section 3.1.4.

In accordance with its powers of independent research articulated inter alia in paragraphs 10 and 12 of the Rules, the Panel has established that the disputed domain name has been flagged for phishing by six different security vendors. Combined with the composition of the disputed domain name which itself suggests that it relates to the Complainant’s online banking portal, this clearly indicates that the disputed domain name has likely been used for phishing. This constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

The Respondent has been found to have contravened the Policy in four prior decisions. See *OTOY, Inc v. Sahad Mohammed Riviera, Sahari Muti Inc*, WIPO Case No. [D2024-3694](#); *Polychain Capital LP v. Sahad Mohammed Riviera, Sahari Muti Inc*, WIPO Case No. [D2024-2533](#); *Carrefour SA v. Sahad Mohammed Riviera, Sahari Muti Inc*, WIPO Case No. [D2023-4196](#); and *Carrefour SA v. Sahad Mohammed Riviera*,

WIPO Case No. [D2023-3265](#). The Respondent is a serial cybersquatter and this case appears to be a continuation of that pattern.

The fact that the disputed domain name does not currently resolve to any website does not prevent a finding of bad faith under the doctrine of passive holding; all the factors that panels typically consider under that doctrine tend to favour the Complainant. [WIPO Overview 3.0](#), section 3.3.

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 <cibc-onlinebanking.com> be transferred to the Complainant.

/Jeremy Speres/

Jeremy Speres

Sole Panelist

Date: July 3, 2025