

ADMINISTRATIVE PANEL DECISION

BPCE v. roger beland
Case No. D2025-2432

1. The Parties

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

The Respondent is roger beland, France.

2. The Domain Name and Registrar

The disputed domain name <bpce-energeco.com> is registered with Ultahost, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 19, 2025. On June 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 20, 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 (Whois protection, this company does not own this domain name s.r.o.) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 23, 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 June 23, 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 June 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 18, 2025.



The Center appointed Nathalie Dreyfus as the sole panelist in this matter on July 22, 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

Banques Populaires et Caisse d'Épargne is a French joint stock company acting as the central institution responsible for the two banking networks Banques Populaires and Caisses d'Épargne.

The group employs over 100,000 people and serves more than 30 million customers, including individuals, businesses, professionals, institutions, and local authorities, both in France and internationally.

The Complainant owns numerous trademark registrations protecting the BPCE brand, including but not limited to:

- French trademark BPCE No. 3653852, dated May 29, 2009, duly renewed, and covering goods and services in classes 9, 16, 35, 36, 38, 41, and 45;
- French trademark  BPCE No. 3658703, dated June 19, 2009, duly renewed, and covering goods and services in classes 9, 16, 35, 36, 38, 41, and 45;
- European Union trademark BPCE No. 008375842, dated January 12, 2010, duly renewed, and covering goods and services in class 36;
- European Union trademark  BPCE No. 008375875, dated January 12, 2010, duly renewed, and covering goods and services in class 36;
- International Trademark  BPCE No. 1033662, dated December 15, 2009, duly renewed, covering class 36 and designating inter alia Algeria, Japan, Morocco, and Singapore.

In addition, the Complainant operates various websites corresponding to or incorporating its trademarks, such as <groupebpce.fr>, <groupebpce.com> and <bpce.fr>.

The disputed domain name <bpce-energenco.com> was registered on May 20, 2025, and points to an inactive page. Mail Exchange ("MX") servers are configured.

Since the Respondent did not participate in the proceedings, nothing is known other than the Registrar-disclosed details of the Respondent.

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 its registered trademarks BPCE. The domain name reproduces the trademark BPCE in its entirety.

Second, the Complainant alleges that the Respondent has no trademarks or trade names corresponding to the disputed domain name and the Complainant has never authorized the Respondent to register and/or use any domain name incorporating the trademarks. The Complainant has not granted any license, nor any authorization to use the trademarks, included as a domain name.

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

According to the Complainant, the BPCE trademark is inherently distinctive and enjoys strong reputation in France and internationally, particularly in the field of banking and financial services. Therefore, no third party could have registered the disputed domain name <bpce-energenco.com> in good faith, unless seeking to create a false association with the Complainant. Moreover, the risk of confusion with the Complainant's trademarks, its website and activities and the activation of MX services further prove the domain name is being used in bad faith.

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 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.

Indeed, although the addition of other terms, here "energeco", 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.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's registered trademark BPCE.

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.

Indeed, the Panel finds that the Respondent, identified as roger beland, has no known connection to the Complainant and is not commonly known by the name "BPCE" or the disputed domain name. The Respondent has no rights in any corresponding trademark, corporate name, trade name, or domain name that would precede the Complainant's rights.

Furthermore, the Respondent had the opportunity to provide arguments supporting any rights or legitimate interests in the disputed domain name. However, by failing to file a response, the Respondent has missed this opportunity, and the Panel is entitled to draw such inferences from the Respondent's failure, as it deems appropriate.

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.

Considering the composition of the disputed domain name, which consists of the Complainant's trademark reproduced in its entirety with the mere addition of the term "energeco", the domain name may misleadingly suggest a connection with the Complainant, the BPCE group or the Complainant's subsidiary, noting in particular that it is nearly identical to the corporate name of the Complainant's subsidiary "BPCE Energeco". In light of the above, the Panel finds it implausible that the Respondent was unaware of the Complainant's existence when registering the disputed domain name, especially considering that the Respondent is also reportedly located in France, where the Complainant is headquartered and is most well known.

The disputed domain name resolves towards an inactive page. However, UDRP 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 reputation of the Complainant's trademark, and the composition of the disputed domain name, as well as the Respondent's failure to participate in the proceedings, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Finally, the activation of MX services may indicate a potential use of the disputed domain name in bad faith, particularly for illegal activities such as impersonation or phishing, which, noting the composition of the disputed domain name, further supports a finding of bad faith in this case.

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 <bpce-energeco.com> be transferred to the Complainant.

/Nathalie Dreyfus/

Nathalie Dreyfus

Sole Panelist

Date: August 5, 2025