

ADMINISTRATIVE PANEL DECISION

Belfius Bank SA / Belfius Bank NV v. John Deecon, TrafficDomains INC
Case No. D2025-2746

1. The Parties

The Complainant is Belfius Bank SA / Belfius Bank NV, Belgium, represented by Constance Dumortier, Belgium.

The Respondent is John Deecon, TrafficDomains INC, Malaysia.

2. The Domain Name and Registrar

The disputed domain name <belfius-herstellen.help> (the “Domain Name”) is registered with Web Commerce Communications Limited dba WebNic.cc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 11, 2025. On July 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 11, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 July 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 13, 2025.

The Center appointed Gregor Vos as the sole panelist in this matter on August 18, 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 Belgian bank and financial service provider, employing more 5,000 people across 650 agencies, with 100% government shareholding.

The Complainant is the owner of inter alia the following trademark registrations (hereinafter referred to as: the “Trademarks”):

- European Union trademark registration No. 010581205 for BELFIUS, registered on May 24, 2012;
- Benelux trademark registration No. 0914650 for BELFIUS, registered on May 10, 2012.

The Complainant is also the registrant of the domain names <belfius.be>, <belfius.com>, and other domain names that include the word “BELFIUS”, which redirect to its official website <belfius.be>.

The Domain Name was registered on May 29, 2025. At the time of the Complaint, it did not resolve to an active website, and it currently remains inactive. The Complainant sent cease-and-desist letters to the Respondent, but no reply was received.

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 Domain Name.

Notably, the Complainant contends that the Domain Name is confusingly similar to the Trademark of the Complainant, the Respondent has no rights or legitimate interests in the Domain Name, and the Domain Name has been registered and is being used in bad faith.

Firstly, the Complainant submits that the Domain Name is confusingly similar to the Trademarks. The Domain Name incorporates the Trademarks in its entirety, which panels have consistently found sufficient to establish confusing similarity. The Complainant further contends that the addition of the term “herstellen” does not avoid a finding of confusing similarity but is likely to mislead Internet users into assuming that the Domain Name relates to the services offered by the Complainant. The generic Top-Level Domain (“gTLD”) “.help” is a standard registration requirement and as such is disregarded under the first element.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Domain Name. The Complainant’s Trademarks predate the registration of the Domain Name. Furthermore, the Respondent is not associated with the Complainant in any way and has not been licensed or authorized to use the Trademarks. Moreover, the Respondent does not carry out any activity under the Domain Name, nor does it make any legitimate noncommercial or fair use of it. The Complainant contends that the passive holding or non-use of the Domain Name can, in appropriate circumstances, be evidence of a lack of rights or legitimate interests.

Finally, according to the Complainant, the Respondent has registered and is using the Domain Name in bad faith. The Respondent must have known of the Complainant’s rights at the time of the registration, or else acted with willful blindness considering the Complainant’s substantial internet presence, with more than 200 domain names incorporating the Trademarks. Furthermore, the Domain Name is inactive and there is no intention to use the Domain Name for purposes of bona fide offerings of goods and services on the internet. The Complainant further points out that the Respondent provided false contact details, including a non-functional e-mail address, and failed to respond to cease and desist letters. These circumstances, combined with the passive holding of the Domain Name, show that the Domain Name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

- i. the Domain Name is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;
- ii. the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- iii. the Domain name has been registered and is being used in bad faith.

Only if all three elements have been fulfilled, the Panel is able to grant the remedies requested by the Complainant. The Panel will deal with each of the requirements in turn.

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 Trademarks and the 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 Trademarks is reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "herstellen") 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 Domain Name and the Trademarks 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 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 Domain Name 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.

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 the present case, the Panel notes that the Complainant's rights to the Trademarks predate the registration date of the Domain Name. In view of the distinctiveness of the Trademarks and the Complainant's strong Internet presence and given that the Domain Name reproduces the Trademarks in its entirety with only the addition of the non-distinctive term "herstellen", the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the Domain Name without knowledge of the Complainant's activities and its Trademarks.

Moreover, the Respondent's concealment of its identity through false or incomplete contact details, including an invalid email address, further supports a finding of bad faith. In addition, previous UDPR Panels have held that a respondent's failure to reply to cease-and-desist letters may reinforce an inference of bad faith.

In addition, Panels have found that the non-use of a domain name 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 of the Complainant's trademark, the failure of the Respondent to submit a response, the Respondent's concealing its identity through use of false contact details, and the implausibility of any good faith use to which the domain name may be put due to the composition of the Domain Name, and finds that in the circumstances of this case the passive holding of the Domain Name does not prevent a finding of 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 Domain Name <belfius-herstellen.help> be transferred to the Complainant.

/Gregor Vos/

Gregor Vos

Sole Panelist

Date: August 29, 2025