

## **ADMINISTRATIVE PANEL DECISION**

**BFORBANK v. silian abliie, silian abliie**

**Case No. D2025-3124**

### **1. The Parties**

The Complainant is BFORBANK, France, represented by Nameshield, France.

The Respondent is silian abliie, silian abliie, Germany.

### **2. The Domain Name and Registrar**

The disputed domain name <mabanquebforbank.com> is registered with Squarespace Domains LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 6, 2025. On August 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 6, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name which partly differed from the named Respondent (REDACTED FOR PRIVACY, silian abliie) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 8, 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 August 8, 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 August 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 3, 2025.

The Center appointed Manoel J. Pereira dos Santos as the sole panelist in this matter on September 10, 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 bank launched in 2009, which belongs to the Crédit Agricole Regional Banks. It offers only online banking services to over 300,000 customers. The Complainant owns several trademarks containing the word BFORBANK, including the European Union trademark No. 8335598, registered on December 8, 2009. The Complainant also owns the [bforbank.com](http://bforbank.com) domain name, registered on January 16, 2009, and many other domain names incorporating the term “bforbank”.

The disputed domain name was registered on July 7, 2025, and is currently inactive.

#### **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 trademark FORBANK as it reproduces the trademark in its entirety, and that the addition of the term “mabanque” (meaning “my bank” in French) is not sufficient to prevent the finding that the domain name is confusingly similar to the trademark BFORBANK. In addition, the Complainant contends that the addition of the generic Top-Level Domain (“gTLD”) “.com” does not change the overall impression of the designation as being connected to the Complainant’s trademark.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent is not known as the disputed domain name, he is not related in any way with the Complainant, and the Complainant does not carry out any activity for, nor has any business with the Respondent. In addition, the disputed domain name is currently inactive, and the Respondent has no demonstrable plan to use the disputed domain name.

Finally, the Complainant contends that the Respondent has registered the disputed domain name several years after the registration of the trademark BFORBANK, and the Complainant has established a strong reputation by using its trademark. Besides, the addition of the term “mabanque” cannot be coincidental, as it directly refers to the Complainant’s activities. Therefore, it is inconceivable that the Respondent could have registered the disputed domain name without actual knowledge of the Complainant’s rights in the trademark.

In addition, as prior UDRP panels have held, the incorporation of a famous mark into a domain name, coupled with an inactive website, may be evidence of bad faith registration and use.

##### **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 Panel finds the Complainant's trademark is recognizable within the disputed domain name.

Although the addition of other terms (here, "mabanque") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Regarding the gTLD ".com" in the disputed domain name, it is well established that a gTLD does not generally affect the assessment of a domain name for the purpose of determining identity or confusingly similarity. [WIPO Overview 3.0](#), section 1.11.1.

Therefore, 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 Panel notes the composition of the disputed domain name incorporating the Complainant's mark and a term associated with its business and finds that, before notice to the Respondent of the dispute, the Respondent did not make demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services. [WIPO Overview 3.0](#), section 2.2.

Therefore, 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.

Given the degree of distinctiveness or reputation of the Complainant's trademark and the composition of the disputed domain name, including the insertion of the term "mabanque", the Panel finds it beyond doubt that the Respondent had actual knowledge of the Complainant's trademark when the disputed domain name was registered. It is nearly implausible that the Respondent chose to register the disputed domain name randomly, with no knowledge of the trademark.

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 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.

See also, *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

Moreover, as noted above, the Respondent has failed to submit a response or to provide any evidence of actual or contemplated good-faith use.

Therefore, 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 <mabanqueforbank.com> be transferred to the Complainant.

/Manoel J. Pereira dos Santos/

**Manoel J. Pereira dos Santos**

Sole Panelist

Date: September 22, 2025