

ADMINISTRATIVE PANEL DECISION

BPCE v. gatot kaca

Case No. D2025-3464

1. The Parties

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

The Respondent is gatot kaca, Indonesia.

2. The Disputed Domain Name and Registrar

The Disputed Domain Name <bpcequity.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 27, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 29, 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 (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 1, 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 September 1, 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 September 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 25, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on September 30, 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 joint stock company, the second largest banking group in France, offering a full range of banking, financing and insurance services through its two cooperative banking networks Banque Populaire and Caisse d'Epargne. Currently the Complainant has 105,000 employees, presence in more than 40 countries through different subsidiaries, and is serving a total of 36 million customers.

The Complainant owns worldwide trademark registrations for BPCE, such as the following:

- the European Union trademark registration number 8375875 for BPCE (figurative), filed on June 19, 2009, registered on January 12, 2010, covering services in International Class 36;
- the International trademark registration number 1033662 for BPCE (figurative), registered on December 15, 2009, covering services in International Class 36; and
- the United States of America trademark registration number 5743541 for GROUPE BPCE (figurative), filed on May 25, 2018, registered on May 7, 2019, covering services in International Class 36.

The Complainant also owns numerous domain names containing or incorporating BPCE, including <bpce.fr> registered in 2008, <groupebpce.fr> and <groupebpce.com> registered in 2009.

The Disputed Domain Name was registered on June 11, 2025, and, at the time of filing of the Complaint, it was used in relation to a gaming website, provided in Indonesian language, and advising Internet users how to win the loteries and online games.

Prior to commencing the present procedures, on July 10, 2025, the Complainant sent a Cease-and-Desist letter to the Respondent. No response was received.

The Complainant's trademark was found well-known in France and internationally in relation to financial and banking services by prior UDRP Panels. See *BPCE v. Seymi Lozano*, WIPO Case No. [D2022-4185](#), and cases cited therein.

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 alleges it is well-known in France and through the world, in particular in the financial and banking field; the Disputed Domain Name is confusingly similar to the BPCE trademark, since it incorporates it entirely with an additional suffix that has no meaning; the Respondent has no rights or legitimate interests in the Disputed Domain Name; the Respondent registered and is using the Disputed Domain Name in bad faith mainly because: the Complainant's trademark is well-known and predates the registration of the Disputed Domain Name; the use of the Disputed Domain Name in connection with a website with advice concerning games and lotteries, coupled with the fact that the Complainant is a banking group, clearly indicates that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service offered on the Respondent's website or location, and the Respondent hid its identity information in the WhoIs.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

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

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 mark BPCE is recognizable 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.

While the addition of other term, here "quity", may bear on assessment of the second and third elements, the Panel finds the addition of such element 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.

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 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 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.

In the present case, the Panel notes that the Disputed Domain Name was registered in bad faith, with knowledge of the Complainant and its trademark particularly because the Complainant's trademark predates the registration of the Disputed Domain Name by about 16 years and is well known worldwide. The Panel notes the composition of the Disputed Domain Name, which combines the Complainant's well-known trademark BPCE with the meaningless term "quity" (or, potentially, it can be read as a typo for "equity", a term closely related to Complainant's business). Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

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.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Given that the Disputed Domain Name incorporates the Complainant's well-known trademark, and the website operated under the Disputed Domain Name provides online services unrelated to the Complainant, without displaying any disclaimer nor accurate information about the entity operating such website, indeed in this Panel's view, the Respondent has intended to attract Internet users accessing the website corresponding to the Disputed Domain Name who may be confused and believe that such website is held, controlled by, or somehow affiliated with or related to the Complainant, for the Respondent's commercial gain.

The Respondent chose not to participate in these proceedings, failed to respond to the Complainant's Cease-and-Desist letter and provided an inaccurate/incomplete postal address at the registration of the Disputed Domain Name, because the Written Notice could not be delivered to the Respondent by courier service. Along with the other circumstances in this case, this may be a further sign of bad faith.

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, <bpcequity.com>, be transferred to the Complainant.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: October 14, 2025