

ADMINISTRATIVE PANEL DECISION

BPCE v. Rovia Pissierssance

Case No. D2025-3667

1. The Parties

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

The Respondent is Rovia Pissierssance, France.

2. The Domain Name and Registrar

The disputed domain name <bpce-assurances.com> is registered with NETIM SARL (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 10, 2025. On September 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 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.

On September 11, 2025, the Center informed the parties in English and French, that the language of the registration agreement for the disputed domain name is English. On September 11, 2025, the Complainant submitted a translated Complaint in English.

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 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 17, 2025.

The Center appointed Alexandre Nappey as the sole panelist in this matter on October 24, 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 BPCE, a French joint stock company acting as the central institution responsible for the two banking networks – Banques Populaires and Caisses d'Épargne – with its head office in Paris. The Complainant, is the second largest banking group in France and pursues a full range of banking, financing and insurance activities, working through its two major Banque Populaire and Caisse d'Épargne cooperative banking networks and through its different subsidiaries.

The Complainant is the owner of numerous trademarks including BPCE (the “Mark”), among which:

- European Union word trademark BPCE registered under number 008375842 on January 12, 2010, for services in class 36 (duly renewed); and
- French trademark BPCE registered under number 3653852 on November 6, 2009, for goods and services in classes 9, 16, 35, 36, 38, 41 and 45 (duly renewed).

The Complainant also owns directly or through a dedicated subsidiary many domain names with the term “bpce”, such as <bpce.fr>, registered on November 27, 2008.

The disputed domain names was registered on August 14, 2025 and was inactive at the time of the filing of the Complaint.

At the time of the present Decision, the disputed domain names is 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.

First, the Complainant contends that the disputed domain name reproduces the Mark, in which it has rights, and is confusingly similar to the Mark insofar as it contains the Mark and that the addition of the term “assurances” (French word for “insurances”) and a hyphen after the Mark increases the risk of confusion between the disputed domain name and the Complainant's Mark. Indeed, the Complainant also offers its clients a wide range of insurance services.

The Complainant then contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name and never had any affiliation with the Complainant (which never authorized the Respondent to use the Mark in any manner).

At last, the Complainant contends that the Respondent had knowledge of the Mark and registered the disputed domain name in bad faith and is also using it in bad faith under the passive holding doctrine.

B. Respondent

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

6. Discussion and Findings

Notwithstanding the default of the Respondent, it remains incumbent on the Complainant to make out its case in all respects under the Rules set out in paragraph 4(a) of the Policy. Namely, the Complainant must prove that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (paragraph 4(a)(i));

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name (paragraph 4(a)(ii)); and

(iii) the disputed domain name has been registered and is being used in bad faith (paragraph 4(a)(iii)).

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).

Based on the available record, the Panel finds 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 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.

Although the addition of the hyphen and other terms (here "assurances") 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.

Based on the available record, 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 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 Complainant provided evidence of numerous trademark registrations for the Mark that predate the registration of the disputed domain name.

The Mark is distinctive, and the disputed domain name reproduces the Mark in its entirety, merely appending the hyphen and the descriptive term “assurances”, which directly reference one of the Complainant’s business sectors.

Panels consistently find that such composition targets the trademark owner and makes coincidence implausible.

On this record, the Panel finds it inconceivable that the Respondent selected the disputed domain name without awareness of the Complainant and its Mark.

The fact that there is no evidence that the disputed domain name has not yet been actively used does not prevent a finding of bad faith use.

Although the circumstances listed in paragraph 4(b) of the Policy are all phrased in terms of affirmative actions by the Respondent, it is by now well accepted that the passive holding of a domain name, in certain circumstances, can constitute bad faith use under the Policy (*Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#); *Jupiters Limited v. Aaron Hall*, WIPO Case No. [D2000-0574](#); *Ladbroke Group Plc v. Sonoma International LDC*, WIPO Case No. [D2002-0131](#); *Westdev Limited v. Private Data*, WIPO Case No. [D2007-1903](#); *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#); and *Intel Corporation v. The Pentium Group*, WIPO Case No. [D2009-0273](#)).

While panels will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include:

- (i) the degree of distinctiveness or reputation of the complainant’s mark;
- (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use; and
- (iii) the implausibility of any good faith use to which the domain name may be put.

The circumstances of the present case are sufficiently similar to those present in *Telstra* case to establish bad faith passive holding of the disputed domain name.

As noted above, based on the record in this proceeding, the Panel is satisfied that the Complainant’s Mark is distinctive and widely-known.

Furthermore, the Respondent has not replied to the Complainant nor provided any evidence of actual or contemplated good faith use of the disputed domain name.

The Panel therefore finds that the circumstances, as described above, show that the Respondent’s registration and passive holding of the disputed domain name equals a bad faith registration and use of the disputed domain name and therefore the Complainant also 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-assurances.com> be transferred to the Complainant.

/Alexandre Nappey/

Alexandre Nappey

Sole Panelist

Date: November 6, 2025