

ADMINISTRATIVE PANEL DECISION

BPCE v. reese brent, wedbest
Case No. D2025-3722

1. The Parties

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

The Respondent is reese brent, wedbest, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <caisse-epargne-fr.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 12, 2025. On September 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 15, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 17, 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 18, 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 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 13, 2025.

The Center appointed Angelica Lodigiani as the sole panelist in this matter on October 16, 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 company operating as the central institution responsible for the two banking networks – Banques Populaires and Caisses d'Epargne. The Complainant is the second largest banking group in France and performs a full range of banking, financial and insurance services through its two banking networks mentioned above and through various subsidiaries. The Complainant employs approximately 105,000 people and serves a total of 36 million customers.

The Complainant is the owner of the following trademarks:

- CAISSE D'EPARGNE (figurative), French registration No. 1658134, registered on April 26, 1991 for goods and services in classes 9, 16, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45;

- LA CAISSE D'EPARGNE (word), French registration No. 3155888, registered on March 27, 2002 for services in classes 36 and 41; and

- CAISSE D'EPARGNE (figurative), European Union trademark registration No. 000637504, registered on April 8, 1999, for goods and services in classes 9, 16, 35, 36, 38, 41 and 42.

The Complainant is also the owner of the domain names <caisse-epargne.com>, registered in 1998, and <caisse-epargne.fr>, registered in 2009, which lead to a website where customers can access their Caisse d'Epargne's bank accounts online.

The Respondent is reportedly located in the United States. The disputed domain name has been registered on July 25, 2025, and is inactive. Mail exchange ("MX") records have been set up for the disputed domain name. On August 26, 2025, the Complainant sent a cease-and-desist letter to the Registrar of the disputed domain name requesting its suspension and transfer, as well as to forward the cease-and-desist letter to the Respondent. No reply was ever received to this cease-and-desist letter.

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 almost identical to the Complainant's CAISSE D'EPARGNE mark as it consists of a misspelling of such mark, followed by a hyphen and the letters "fr", which refer to "France". The Complainant's mark is recognizable within the disputed domain name. Accordingly, the misspelling of the word "epargne" in "epagne" and the addition of the other elements mentioned above are insufficient to prevent a finding of confusing similarity between the disputed domain name and the Complainant's mark.

The Complainant further maintains that the Respondent lacks rights or legitimate interests in the disputed domain name. The Complainant never authorized the Respondent to register or use a domain name incorporating its CAISSE D'EPARGNE mark, or a misspelling of such mark. Moreover, the Respondent is not a licensee of the Complainant. The Respondent does not own any trademark or trade name corresponding to the disputed domain name. Accordingly, the Respondent is not using the disputed domain

name in connection with a bona fide offering of goods or services, and the Respondent cannot claim an actual or contemplated bona fide or legitimate use of the disputed domain name.

Lastly, the Complainant affirms that the Respondent has registered and is being using the disputed domain name in bad faith. The Complainant CAISSE D'EPARGNE mark is well known and at the time of the registration of the disputed domain name the Respondent ought to have been aware of its existence. Accordingly, the Respondent registered the disputed domain name to generate a likelihood of confusion with the Complainant's earlier mark and thus in bad faith.

With respect to use in bad faith, the Complainant argues that the current inactivity of the disputed domain cannot prevent a finding of bad faith under the doctrine of passive holding, which applies in this case. Moreover, the Respondent has configured MX records for the disputed domain name, thereby enabling the sending and receiving of emails through it. As the Complainant operates in the field of banking services, the activation of MX records for the disputed domain name is of particular concern as it could expose the Complainant to phishing attacks and other forms of online fraud.

Lastly, the Complainant pointed out that the Respondent registered the disputed domain name using a privacy service provider. Accordingly, the Respondent attempted to conceal its identity, which is further evidence of 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 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.

The Panel notes that the disputed domain name consists of the words "caisse-epargne", which is almost identical to the Complainant's mark CAISSE D'EPARGNE except for the fact that the word "epargne" is misspelled in the domain name, and the letter "d" in the Complainant's mark has been replaced by a hyphen. A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. [WIPO Overview 3.0](#), section 1.9.

Moreover, the disputed domain name includes the two-letter country code "fr", referring to France, which is separated from the word "epargne" by a hyphen. Although the addition of other terms, here "fr", 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.

Considering the above, 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 Respondent is not affiliated with, nor a licensee of, the Complainant and the Complainant never authorized the Respondent to make use of its trademark, in any manner whatsoever, including as part of the disputed domain name. The Respondent does not appear to be commonly known by the disputed domain name. The disputed domain name does not lead to an active website, and the Respondent did not provide any evidence of plans to use the disputed domain name in connection with a bona fide offering of goods or services.

The disputed domain name is almost identical to the Complainant’s mark and its official domain name <caisse-epargne.fr>, and it also includes the country code “fr” for France, the country where the Complainant has its registered office and operates. Accordingly, the Panel finds that the misspelling of the Complainant’s trademark in the disputed domain name signals an intention on the part of the Respondent to mislead the potential customers of the Complainant into believing that it is operated by the Complainant.

In light of the foregoing and in the absence of any contrary argument and evidence from the Respondent, 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 Respondent registered a disputed domain name confusingly similar to the Complainant’s mark. Indeed, the disputed domain contains a misspelling of the word “epargne” of the CAISSE D’EPARGNE mark, and the two-letter country code “fr” referring to the country where the Complainant is based and operates. These circumstances induce to believe that the Respondent was aware of the Complainant and of its CAISSE D’EPARGNE mark when it registered the disputed domain name.

Moreover, the Respondent configured the MX records of the disputed domain name thereby enabling the possibility to communicate with unsuspecting third parties.

In light of these circumstances, the Panel finds that the Respondent registered the disputed 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.

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.

In the present case, even if the Respondent is allegedly located in the United States, a country where the Complainant does not appear to operate, the Panel considers that the Respondent was clearly aware of the Complainant and of its mark. This conclusion is supported by the fact that the disputed domain name contains a misspelling of the Complainant's mark and includes a reference to the territory where the Complainant operates, namely France. Moreover, the Complainant has provided evidence that the Respondent has configured MX records for the disputed domain name, thereby enabling email communication. In the absence of any evidence to that effect, the Panel cannot determine whether, at the time of the filing of the Complaint, the Respondent had already used the disputed domain name to send email communications and for what purpose. However, even if it had not, given that the disputed domain name contains both a misspelling of the Complainant's mark and a clear reference to the country where the Complainant operates and its trademark is reputed, the Panel finds, on the balance of probabilities, that the Respondent had the Complainant's trademark in mind when registering the disputed domain name and, therefore, 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.

The fact that the Respondent registered the disputed domain name using a privacy service provider, supports a finding of bad faith in the circumstances of these proceedings. Furthermore, the Respondent failed to reply to the cease-and-desist letter sent by the Complainant via the Registrar before filing of this UDRP Complaint. Lastly, the Panel notes that the Respondent was already a respondent in another UDRP case, in which the Panel ordered the transfer of the disputed domain name, *NEHS Developpement v. Withheld for Privacy Purposes*, Privacy service provided by Withheld for Privacy ehf / reese brent, wedbest, WIPO Case No. [D2021-3052](#).

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 <caisse-epagne-fr.com> be transferred to the Complainant

/Angelica Lodigiani/

Angelica Lodigiani

Sole Panelist

Date: October 22, 2025