

ADMINISTRATIVE PANEL DECISION

Belfius Bank SA / Belfius Bank NV v. Scott Kennedy, Replit
Case No. D2025-3735

1. The Parties

The Complainant is Belfius Bank SA / Belfius Bank NV, Belgium, represented internally.

The Respondent is Scott Kennedy, Replit, United States of America.

2. The Domain Names and Registrar

The disputed domain names <bevestiging-belfius.info>, <gegevens-belfius.info> and <verificatie-belfius.info> are registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 15, 2025. On September 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 25, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy, Replit) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 26, 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 29, 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 October 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 23, 2025.

The Center appointed Alvaro Loureiro Oliveira as the sole panelist in this matter on October 28, 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 Belfius Bank SA/NV, a well-known Belgian bank and insurance company wholly owned by the Belgian state. It provides a broad range of retail and corporate banking, insurance, and wealth management services, serving millions of customers with a significant presence in Belgium. It employs over 5,000 people and operates more than 650 branches.

The Complainant owns several registrations for the trademark BELFIUS, including:

- European Union Trademark No. 010581205, registered May 24, 2012;
- Benelux Trademark No. 914650 (BELFIUS word), registered May 10, 2012;
- Benelux Trademark Nos. 915962 and 915963 (BELFIUS figurative), registered June 11, 2012.

The trademark registrations predate the Respondent's registration of the disputed domain names by more than a decade.

The Complainant also holds numerous domain names containing the mark, such as <belfius.be> (official website) and <belfius.com> (corporate website).

The disputed domain names were all registered on July 30, 2025, and do not resolve to active websites. Each disputed domain name combines the Complainant's BELFIUS mark with a Dutch generic term ("gegevens", "bevestiging", or "verificatie").

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 names.

Notably, the Complainant states that the disputed domain names are confusingly similar to the trademark - in fact, the disputed domain names include the trademark in its entirety, followed by Dutch generic terms, which have no effect whatsoever in distancing the disputed domain names from the registered trademark.

The Respondent has no rights or legitimate interests in the disputed domain names, as the Respondent has not acquired any trademark rights with respect to the disputed domain names. As stated by the documents presented, the registration and use of the trademark BELFIUS predate the registration of the disputed domain names by more than a decade.

Moreover, the Respondent is not commonly known by the disputed domain names. The Respondent has also not secured a license or any other authorization from the Complainant to use the trademark. Lastly, the disputed domain names do not direct to any active website.

In sum, the Complainant alleges that it is clear that the Respondent has no rights or legitimate interests in the disputed domain names, and that the disputed domain names were registered and are being used in bad faith.

B. Respondent

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

6. Discussion and Findings

The Policy, in its paragraph 4(a), determines that three elements must be present and duly proven by a complainant to obtain relief. These elements are:

- i. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- ii. the Respondent has no rights or legitimate interests in respect to 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 names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Panel finds that the Complainant has shown sufficient registered rights in respect of a trademark BELFIUS for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain names, with the addition of the Dutch generic terms "gegevens" (information), "bevestiging" (confirmation), or "verificatie" (verification), respectively. In this regard, it is well established that the addition of a term to a trademark does not prevent confusing similarity.

Thus, in the Panel's view, the addition of these terms does nothing to prevent the trademark from being recognizable in the disputed domain name, nor to prevent confusing similarity, as was found in previous UDRP decisions (see, e.g., *Price Costco International, Inc. v. Huynh Van Duc*, WIPO Case No. [D2020-0321](#); *Philip Morris Products S.A. v. Ong Nguyen Ngoc Ha*, WIPO Case No. [D2019-2509](#); *Facebook, Inc. v. Domain Admin Privacy Protect, LLC (PrivacyProtect.org) / Do Viet Dung*, WIPO Case No. [D2019-1121](#)). See [WIPO Overview 3.0](#), section 1.8.

Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy, and thus 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.

Given the clear evidence that the trademark BELFIUS is registered in the name of the Complainant and is widely known as identifying the Complainant's activities; that the Complainant has not licensed this to the Respondent; and that the disputed domain names are being passively held by the Respondent, the Panel finds that the Complainant has established prima facie case that the Respondent has no rights or legitimate interests in the disputed domain names.

In the absence of a Response, the Respondent has not rebutted such prima facie case.

The Panel, thus, finds that the Complainant has established the second element of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that the Respondent has probably registered the disputed domain names with the purpose of taking unfair advantage of the Complainant's mark.

The composition of the disputed domain names points towards the Respondent's likely intent to give an impression that the disputed domain names are associated with the Complainant. In the absence of any reasonable explanation for the selection of the disputed domain names by the Respondent, and in the circumstances of this case, the Panel finds that it is more likely than not, that the disputed domain names have been registered to take unfair advantage of the Complainant due to the value of its trademark.

The current passive holding of the disputed domain names does not prevent a finding of bad faith. Previous UDRP panels have found that the apparent lack of so-called active use of the disputed domain name, without any active attempt to sell or to contact the trademark holder, does not prevent a finding of bad faith. See, e.g., *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#); see also *Redcats S.A. And La Redoute S.A. v. Tumay Asena*, WIPO Case No. [D2001-0859](#); and *DCI S.A. v. Link Commercial Corporation*, WIPO Case No. [D2000-1232](#).

Here, the Panel notes that the distinctive and well-known nature of the Complainant's trademark BELFIUS, the failure of the Respondent to submit a Response, and the implausibility of any good faith use to which the disputed domain names may be put support a finding of bad faith.

In the totality of the circumstances, the Panel finds the Respondent has registered and is using the disputed domain names in bad faith.

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 names <gegevens-belfius.info>; <bevestiging-belfius.info>; <verificatie-belfius.info> be transferred to the Complainant.

/Alvaro Loureiro Oliveira/

Alvaro Loureiro Oliveira

Sole Panelist

Date: November 11, 2025.