

ADMINISTRATIVE PANEL DECISION

BPCE v. Nusrat Zahan Meghna, Nusrat Zahan Meghna
Case No. D2025-4223

1. The Parties

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

The Respondent is Nusrat Zahan Meghna, Nusrat Zahan Meghna, Bangladesh.

2. The Domain Name and Registrar

The disputed domain name <caisse-depargne-banque.com> is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 14, 2025. On October 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 16, 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 (Whois Privacy Protection Service by onamae.com, Whois Privacy Protection Service by onamae.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 16, 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 October 16, 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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 19, 2025.

The Center appointed Catherine Slater as the sole panelist in this matter on November 21, 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 company and the second largest banking group in France. It offers a full range of banking, finance and insurance services through its two largest banking networks – Banques Populaires and Caisse d'Epargne, and other subsidiaries. The Complainant operates in more than 40 countries, employs approximately 105,000 people and serves a total of 36 million customers.

The Complainant is the owner of numerous trademark registrations including:

- French Registration No. 1658134 for CAISSE D'EPARGNE (figurative mark) registered on April 26, 1991;
- European Union Registration No. 000637504, CAISSE D'EPARGNE (figurative mark) registered on April 8, 1999.

The Complainant is also the owner of the domain name <caisse-epargne.fr>, registered on January 16, 2009, and which resolves to a website where customers can access their online banking services.

The Respondent appears to be an individual reportedly located in Bangladesh.

The disputed domain name was registered on August 4, 2025. At the date of filing the Complaint, and also at the date of this Decision, the disputed domain name resolved to a webpage displaying the message "404 Not Found The resource requested could not be found on this server!" Mail exchange ("MX") records have been activated for the disputed domain name.

On September 10, 2025, the Complainant sent a cease-and-desist letter to the Registrar of the disputed domain name. No response was received.

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 because the disputed domain name contains the trademark in its entirety with the suffix "banque" which merely means "bank" in French and refers to the activity of the Complainant and which additional element does not therefore prevent a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent has no trademarks or trade names corresponding to the disputed domain name, the Complainant never authorized the Respondent to register or use a domain name incorporating its trademark, the Complainant has not granted any licence or authorization to use the trademark and the Respondent is not using the disputed domain name for a bona fide offering of goods or services.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith because its trademark is well-known such that the registration should be deemed to be in bad faith, the MX activation indicates fraudulent intent, the Respondent's hidden identity demonstrates bad faith and that the non-use of the disputed domain name does not preclude a finding 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.

As stated in section 1.10 of the [WIPO Overview 3.0](#), "to the extent that design (or figurative/stylized) elements would be incapable of representation in domain names, these elements are largely disregarded for purposes of assessing identity or confusing similarity under the first element". The Panel finds the textual component of the trademark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "banque", 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.

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

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.

In order to demonstrate that the disputed domain name was registered in bad faith, the Complainant must show that the Respondent knew, or should have known, of its trademark. The Panel understands that "caisse d'épargne" means "savings account" in French, which term is therefore descriptive of a service offered by the Complainant. While the Complainant relies on the fact that its trademark is well known (and would therefore also have acquired distinctiveness), its evidence in relation to its trademark (as opposed to the Complainant itself) is somewhat lacking in this regard. In any event, taking into account the evidence submitted and the Panel's own review of the Complainant's website, which discloses that services are provided under the trademark to 16.6 million customers in France, the Panel finds that the trademark is indeed well known, at least in France. Given that the trademark is well known, that the disputed domain name reproduces the textual element of the trademark identically and that the Respondent has provided no explanation for its selection of the disputed domain name, the Panel infers that the Respondent registered the disputed domain name with the Complainant's trademark in mind, and with the intention of profiting from, or otherwise exploiting the goodwill attaching to that trademark.

The Panel finds the disputed domain name to be inherently misleading, as inevitably suggesting to Internet users that it is owned or operated by, or otherwise legitimately affiliated with, the Complainant. While the Respondent's ultimate intention with regard to the disputed domain name is unclear, the Panel can conceive of no use that the Respondent could make of the disputed domain name without causing confusion with the Complainant's trademark and taking unfair advantage of, and/or causing unfair detriment to, that trademark.

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. Having reviewed the available record, the Panel notes the acquired distinctiveness and reputation of the Complainant's trademark, the failure of the Respondent to submit a response or provide any evidence of actual or contemplated good-faith use, the Respondent's concealment of its identity and the implausibility of any good faith use to which the disputed domain name may be put, and 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.

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-depargne-banque.com> be transferred to the Complainant.

/Catherine Slater/

Catherine Slater

Sole Panelist

Date: December 3, 2025