

## **ADMINISTRATIVE PANEL DECISION**

NATIXIS v. Nick Colton, nicktechnologies

Case No. D2025-4433

### **1. The Parties**

The Complainant is NATIXIS, France, represented by MIIP MADE IN IP, France.

The Respondent is Nick Colton, nicktechnologies, United States of America (the “United States”).

### **2. The Domain Name and Registrar**

The disputed domain name <natixisgroups.com> (the “Domain Name”) is registered with Porkbun LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 28, 2025. On October 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On October 28, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Whois Privacy Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 31, 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 November 4, 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 November 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 3, 2025.

The Center appointed Ana María Pacón as the sole panelist in this matter on December 10, 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 multinational financial services firm specialized in asset and wealth management, corporate and investment banking, insurance and payments. The Complainant forms part of the BPCE Group, described in the record as the second-largest banking group in France.

Relevant to this proceeding, the Complainant has registered the trademark NATIXIS worldwide, including:

- French Trademark Registration for NATIXIS and logo No. 3416315, registered on March 14, 2006, covering goods and services in classes 9, 16, 35, 36 and 38;
- European Union Trademark Registration for NATIXIS No. 5129176, registered on June 21, 2007, covering goods and services in classes 9, 16, 35, 36 and 38;
- International Trademark Registration for NATIXIS and logo No. 1071008, registered on April 21, 2010, covering goods and services in classes 9, 16, 35, 36 and 38, designating multiple countries, including the United States.

The Complainant is also the registrant of numerous domain names incorporating its trademark, including <natixis.com> registered since February 3, 2005 and <natixis.fr> registered since October 20, 2006.

The Domain Name was created on October 23, 2025. At the time of the filing of the Complaint, the Domain Name resolved to a website presenting itself as "Natixis Groups" and purporting to be a "dynamic financial institution" with a purported address in the United States. The Complainant submitted evidence that MX records were activated for the Domain Name as of October 28, 2025. Currently, the website has been deactivated.

#### **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 Domain Name.

Notably, the Complainant establishes that the Domain Name is confusingly similar to its NATIXIS trademark, as it reproduces the trademark in its entirety, with the mere addition of the term "groups", which does not prevent a finding of confusing similarity.

Further, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Respondent is not affiliated with the Complainant, has not been authorized to use the NATIXIS mark, and is not commonly known by the Domain Name.

In addition, the Complainant submits that the Domain Name was registered and is being used in bad faith. Given the distinctiveness and reputation of the NATIXIS trademark, the Respondent could not reasonably have been unaware of the Complainant's rights at the time of registration. The passive holding of the Domain Name further supports a finding of bad faith. The Complainant also points out that the Domain Name has been configured with MX records, enabling email functionality. According to the Complainant, in the context of a domain name confusingly similar to the trademark of a financial institution, this configuration increases the risk of deceptive or fraudulent email use and further supports a finding of bad faith.

Finally, the Complainant notes that the Respondent has made use of a privacy service and has failed to participate in the present proceedings, which the Complainant submits are additional circumstances supporting an inference of bad faith.

The Complainant requests that the Domain Name be transferred to it.

## **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 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 Domain Name. Accordingly, the 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 other terms here, "groups" 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 Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Then there is the addition of the generic Top-Level Domain ("gTLD"), here ".com". As is generally accepted, the addition of a gTLD such as ".com" is merely a technical registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1, and *Accenture Global Services Limited v. Fan zhi*, WIPO Case No. [D2024-0285](#).

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 that the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the Domain Name. The Respondent has not rebutted the Complainant's *prima facie* showing.

In particular, the Panel notes:

- There is no evidence that the Complainant licensed or otherwise authorized the Respondent to use the NATIXIS mark.
- There is no evidence that the Respondent has been commonly known by the Domain Name within the meaning of paragraph 4(c)(ii) of the Policy.
- The use of the Domain Name to resolve to a website purporting to offer financial services under the name "Natixis Groups", combined with indicia of impersonation or phishing risk, does not constitute a bona fide offering of goods or services.
- Domain names identical or confusingly similar to a complainant's trademark may carry a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.
- Panels have consistently held that the use of a domain name for illegal or fraudulent activity (including phishing or impersonation) can never confer rights or legitimate interests. [WIPO Overview 3.0](#), section 2.13.1.

Panels have consistently found that the use of a domain name which impersonates or suggests sponsorship or affiliation with the complainant cannot constitute a bona fide offering of goods or services nor a legitimate noncommercial or fair use. [WIPO Overview 3.0](#), section 2.5.1.

In the absence of a Response, the Respondent has failed to rebut the Complainant's *prima facie* case.

The Panel finds that 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 finds it implausible that the Respondent registered the Domain Name without knowledge of the Complainant's NATIXIS trademark, given the distinctiveness of the mark, which is a coined term, its well-established reputation in the field of financial services, the Complainant's long-standing trademark registrations, and the composition of the Domain Name, which wholly incorporates the trademark together with the term "groups", a term suggestive of corporate affiliation in the financial sector.

The registration of a domain name incorporating a well-known trademark, without authorization and without any plausible legitimate use, constitutes evidence of bad faith registration.

As to use, the record shows that the Domain Name resolved to a website presenting itself as "Natixis Groups" and purporting to offer financial services. The Complainant submitted evidence of multiple indicia of illegitimacy, including inconsistent or false address details, incomplete or non-functional website sections, and unclickable "Terms of use" and "Privacy Policy" links. The website also included a "customer access" feature inviting users to enter login credentials, supporting an inference of impersonation or phishing. Panels have held that the use of a domain name for phishing or other fraudulent activity constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Furthermore, the Panel has also reviewed the Complainant's evidence containing the MX records for the Domain Name, which indicate that the Respondent has connected the Domain Name to email servers. The Panel finds that this creates a risk that the Respondent may be using the Domain Name, which is confusingly similar to the Complainant's well-known mark, for misrepresentations and/or phishing or spamming activities. [WIPO Overview 3.0](#), section 3.4; see also *Carrefour v. WhoisGuard, Inc., WhoisGuard Protected / Robert Jurek, Katrin Kafut, Purchasing clerk, Starship Tapes & Records*, WIPO Case No. [D2017-2533](#), *Principal Financial Services, Inc. v. Cong Truong*, WIPO Case No. [D2025-0648](#).

In these circumstances, the Panel finds that the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark as to source, sponsorship, affiliation, or endorsement, within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel further notes that the subsequent deactivation of the website does not prevent a finding of bad faith in the circumstances of this case.

Finally, the Panel notes that the Respondent initially concealed its identity through the use of a privacy service and failed to participate in these proceedings. While neither factor alone is conclusive, they may be taken into account as additional elements supporting an inference of bad faith in the overall circumstances of the case.

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 Domain Name <natixisgroups.com> be transferred to the Complainant.

*/Ana María Pacón/*  
**Ana María Pacón**  
Sole Panelist  
Date: December 24, 2025