

## **ADMINISTRATIVE PANEL DECISION**

EFG Bank European Financial Group SA v. ye bai  
Case No. D2025-4687

### **1. The Parties**

The Complainant is EFG Bank European Financial Group SA, Switzerland, represented by CMS Cameron McKenna Nabarro Olswang LLP, United Kingdom.

The Respondent is ye bai, China.

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

The disputed domain name <efginternationals.com> (the “Disputed Domain Name”) is registered with Amazon Registrar, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 12, 2025. On November 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On November 12, 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 (Doe) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 13, 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 amendment to the Complaint on November 17, 2025.

The Center verified that the Complaint together with the amendment to the 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 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 15, 2025.

The Center appointed Nicholas Weston as the sole panelist in this matter on December 23, 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 Swiss bank with around 3,000 employees, operates in more than 20 countries and with a CHF 162 billion of client assets under management as at June 30, 2025. The Complainant cites its registrations for the trademark EFG in several countries, and variations of it including EFG INTERNATIONAL. These include, for example, European Union trademark registration No. 582742, EFG (word), registered on January 25, 1999, for services in international class 36, European Union trademark registration No. 16276677 EFG (device) registered on May 16, 2017, for services in international class 36 and Canada trademark registration No. TMA810490 EFG CANADA (circle device) registered on October 27, 2011 in class 36.

The Complainant owns the domain name <efginternational.com>, which hosts its main website.

The Disputed Domain Name was registered on April 8, 2025, and is used to host an unauthorized version of the Complainant's official website.

#### **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 cites its trademark registrations in a number of jurisdictions for the marks EFG and EFG INTERNATIONAL (device), as prima facie evidence of ownership.

The Complainant submits that its rights in the marks EFG and EFG INTERNATIONAL predate the Respondent's registration of the Disputed Domain Name. It submits that the Disputed Domain Name is confusingly similar to its trademark, because the Disputed Domain Name is comprised of the EFG INTERNATIONAL trademark and that the addition of the letter "s" and the generic Top-Level-Domain ("gTLD") ".com" is not sufficient to avoid the confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because "[t]he Respondent has not been authorised by the Complainant to register or use the [Disputed] Domain Name...and...[t] is no evidence which indicates that the Respondent is or was ever commonly known by the [Disputed] Domain Name" and infers that none of the circumstances set out in paragraph 4(c) of the Policy apply.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Name was, and currently is, in bad faith, contrary to the Policy and the Rules having regard to evidence that points to knowledge of the Complainant and its trademarks, and, it submits that "the website to which the [Disputed] Domain Name resolves ... is an almost identical copy of the Complainant's website. In particular, it evidently reproduces the Complainant's Trade Marks, including the registered logo, as well as the text, images, interface, and layout of the Complainant's website, which is also protected by copyright. The Website also provides contact details which are different from the Complainant's. In view of this, the Website is clearly being used to impersonate the Complainant, likely for fraudulent purposes".

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy, the Complainant has the burden of proving the following:

- (i) that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (iii) that 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 Name. 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 rights in respect of a trademark or service mark for the purposes of the Policy. The requirements of the first element for purposes of the Policy may be satisfied by a trademark registered in any country. [WIPO Overview 3.0](#), section 1.2.1. The Complainant has produced sufficient evidence to demonstrate that it has registered trademark rights in the mark EFG.

Turning to whether the Disputed Domain Name is identical or confusingly similar to the EFG trademark, the Panel observes that the Disputed Domain Name is comprised of: (a) an exact reproduction of the Complainant's trademark EFG INTERNATIONAL; (b) followed by the letter "s"; (c) followed by the gTLD ".com".

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11. The relevant comparison to be made is with the second-level portion of the Disputed Domain Name, specifically: "efginternationals".

The Panel finds the mark is recognizable within the Disputed Domain Name. To the extent that design elements would be incapable of representation in a domain name, these elements are largely disregarded for purposes of assessing identity or confusing similarity under the first element. Accordingly, the Panel finds that 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 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 Disputed 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 notes that the Complainant has not licensed or otherwise authorized the Respondent to use its trademarks and that there is no relationship between the Complainant and the Respondent, let alone any accurate or prominent disclosure of that relationship, or absence of such, on its website. The use of the Complainant's trademark and identical copyright images lifted from the Complainant's webpage on the Respondent's website suggests that the Respondent has targeted the Complainant. The Panel finds that the Respondent's activities do not represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use, given the substantial reputation and goodwill of the Complainant's mark or capacity to otherwise mislead Internet users.

Panels have held that the use of a domain name for illegitimate activity such as impersonation, passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

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 the present case, the Panel finds that the evidence in this case shows the Respondent registered and has used the Disputed Domain Name in bad faith.

On the issue of registration, taking into account the composition of the Disputed Domain Name, the Panel is satisfied that the Respondent deliberately targeted the Complainant's trademark EFG INTERNATIONAL when it registered the Disputed Domain Name.

This Panel finds that there is no reason for the Respondent to have registered the Disputed Domain Name other than to trade off the reputation and goodwill of the Complainant's trademark. [WIPO Overview 3.0](#), section 3.1.4.

Further, a gap of several years between registration of a complainant's trademark and respondent's registration of a disputed domain name (containing the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Name some 26 years after the Complainant established registered trademark rights in the EFG mark and at least 14 years after the Complainant established registered trademark rights in the EFG INTERNATIONAL mark. The Respondent has not come forward to rebut the Complainant's allegations or to offer an alternative explanation.

On the issue of use, the Complainant's evidence is that the Disputed Domain Name was used to host a website that mimics the visual elements and content of the Complainant's legitimate website, displaying the Complainant's actual trademark and copyright works used by the Complainant on its own homepage.

Panels have held that the use of a domain name for unlawful activity here, alleged impersonation or passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. The Complainant supplied evidence of the misleading website. In the circumstances, having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under paragraph 4(b)(iv) of the Policy.

There is also evidence that the Respondent provided false contact details to shield its identity when registering the Disputed Domain Name. Previous panels have found that providing false information for the Whois database to shield a registrant's identity (which is also in breach of the registration agreement) is further evidence of the Respondent's knowledge of the Complainant's rights at the time of registration and can support an inference of bad faith. [WIPO Overview 3.0](#), section 3.2.1

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 <efginternationals.com> be transferred to the Complainant.

*/Nicholas Weston/*

**Nicholas Weston**

Sole Panelist

Date: December 27, 2025