

ADMINISTRATIVE PANEL DECISION

BPCE v. Sidy Doucoure, caisse d'epargne
Case No. D2025-4860

1. The Parties

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

The Respondent is Sidy Doucoure, caisse d'epargne, France.

2. The Domain Names and Registrar

The disputed domain names <ce-caissedepargne.com> and <ce-caissedepargne.site> are registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 21, 2025. On November 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 24, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 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 November 27, 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 December 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 23, 2025.

The Center appointed Marie-Emmanuelle Haas as the sole panelist in this matter on December 29, 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, BPCE, is a French joint stock company acting as the central institution responsible for the two banking networks Banques Populaires and Caisses d'Epargne.

BPCE, is the second largest banking group in France and pursues a full range of banking, financing and insurance activities, working through its two major Banque Populaire and Caisse d'Epargne cooperative banking networks and through its different subsidiaries. BPCE has put down deep roots in its local markets. Its 105,000 employees serve a total of 36 million customers, nine of whom have decided to become cooperative shareholders.

BPCE is well known in the international market and is present in more than 40 countries via its various subsidiaries.

The Complainant relies on the following trademarks:

- French trademark  **CAISSE D'EPARGNE** No. 1658134 registered on April 26, 1991 in classes 9; 16; 28; 35; 36; 37; 38; 39; 40; 41; 42; 43; 44; 45, duly renewed

- French trademark LA CAISSE D'EPARGNE No. 3155888 registered on March 27, 2002 in classes 36 and 41, duly renewed;

- European Union trademark Registration  **CAISSE D'EPARGNE** No. 000637504, registered on September 24, 1997 in classes 9, 16, 35, 36, 38, 41 and 42, duly renewed

These trademarks are notably protected for products and services relating to banking and financial services.

The Complainant explains that it registered the domain names <caisse-epargne.com> in 1998 and <caisse-epargne.fr> in 2009, and that these domain names resolve to its official website enabling its customers to remotely manage their bank accounts.

The disputed domain names have been registered on August 8, 2025.

According to the registrant's data, that were disclosed by the Registrar, both disputed domain names are registered in the name of the same registrant.

The Respondent is an individual domiciled in France, claiming the name "Caisse d'Epargne" as the name of its organization.

Furthermore, the Respondent's email address confirmed by the Registrar incorporates the Complainant's trademark. The Complainant sent a cease and desist letter to the Respondent, using the Registrar's abuse email address, on September 10, 2025. This letter remains unanswered.

The disputed domain names do not resolve to any website or webpage.

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.

On the first element, the Complainant contends that the disputed domain names contain the well-known CAISSE D'EPARGNE trademark with the addition of the prefix "ce" which directly refers to "Caisse d'Epargne".

These additional elements do not prevent a finding of confusing similarity.

The identical reproduction of the CAISSE D'EPARGNE trademark is sufficient to establish confusing similarity.

On the absence of rights or legitimate interests, it asserts that the Respondent has no rights on the disputed domain name and that it never authorized the Respondent to register or to use any domain name incorporating its CAISSE D'EPARGNE trademark.

On the bad faith registration and use, the Complainant relies on its prior trademark's rights and on its reputation, which was already recognized in prior UDRP cases, such as in *BPCE v. Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf / pascale kiss, cherhgi*, WIPO Case No. [D2021-1251](#) concerning <caisse-depargne-particulier.com>.

It asserts that the choice of the disputed domain names cannot be a mere coincidence, but that the goal was to generate a likelihood of confusion with its CAISSE D'EPARGNE trademark.

It relies on the prior UDRP decision in *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#), on passive use and bad faith.

Additionally, the Complainant explains the disputed domain names were registered by a person who chose to hide its identity.

It relies on a decision stating that deliberately using fictitious or ineffective contact details without any valid reason is bad faith: *Farouk Systems Inc v. David*, WIPO Case No. [D2009-1245](#).

It asserts that the Registrant has deliberately sought to give the impression that the disputed domain names were registered by CAISSE D'ÉPARGNE, which is not correct and demonstrates bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions

6. Discussion and Findings

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the Complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

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 addition of other terms here, the letters “ce”, which are the initials of the CAISSE D’EPARGNE trademark 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 mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the CAISSE D’EPARGNE 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

Pursuant to paragraph 4(c) of the Policy, the Respondent may establish rights or legitimate interests in the disputed domain names by demonstrating any of the following:

- (i) before any notice to it of the dispute, the Respondent’s use of, or demonstrable preparations to use, the disputed domain names or a name corresponding to the disputed domain names in connection with a bona fide offering of goods or services; or
- (ii) the Respondent has been commonly known by the disputed domain names, even if it has acquired no trademark or service mark rights; or
- (iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain names, without intent for commercial gain, to misleadingly divert consumers, or to tarnish the trademark or service mark at issue.

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 names. 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 names 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

For the purposes of paragraph 4(a)(iii) of the Policy, the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- (i) circumstances indicating that the respondent has registered, or the respondent has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that

complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

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 that the Respondent, who is domiciled in France, was well aware of the Complainant's well-known CAISSE D'EPARGNE trademark, when it registered the disputed domain names.

The Respondent's use of the CAISSE D'EPARGNE trademark in the registrant data, combined with an email contact address incorporating the trademark reveal a deliberate attempt to target the Complainant, and exploit the reputation and trust associated with the CAISSE D'EPARGNE trademark. This conduct reinforces the conclusion that the domain names were registered and are being 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.

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 reputation of the Complainant's CAISSE D'EPARGNE trademark, the registrant information provided by the Respondent at the time of registration and the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names 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 names <ce-caissedepargne.com> and <ce-caissedepargne.site> be transferred to the Complainant.

/Marie-Emmanuelle Haas/

Marie-Emmanuelle Haas

Sole Panelist

Date: January 12, 2026