

## **ADMINISTRATIVE PANEL DECISION**

African Bank Limited v. Tang Owen  
Case No. D2025-4980

### **1. The Parties**

The Complainant is African Bank Limited, South Africa, represented by Adams & Adams Attorneys, South Africa.

The Respondent is Tang Owen, Hong Kong, China.

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

The disputed domain name <africanbankingcorp.com> is registered with Gname.com Pte. Ltd. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 1, 2025. On December 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 2, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 10, 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 December 12, 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 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 5, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on January 14, 2026. 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 retail bank based in South Africa offering a range of financial services and products under the trademark AFRICAN BANK.

According to the Complaint, the Complainant was established in 1975. In 2014, its operations were placed under some sort of official conservatorship but it resumed operations in 2016. It is working towards relisting on the Johannesburg Stock Exchange in 2027. Throughout this time, it has promoted itself and its services as AFRICAN BANK in both South Africa from both bricks and mortar branches and online, and “other countries in Africa”.

The Complainant currently has 398 branches in South Africa. Its online presence is centered on the website at “www.africanbank.co.za” which, amongst other things, features a fancy version of AFRICAN BANK prominently in the top left-hand banner of the landing page. The Complainant registered its domain name on November 26, 1996. The Complainant also holds a number of other domain names based on variations of AFRICAN BANK.

In 2022, the Complainant gained more than 500,000 new customers and had retail savings and investment customer deposits of RAND 10.8 billion and made a profit of RAND 736 million.

The Complainant’s Facebook page with the profile name, Africanbank, has 418,000 followers; its Twitter / X account based on the handle “@AfricanBank” has 79,000 followers and more than 22,000 followers on Instagram.

The Complainant’s YouTube channel has over 4,170 subscribers. The video “Join the bank that backs you” has had 3,380,173 views. The video “African Bank introduces Isiko Lifestyle Solution” has had 524,000 views; videos unveiling its brand revamp in 2024 have had between 1.6 million and 3.3 million views. Other videos have had much smaller numbers of views – in the hundreds rather than thousands or millions.

The Complaint includes evidence that the Complainant owns registered trademarks for AFRICAN BANK in Lesotho, Zimbabwe, Botswana, and South Africa. By way of example only, these include:

- (1) Botswana Registered Trademark No. BW/M/2008/00550, which was filed on September 3, 2008 in respect of insurance, financial affairs, monetary affairs, real estate affairs in International Class 36; and
- (2) South Africa Registered Trademark No. 2012/28236, which was filed on October 18, 2012 and registered on May 18, 2014 in respect of insurance, financial affairs, monetary affairs, real estate affairs, investment and banking services in International Class 36.

There are also associated registrations in South Africa for clothing, footwear and headgear in International Class 25 and a range of services in International Classes 35, 38, 41 and 42.

According to the WhoIs report, the disputed domain name was registered on September 1, 2025.

When the Complaint was filed, the disputed domain name initially resolved to a landing page which stated that “africanbankingcorp.com has been registered by GNAME, if you are interested please go to GNAME!”. There is also a link to “Go to GNAME!”. In any event, after a few seconds, the browser redirects to “www.gname.com” which offers “top-tier domain brokerage services” from which one may make an

application to engage a broker to bargain for the domain name of interest. The Complaint includes evidence the disputed domain name is being offered for sale for a price of USD 2,185.

After the Complainant's attempts to contact the Respondent through the Registrar did not elicit any response, it filed the Complaint seeking the transfer of the disputed domain name to the Complainant.

No response has been received from the Respondent.

## **5. Discussion and Findings**

No response has been filed. The Complaint and Written Notice have been sent, however, to the Respondent at the electronic and physical coordinates confirmed as correct by the Registrar in accordance with paragraph 2(a) of the Rules. Bearing in mind the duty of the holder of a domain name to provide and keep up to date correct Whois details, therefore, the Panel finds that the Respondent has been given a fair opportunity to present his or its case.

When a respondent has defaulted, paragraph 14(a) of the Rules requires the Panel to proceed to a decision on the Complaint in the absence of exceptional circumstances. Accordingly, paragraph 15(a) of the Rules requires the Panel to decide the dispute on the basis of the statements and documents that have been submitted and any rules and principles of law deemed applicable.

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of the disputed domain name, the Complainant must demonstrate each of the following:

- (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 of 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**

The first element that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, the Complainant's trademark 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 proven ownership of a number of registered trademarks for AFRICAN BANK.

The comparison of the disputed domain name to the Complainant's trademark simply requires a visual and aural comparison of the disputed domain name to the proven trademarks. This test is narrower than and thus different to the question of "likelihood of confusion" under trademark law. Therefore, questions such as the scope of the trademark rights, the geographical location of the respective parties, the date they were acquired and other considerations that may be relevant to an assessment of infringement under trademark law are not relevant at this stage. Such matters, if relevant, may fall for consideration under the other elements of the Policy. See e.g. [WIPO Overview 3.0](#), section 1.7.

In undertaking that comparison, it is permissible in the present circumstances to disregard the generic Top-Level Domain (gTLD) component as a functional aspect of the domain name system. [WIPO Overview 3.0](#), section 1.11.

Disregarding the “.com” gTLD, the disputed domain name consists of the Complainant’s registered trademark and the terms “ing” and “corp”. As this requirement under the Policy is essentially a standing requirement, the addition of these terms does not prevent a finding of confusing similarity. See e.g. [WIPO Overview 3.0](#), section 1.8. Apart from anything else, the Complainant’s trademark remains visually and aurally recognisable within the disputed domain name.

Accordingly, the Panel finds that the Complainant has established that the disputed domain name is confusingly similar to the Complainant’s trademark and the requirement under the first limb of the Policy is satisfied.

## **B. Rights or Legitimate Interests**

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain name.

Paragraph 4(c) of the Policy provides that the following circumstances can be situations in which the Respondent has rights or legitimate interests in a disputed domain name:

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

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a domain name.

While 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 often impossible 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. 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.

The Respondent registered the disputed domain name long after the Complainant began using the trademark and also more than 10 years after the Complainant had registered its trademark.

The Complainant states that it has not authorised the Respondent to use the disputed domain name. Nor is the Respondent affiliated with it.

The disputed domain name is not derived from the Respondent’s name. Nor is there any suggestion of some other name by which the Respondent is commonly known from which the disputed domain name could be derived. From the available record, the Respondent does not appear to hold any trademarks for the disputed domain name.

In some contexts, the expression “African banking corporation” could be descriptive. There is no evidence of use of the disputed domain name in a descriptive sense, however, in this case. In addition, there is no evidence of any preparations for such use.

Further, the use of the disputed domain name in connection with at least banking and financial services in South Africa, Botswana, Lesotho, and Zimbabwe would be likely to conflict with the Complainant's registered trademarks in those countries. Further still, it seems likely that the Complainant's trademark is sufficiently widely and well-known that use of the disputed domain name would be likely to misrepresent an association with the Complainant.

In these circumstances, offering the disputed domain name for sale does not qualify as a good faith offering of goods or services under the Policy.

These matters, taken together, are sufficient to establish a prima facie case under the Policy that the Respondent has no rights or legitimate interests in the disputed domain name. The basis on which the Respondent has adopted the disputed domain name, therefore, calls for explanation or justification. The Respondent, however, has not sought to rebut that prima facie case or advance any claimed entitlement. Accordingly, the Panel finds the Complainant has established the second requirement under the Policy also.

### **C. Registered and Used in Bad Faith**

Under the third requirement of the Policy, the Complainant must establish that the disputed domain name has been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g. *Group One Holdings Pte Ltd v. Steven Hafto* WIPO Case No. [D2017-0183](#).

In the present case, it appears that the Complainant has used its trademark sufficiently extensively and over a lengthy period of time that its trademark has become well-known. The terms comprising the disputed domain name have no obvious connection with the Respondent or Hong Kong, China. Further, the Complainant contends the price at which the disputed domain name is being offered for sale is two orders of magnitude greater than the standard price of registering a similar domain name in the ".com" gTLD. For example, the Complaint includes evidence that the domain name <africanbankingcorporation.com> is available for registration for the price of USD 13.48.

The Respondent has not sought to deny the Complainant's allegation that the Respondent registered the disputed domain name to take advantage of the Complainant's reputation in its trademark. Nor has the Respondent sought to offer any explanation for how or why the Respondent came to register the disputed domain name.

In these circumstances, the Panel accepts the Complainant's allegation that the Respondent registered the disputed domain name because of its significance as the Complainant's trademark. In circumstances where the Respondent has not sought to claim, let alone establish, that he or she has rights or legitimate interests in the disputed domain name, therefore, the Panel finds the Respondent has registered and used it in bad faith.

Accordingly, the Complainant has established all three requirements under the Policy.

## **6. 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 <africanbankingcorp.com> be transferred to the Complainant.

*/Warwick A. Rothnie/*

**Warwick A. Rothnie**

Sole Panelist

Date: February 5, 2026