

ADMINISTRATIVE PANEL DECISION

BPCE v. Bungee, Leonardo JavierBarroso Falcon
Case No. D2025-5175

1. The Parties

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

The Respondent is Bungee, Leonardo JavierBarroso Falcon, Peru.

2. The Domain Name and Registrar

The disputed domain name <assistance-caisse-epargne.com> is registered with Nicenic International Group Co., Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 11, 2025. On December 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 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 (not identified) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 15, 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 18, 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 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 13, 2026.

The Center appointed Delia-Mihaela Belciu as the sole panelist in this matter on January 20, 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 the second largest banking group in France, pursuing a full range of banking, financing and insurance activities, working through its two major cooperative banking networks, namely Banque Populaire and Caisse d'Épargne, as well as through its different subsidiaries.

The Complainant has 105,000 employees, being present in more than 40 countries via its various subsidiaries, serving a total of 36 million customers.

The Complainant is the owner of the following trademarks containing the denomination CAISSE D'ÉPARGNE:

- the French national trademark No. 1658134 for CAISSE D'ÉPARGNE, registered on April 26, 1991, for goods and services in classes 9, 16, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45;
- the European Union trademark No. 000637504 for CAISSE D'ÉPARGNE, registered on April 8, 1999, for goods and services in classes 9, 16, 35, 36, 38, 41, 42;
- the French national trademark No. 3155888 for LA CAISSE D'ÉPARGNE, registered on March 27, 2002, for services in classes 36 and 41.

In addition, the Complainant owns the domain names <caisse-epargne.com> registered since October 6, 1998 and <caisse-epargne.fr>, registered since January 16, 2009, the last one corresponding to an active website used by the Complainant's customer to access online their bank accounts for remote access and management.

The disputed domain name <assistance-caisse-epargne.com> was registered on May 6, 2025, and it is not used in relation to a webpage or an email address.

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:

- (i) the disputed domain name is confusingly similar to the CAISSE D'ÉPARGNE mark as it contains the CAISSE D'ÉPARGNE mark, with the addition of the term "assistance";
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name for a number of reasons, among which that, (1) the Respondent has no trademarks corresponding to the disputed domain name, (2) the Complainant has not granted any license nor any authorisation for the Respondent to use its CAISSE D'ÉPARGNE mark including in the disputed domain name;
- (iii) the disputed domain name was registered and is being used in bad faith for a number of reasons, among which that, (1) the Complainant's CAISSE D'ÉPARGNE mark pre-date the registration of the disputed domain name, (2) the Complainant and its subsidiaries are well-known in France for the financial and banking market consumers, (3) the Complainant's trademarks are well-known, (4) the disputed domain

names resolves to an inaccessible website, (5) the data about the Respondent in the Whois database is anonymous, being hidden by the Registrar, which did not allow the Complainant to identify clearly and to contact the Registrant.

B. Respondent

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

6. Discussion and Findings

In order for the Complainant to succeed, such must prove, according to paragraph 4(a) of the Policy, that:

- (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 with respect to the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

In case all three elements above have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. Thus, the Panel will deal with each of the requirements in turn.

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.

The Panel finds that the Complainant's CAISSE D'EPARGNE mark is reproduced within the disputed domain name without the particle "d", the word elements of the mark being separated by hyphens, with the addition in front of it of the descriptive term "assistance", term commonly used in banking, financing and insurance activities, aspects which do not prevent a finding that the disputed domain name is confusingly similar to the Complainant's CAISSE D'EPARGNE mark. Accordingly, the disputed 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, in this case "assistance", 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.

In what concerns the addition of the generic Top-Level Domain ("gTLD") ".com" in relation to the disputed domain name, such is viewed as a standard registration requirement, and is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, the Panel finds that 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.

Thus, based on the available evidence, the Respondent does not appear to be commonly known by the name “Caisse d’Epargne” or “Caise Epargne”.

Based on the available evidence, the Respondent is not a licensee of, nor has any kind of business relationship with the Complainant. The Complainant has never authorised the Respondent to make use of its CAISSE D’EPARGNE trademark in the disputed domain name.

Moreover, the disputed domain name is not used in relation to a website or an email address.

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.

In the present case, the Panel notes that the Complainant’s rights in the CAISSE D’EPARGNE mark predate the registration date of the disputed domain name.

In light of the above, the Panel finds that it is not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant’s CAISSE D’EPARGNE mark, which supports a finding of bad faith registration. [WIPO Overview 3.0](#), section 3.2.2.

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.

The disputed domain name is not used in relation to a website or an email address. UDRP 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 composition of the disputed domain name which reproduces the Complainant’s CAISSE D’EPARGNE mark without the particle “d”, with the addition of the descriptive term “assistance”, term commonly used in banking, financing and insurance activities, 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.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy and 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 <assistance-caisse-epargne.com> be transferred to the Complainant.

/Delia-Mihaela Belciu/

Delia-Mihaela Belciu

Sole Panelist

Date: February 3, 2026