

ADMINISTRATIVE PANEL DECISION

BPCE v. Bungee, Leonardo JavierBarroso Falcon
Case No. D2025-5179

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 <support-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 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 13, 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 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 8, 2026.

The Center appointed Jonathan Agmon 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 BPCE is one of the largest banking groups in France with 105,000 employees, serving a total of 36 million customers. The Complainant is present in more than 40 countries via its various subsidiaries. The Complainant offers a full range of banking, financing and insurance services through its two cooperative banking networks, Banque Populaire and Caisse d'Epargne.

The Complainant is the owner of various trademark registrations including:

- French trademark CAISSE D'EPARGNE, registration number 1658134, registered on April 26, 1991;
- French trademark LA CAISSE D'EPARGNE, registration number 3155888, registered on March 27, 2002; and
- European Union Trade Mark CAISSE D'EPARGNE, registration number 000637504, registered on April 8, 1999.

The Complainant is owner of the domain name <caisse-epargne.com> registered on October 6, 1998, and <caisse-epargne.fr>, registered on January 16, 2009.

The disputed domain name was registered on May 9, 2025, and resolves to an inactive 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.

The Complainant asserts that it owns numerous well-known trademarks, duly registered and extensively used for banking and financial services. The disputed domain name reproduces the Complainant's CAISSE D'EPARGNE trademarks, merely adding the term "support-" and hyphen between the words "caisse" and "epargne" which does not prevent the finding of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent does not own any trademark or trade name corresponding to the domain name and has never been authorized, licensed, or otherwise permitted by the Complainant to use its trademarks.

In the absence of any authorization and given the lack of evidence of bona fide use or demonstrable preparations for legitimate use, the Complainant asserts that the Respondent cannot claim any legitimate interest in the disputed domain name.

The Complainant further argues that its trademarks are well-known in France and internationally, particularly in the banking and financial sector, and that their notoriety has been recognized in prior WIPO decisions. The trademarks long predate the registration of the disputed domain name. Given this reputation, the Respondent knew or should have known of the trademarks at the time of registration. UDRP panels have consistently held that the registration of a domain name incorporating a well-known trademark constitutes bad faith per se. The disputed domain name resolves to an inactive or inaccessible website. Under the passive holding doctrine, such inactivity does not prevent a finding of bad faith, particularly where the

trademark is well-known, the respondent has provided no evidence of good-faith use, and no plausible legitimate use of the domain name exists. The Respondent has used privacy services to conceal its identity in the Whois records, preventing the Complainant from identifying or contacting the registrant. This concealment further supports an inference of bad faith when assessed in conjunction with the other circumstances.

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 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 entirety of the mark is reproduced within the disputed domain name. 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 the term "support-" and a hyphen between the words "caisse" and "epargne", and the omission of the letter "d" and apostrophe in the Complainant's mark, may bear on assessment of the second and third elements, the Panel finds that such differences do 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 and 1.9.

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 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.

There is no evidence that the Respondent is commonly known by the disputed domain name or that he was licensed or authorized by the Complainant to use the CAISSE D'EPARGNE trademark or to register the disputed domain name. The Complainant's use and registration of the CAISSE D'EPARGNE trademark long predates the registration date of the disputed domain name.

The Respondent failed to rebut the *prima facie* case established by the Complainant 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 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 Respondent registered the disputed domain name long after the Complainant's trademark was registered and used. The disputed domain name incorporates almost the entirety of the Complainant's trademark with the addition of the term "support-" and a hyphen between the words "caisse" and "epargne", and the omission of the letter "d" and apostrophe in the Complainant's trademark. While the Complainant's CAISSE D'EPARGNE trademark translates from French into English as "savings funds", it has been used by the Complainant for a very long time. The Complainant's evidence is also that it has extensive use both in France and internationally. Taken in conjunction with the fact that the Respondent opted to register the disputed domain name with the word "support" leads the Panel to the conclusion that the Respondent was targeting the Complainant and its customers. This conclusion is further supported since the Respondent was also a party to other domain name disputes involving the Complainant's trademark, namely in connection with the domain names caisse-epargne-protection.com and assurance-caisse-epargne.com, see *BPCE v. Leonardo JavierBarroso Falcon, Bungee*, WIPO Case No. [D2025-2403](#) and *BPCE v. Leonardo JavierBarroso Falcon, Bungee*, WIPO Case No. [D2025-2709](#).

Therefore, the Panel finds that the pattern of such conduct by the Respondent is further evidence of bad faith registration and use under paragraph 4(a)(ii) of the Policy.

The Panel also note that the Respondent failed to respond to the cease and desist letter sent by the Complainant and did not participate in these proceedings. The Panel has drawn the appropriate conclusions that the disputed domain name was registered and used in bad faith.

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 support-caisse-epargne.com be transferred to the Complainant.

/Jonathan Agmon/

Jonathan Agmon

Sole Panelist

Date: January 28, 2026