ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Banque et Caisse d'Epargne De l'Etat, Luxembourg v. M Younes Philippe, Nestenn
Case No. D2026-0031

1. The Parties

The Complainant is Banque et Caisse d'Epargne De l'Etat, Luxembourg, Luxembourg, represented by Office Freylinger S.A., Luxembourg.

The Respondent is M Younes Philippe, Nestenn, France.

2. The Domain Name and Registrar

The disputed domain name <bcee-lu-snet.net> is registered with Porkbun LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 6, 2026. On January 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 9, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 January 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 2, 2026.

The Center appointed Rachel Tan as the sole panelist in this matter on February 5, 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, incorporated in 1989, is a Luxembourg company which operates banking services internationally. BCEE is the widely used abbreviation for the Complainant's name, Banque et Caisse d'Epargne de l'Etat, Luxembourg. S-NET is the name of the Complainant's free online and mobile banking service platform, which allows customers to view account and credit card transactions, make payments, send secure messages to the bank, find branches or ATMs and simulate personal or mortgage loans.

The Complainant owns several trade mark registrations for BCEE and S-NET, including:

- European Union Trademark Registration No.009110537 BCEE, registered on November 2, 2010, in Classes 9, 16, 25, 35, 36, 38, 39, 41, 42, 43, and 45;

- United Kingdom Trademark Registration No.00909110537 BCEE, registered on November 2, 2010, in Classes 9, 16, 25, 35, 36, 38, 39, 41, 42, 43, and 45;

- Benelux Trademark Registration No.644249 S-NET, registered on August 1, 1999, in Class 36;

- European Union Trademark Registration No.009110644 S-NET, registered on July 1, 2012, in Classes 35, 36, 38, and 41.

The Complainant owns domain names that incorporate its BCEE and S-NET trade marks, <bcee.lu> and <snet.lu>, and has been using both domain names as its official websites.

The disputed domain name <bcee-lu-snet.net> was registered on July 29, 2025. Presently, the disputed domain name resolves to an inactive website. According to the Complainant's evidence, the disputed domain name previously resolved to a parking page displaying "Welcome to nginx! If you see this page, the nginx web server is successfully installed and working. Further configuration is required. For online documentation and support please refer to nginx.org. Commercial support is available at nginx.com. Thank you for using nginx."

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 the disputed domain name <bcee-lu-snet.net>, incorporates the Complainant's BCEE and S-NET trade marks in their entirety. The inclusion of the term "lu" (perceived by the public as referring to Luxembourg) further increases the likelihood of confusion with the Complainant. The generic Top-Level-Domain ("gTLD") ".net" should be disregarded in the confusing similarity test under the Policy. Therefore, the disputed domain name is confusingly similar to the Complainant's BCEE and S-NET trade marks.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant in any way, and the Complainant has not authorised the Respondent to use the Complainant's BCEE and S-NET trade marks for any reason or in any manner. The Respondent does not hold trade mark rights corresponding to the disputed domain name. In addition, the disputed domain name is confusingly similar to the Complainant's BCEE and S-NET trade marks, which makes it unreasonable to believe that the Respondent was intending to register the disputed domain name for legitimate use.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith. The Complainant's BCEE and S-NET trade marks are distinctive and have gained a high reputation worldwide, and therefore it is implausible that the Respondent was unaware of the Complainant's trade marks when registering the disputed domain name. Moreover, the disputed domain name concurrently includes the Complainant's BCEE and S-NET trade marks, together with the term "lu" (denoting Luxembourg, the Complainant's place of incorporation), which supports a finding that the Respondent was deliberately targeting the Complainant and its BCEE and S-NET trade marks to register the disputed domain name. The disputed domain name is confusingly similar to the Complainant's BCEE and S-NET trade marks, suggesting that it was intended for phishing or other fraudulent purposes. The Respondent's passive holding of the disputed domain name does not prevent the finding of its bad faith in the registration and use of the disputed domain name. In addition, the disputed domain name resolved to a webpage displaying "Welcome to nginx! If you see this page, the nginx web server is successfully installed and working. Further configuration is required. For online documentation and support please refer to nginx.org. Commercial support is available at nginx.com. Thank you for using nginx," which indicates the Respondent's intention to redirect or attract Internet traffic.

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 the BCEE and S-NET trade marks for the purposes of the Policy. WIPO Overview 3.0, section 1.2.1.

The gTLD ".net" as a standard registration requirement should be disregarded in the assessment of confusing similarity under the Policy.

The entirety of the BCEE trade mark and the text part of the S-NET trade mark are reproduced within the disputed domain name. While the hyphen "-" and the term "lu" are included, the BCEE and S-NET trademarks remain clearly recognisable in the disputed domain name. The Panel finds that the extra hyphen and term do not prevent the finding of confusing similarity between the disputed domain name and the BCEE and S-NET trade marks. Accordingly, the disputed domain name is confusingly similar to the Complainant's BCEE and S-NET trade marks for the purposes of the Policy. WIPO Overview 3.0, sections 1.7 and 1.8.

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.

The information in the case file shows that:

- The Respondent is not affiliated with the Complainant in any way, and the Complainant has not authorised the Respondent to use its BCEE and S-NET trade marks for any reason or in any manner;

- The disputed domain name resolved to a parking page displaying "Welcome to nginx! If you see this page, the nginx web server is successfully installed and working. Further configuration is required. For online documentation and support please refer to nginx.org. Commercial support is available at nginx.com. Thank you for using nginx." Currently, the disputed domain name resolves to an inactive website, which cannot be deemed as a bona fide offering of goods or services or a legitimate non-commercial or fair use as well;

- There is no evidence proving that the Respondent has been commonly known by the disputed domain name;

- The nature of the disputed domain name, concurrently incorporating the Complainant's BCEE and S-NET trade marks, together with the term "lu" which can denote Luxembourg, the Complainant's place of incorporation, carries a risk of implied affiliation with the Complainant; and

- No other factors demonstrate any rights or legitimate interests of the Respondent in the disputed domain name.

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 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 disputed domain name was registered long after the registration of the Complainant's BCEE and S-NET trade marks. Through extensive use and advertising, the Complainant's BCEE and S-NET trade marks have gained a certain degree of reputation and recognition in numerous jurisdictions. Search results using the key words "becc" and "snet" on popular Internet search engines direct Internet users to the Complainant and its business, which indicates that an exclusive connection between the BCEE and S-NET trade marks and the Complainant has been established. The Respondent registered the disputed domain name that concurrently incorporates the Complainant's BCEE and S-NET trade marks, together with the term "lu" (denoting Luxembourg, the Complainant's place of incorporation). Bearing in mind that BCEE and S-NET trade marks are distinctive. The Panel determines that the Respondent should have actual knowledge of the Complainant and its rights to BCEE and S-NET trade marks at the time of registering the disputed domain name, and bad faith is found.

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 previously resolved to a parking page, and currently does not resolve to any website. 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. Given the distinctiveness and reputation of the Complainant's BCEE and S-NET trade marks, and the composition of the disputed domain name which concurrently incorporates the Complainant's BCEE and S-NET trade marks, the non-use of the disputed domain name does not prevent the Panel's finding of the Respondent's 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 <bcee-lu-snet.net> be transferred to the Complainant.

/Rachel Tan/
Rachel Tan
Sole Panelist
Date: February 17, 2026