

ADMINISTRATIVE PANEL DECISION

BPCE v. Frederic Gueho, gestionpriveepatrimoine
Case No. D2026-0245

1. The Parties

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

Respondent is Frederic Gueho, gestionpriveepatrimoine, United States of America.

2. The Domain Name and Registrar

The disputed domain name <gestionpriveepatrimoine.com> (the “Domain Name”) is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 21, 2026. On January 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 22, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Contact Privacy Inc. Customer) and contact information in the Complaint. The Center sent an email communication to Complainant on January 22, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on January 26, 2026.

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 Respondent of the Complaint, and the proceedings commenced on January 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 16, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on February 18, 2026.

The Center appointed Dinant T. L. Oosterbaan as the sole panelist in this matter on February 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

Complainant BPCE is one of the 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 is present in more than 40 countries via its various subsidiaries. Its 105,000 employees serve a total of 36 million customers, 9 million of whom have decided to become cooperative shareholders.

The Complainant has evidenced to be the registered owner of numerous trademark registrations for BPCE and GESTION PRIVEE PATRIMOINE, including but not limited, to the following:

- European Union trademark registration No. 8375875, registered on January 12, 2010, for the figurative mark BPCE, in class 36; and
- European Union trademark registration No. 8375842, registered on January 12, 2010, for the word mark BPCE, in class 36
- French device trademark GESTION PRIVEE PATRIMOINE registered under number 5169969 on November 21, 2025, for services in class 36,
- the trademark GROUPE BPCE registered with the United States Patent and Trademark Office, under number 5743541 on May 7, 2019 for services in class 36.

Complainant is also the owner of various domain names, including <groupebpce.com> registered in 2009 and corresponding to an active website, the institutional portal of BPCE.

The Domain Name was registered on April 7, 2025.

As of the date of this decision, the Domain Name resolves to an inactive webpage.

However, Complainant has provided evidence that the Domain Name was used on various occasions to send emails from the email address "[.]@gestionpriveepatrimoine" to potential customers impersonating a "Consultant Manager - Groupe BPCE" with the intent to commit financial fraud.

Respondent, according to the disclosed Whois information for the Domain Name, is located in the United States of America.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights. Complainant BPCE is the owner of numerous trademarks, which are well-known notably in the Finance and Banking industry. The Domain Name is identical the one of the trademarks because it is composed of the entire trademark GESTION PRIVEE PATRIMOINE and the generic Top-Level Domain ("gTLD") ".com".

Complainant submits that Respondent has no rights or legitimate interests in respect of the Domain Name. Respondent has no trademarks or trade names corresponding to the Domain Name. Complainant has never authorized Respondent to register and/or use any domain name incorporating the trademarks and Complainant has not granted any license, nor any authorization to use the trademarks, included as a domain name. It is clear that Respondent's use of the Domain Name does not qualify as a bona fide offer of goods and services.

According to Complainant, the Domain Name was registered and is being used in bad faith. Complainant asserts that BPCE and its subsidiaries are well-known in France and throughout the world, notably by the

financial and banking market consumers. Indeed, the reputation of BPCE and its subsidiaries is confirmed in previous UDRP decisions: *BPCE v. WhoisGuard Protected, WhoisGuard, Inc. / Fransis Coarno, Danstic*, WIPO Case No. [D2020-0967](#); *BPCE v. Pierre Agou Michel*, WIPO Case No. [D2020-2361](#); *BPCE v. Seymi Lozano*, WIPO Case No. [D2022-4185](#); and *BPCE v. Emmanuel Asamoah*, WIPO Case No. [D2022-3866](#). In the present case, Complainant submits that it is obvious that Respondent was aware of Complainant's activity and notoriety when he registered the Domain Name. In fact, the email addresses used and the content of the fraudulent emails reproduced the BPCE trademarks and graphic charter in order to present deceptive financial offers.

In addition, Complainant submits that there is bad faith registration and use because Mail Exchange services activation by Respondent. The Domain Name has been registered with a Mail Exchanger record (MX record). Consequently, MX activation allows Respondent to create email address using the Domain Name for phishing attacks. In the present case, the Domain Name has been used in order to send fraudulent emails using the identity of BPCE's employees. The email addresses has been used in order to send investment offerings to potential BPCE's clients. To date, three instances of fraud have already been identified: on June 23, 2025, on July 9, 2025, and on July 31, 2025. These repeated fraudulent activities demonstrate a clear pattern of bad faith use of the Domain Name. In all of the infringing emails, Respondent used email addresses created using the Domain Name and reproduced BPCE trademarks in the emails for phishing purposes. Complainant submits that impersonating a complainant by use of a complainant's mark and the name of one of its employees in a fraudulent email scam is disruptive and also evinces bad faith registration and use.

Complainant is particularly concerned about this situation because, in the field of banking services, consumer protection and security services are a key issue given the sensitive nature of the data processed.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

Paragraph 4(a) of the Policy requires that the complainant prove each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled:

- (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.

The Panel will proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied in this proceeding.

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 Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the French GESTION PRIVEE PATRIMOINE mark is reproduced within the Domain Name. Accordingly, the Domain Name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The generic Top-Level Domain (“gTLD”) “.com” is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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 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 that 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not rebutted Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy or otherwise.

The Panel notes that Complainant has not licensed or otherwise permitted Respondent to use any of its trademarks or to register the Domain Name incorporating its trademarks.

Based on the undisputed submission and evidence provided by Complainant, as summarized above, Respondent used the Domain Name to impersonate Complainant by sending various emails to a prospective customer submitting extensive investment proposals. The Panel adds that the Domain Name translates as “Private Wealth Management”. Sending emails using the email address “[...]@gestionpriveepatrimoine” (a combination of the trademarks BPCE and GESTION PRIVEE PATRIMOINE) to potential customers impersonating a “Consultant Manager - Groupe BPCE” and adding extensive investment proposals which include the BPCE trademarks is an obvious attempt to commit financial fraud. UDRP panels have held that the use of a domain name for illegal activity such as in the present case impersonation and a fraudulent financial scheme can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel does not consider such use a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the Domain Name. Respondent is also not commonly known by the Domain Name nor has it acquired any trademark or service mark rights.

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.

The Panel finds that the Domain Name has been registered and is being used in bad faith.

Noting the overall circumstances of this case, the Panel finds it more likely than not that Respondent knew or in any event should have known Complainant's BPCE and GESTION PRIVEE PATRIMOINE marks. The registration of the Domain Name in awareness of the trademarks and in the absence of rights or legitimate interests amounts under these circumstances to registration in bad faith. The Panel adds that the combination of the GESTION PRIVEE PATRIMOINE (meaning Private Wealth Management) and well-known and long existing BPCE trademarks are used by Respondent as integral part of the email address "[...].@gestionpriveepatrimoine" to defraud potential customers.

In particular, the Panel takes into account that previous panels have held that the use of a domain name for illegal activity, such as applicable to this case impersonation and sending fraudulent emails containing investment proposals constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

The Panel also takes into account that Respondent's used false and contradictory contact information during the domain name registration which provides additional evidence of bad faith. Respondent provided a street address in Brooksville, Florida which is an address of a third party restaurant. A quick look up by the Panel in publicly available information noted that the phone number provided during registration is not in the name of Respondent but in the name of an individual located at another address in the same Florida town. The registrant information disclosed by the Registrar obviously contains deliberately false details. [WIPO Overview 3.1](#), section 3.2.1, notes that the use of false contact details can be considered as evidence of bad faith registration and use. Panels have consistently found that respondents who deliberately provide false contact information to avoid being contactable demonstrate bad faith conduct, particularly when combined with other evidence of illegitimate activity, such as impersonation and financial fraud.

The Panel finds that 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 Domain Name, <gestionpriveepatrimoine.com>, be transferred to Complainant.

/Dinant T. L. Oosterbaan/

Dinant T. L. Oosterbaan

Sole Panelist

Date: February 27, 2026