

ADMINISTRATIVE PANEL DECISION

African Bank Limited v. Richard Khalifa
Case No. D2026-0650

1. The Parties

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

The Respondent is Richard Khalifa, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <africanbank.org> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 13, 2026. On February 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 16, 2026, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 17, 2026, 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 February 19, 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 the Respondent of the Complaint, and the proceedings commenced on February 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 17, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on March 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 a retail bank headquartered in South Africa, offering financial services and products.

The Complainant is the owner of trademark registrations including the following:

- Botswana trademark registration number BW/M/2008/000550 for a combined mark AFRICAN BANK, registered on July 23, 2009;
- Zimbabwe trademark registration number ZW/T/2008/999 for an (undefined) mark AFRICAN BANK, registered on July 14, 2011; and
- a series of related South Africa trademarks, including trademark registration number 2012/28234 for an (undefined) mark AFRICAN BANK, registered on May 18, 2015.

The Complainant operates a website at “www.africanbank.co.za”. It also owns domain names including <african-bank.com>, which redirects to that website.

The disputed domain name was registered on January 1, 2026.

The Complainant provides evidence that the disputed domain name resolved to a website including what appear to be pay-per-click (“PPC”) links to loans-related services, including “South African Loans” and “Loans Johannesburg”, and then has resolved to an inactive page.

5. Parties’ Contentions

A. Complainant

The Complainant submits that its name and mark AFRICAN BANK are widely recognized in South Africa in particular. It states that it operates 389 physical branches in South Africa, as well as online and mobile platforms. It refers to extensive advertising in print media and on television and radio, its sponsorship of competitions, and a substantial social media presence, including 418,000 followers on Facebook, 79,000 followers on X, and 22,000 followers on Instagram. It also provides evidence of its own YouTube channel, where it displays promotional videos.

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 submits that the disputed domain name is identical or confusingly similar to its AFRICAN BANK trademark. It states that the only differences are the omission of the space between the two constituent words in the disputed domain name, and the addition of the Top-Level Domain (“TLD”) “.org”, which is immaterial to the process of comparison.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has never licensed or authorized the Respondent to use its AFRICAN BANK trademark, that the Respondent has no independent trademark rights in that mark, and that the Respondent has not commonly been known by the disputed domain name. While acknowledging that the disputed domain name could be viewed as descriptive, the Complainant submits that the Respondent selected and has used it to target the Complainant’s trademark rights, as is demonstrated by its use to promote various loan offerings, which are competitive with the Complainant’s own services. The Complainant contends that the Respondent cannot have rights or legitimate interests in the disputed domain name in circumstances where it was registered in order to mislead members of the public by creating a false association with the Complainant.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. It states that, owing to the active use and widespread recognition of the Complainant's trademark, it is implausible that the Respondent was unaware of it, or that the Respondent could make any use of it that did not infringe the Complainant's trademark rights. It adds that, where a domain name is effectively identical to a trademark, then that is in itself a strong indicator of bad faith. The Complainant contends, in particular, that the Respondent registered and has used the disputed domain name in order to deceive members of the public into believing that it must be legitimately associated with the Complainant, and obtaining a benefit from offering services identical those for which the Complainant is renowned.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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

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.

The Complainant has established that it is the owner of registered trademark rights in the mark AFRICAN BANK. The disputed domain name is identical to that trademark for the purposes of the Policy, since both the space between the constituent words in the trademark and the TLD ".org" may typically be disregarded for the purposes of comparison.

The Panel therefore finds that the first element under the Policy is 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 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.

In this case, while the disputed domain name is identical to the Complainant's trademark AFRICAN BANK, the Panel finds that trademark to be highly descriptive in nature, combining a geographical region with a dictionary term describing a widely-offered consumer service. It is well established in prior cases under the UDRP that a registrant may be able to demonstrate rights or legitimate interests in respect of a domain name comprising dictionary or descriptive terms, where that domain name was registered for a legitimate purpose connected with the dictionary or descriptive meaning of those terms, and without intent to target third party trademark rights.

While the Respondent's intention at the time of registering the disputed domain name must necessarily be a matter for circumstantial evidence and inference, the Panel finds in this case, on the balance of probabilities, that the Respondent is more likely to have registered the disputed domain name in order to take unfair advantage of the Complainant's trademark rights than to make any independent use of the disputed domain name in connection with its dictionary or descriptive meaning. The Panel reaches this conclusion principally for the following reasons:

- First, the Respondent has made no response to the Complainant's submissions in this case. Therefore, it has neither disputed its intention to target the Complainant's trademark rights, nor provided any explanation for its choice of the disputed domain name, or any evidence of any preparations to use the disputed domain name in connection with any bona fide offering of goods or service that does not take unfair advantage of the Complainant's trademark rights.

- Secondly, the Respondent's actual use of the disputed domain name points more to targeting of the Complainant's AFRICAN BANK trademark than to any legitimate independent use. The disputed domain name has been used for the purpose of PPC links to loans-related services, and while that could be argued to be a neutral point in the case of banking services, it is notable that the links have specifically referenced "South Africa" and "Johannesburg", being locations related to the Complainant's centre of operations, while the Respondent is purportedly located in Nigeria. The links appear also to promote competitors of the Complainant.

The Respondent cannot establish rights or legitimate interests in respect of a domain name which was registered in order to mislead Internet users by causing confusion with the Complainant's trademark and business, and the Panel therefore finds that the second element under the Policy is established.

C. Registered and Used in Bad Faith

The Panel accepts the Complainant's submission that, where a domain name is effectively identical to a trademark, then that raises a high risk of implied affiliation between the domain name and the trademark, particularly in the case of coined or fanciful marks. While that is not conclusive of bad faith in the case of a highly descriptive trademark, or one that could legitimately be used by multiple independent parties, the Respondent has provided the Panel with no material upon which to conclude that the disputed domain name had any purpose other than to target the Complainant's trademark rights, and the evidence on balance leads to a finding of bad faith.

While the Respondent is purportedly located in Nigeria, which does not appear to be a country covered by the Complainant's trademark registrations, the Panel finds it highly improbable that the Respondent was in fact unaware (or ought not to have been aware) of the Complainant's trademark at the time it registered the disputed domain name. The Complainant's trademark had been in use for at least 17 years prior to the disputed domain name being registered and, the Panel accepts, was widely known in South Africa and beyond, the Complainant also having a strong online and social media presence, which is not of course restricted to any particular region. While the Respondent is purportedly located in Nigeria, the disputed domain name includes the more expansive term "african" and, in addition to the factors mentioned above, the Panel finds it implausible that the Respondent would have made no enquiry which would have revealed the Complainant and its long-established business under a trademark to which the disputed domain name was identical. For example, a simple Google search against the term "africanbank" produces initial results relating overwhelmingly to the Complainant, including its website, its YouTube and social media accounts, and a Wikipedia entry relating to it.¹

¹As discussed in section 4.8 of [WIPO Overview 3.1](#), a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision.

As stated above in connection with the second element, the Panel also considers it significant that the Respondent has used the disputed domain name to provide PPC links, not only to services directly competitive with those of the Complainant, but which also specifically reference "South Africa", being the Complainant's centre of operations.

The Panel concludes in the circumstances that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel therefore finds that the third element under the Policy is established.

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 <africanbank.org> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: April 2, 2026