

ADMINISTRATIVE PANEL DECISION

CA Indosuez (Switzerland) SA v. Rebecca Hawkins
Case No. D2026-0765

1. The Parties

The Complainant is CA Indosuez (Switzerland) SA, Switzerland, represented by id est avocats Sàrl, Switzerland.

The Respondent is Rebecca Hawkins, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <thalers.works> 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 23, 2026. On February 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 25, 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 sent an email communication to the Complainant on February, 2026, providing the registrant and contact information disclosed by the Registrar.

The Center verified that the Complaint satisfied the formal requirements of them 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 March 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 25, 2026.

The Center appointed Andrea Cappai as the sole panelist in this matter on March 30, 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 CA Indosuez (Switzerland) SA, a Swiss public limited company (société anonyme) with its registered office in Geneva and operates a bank providing banking and financial services, including wealth management and related advisory and transactional services.

The Complainant is the owner of the following registered trademarks, all in Class 36:

THALER – Swiss registration No. 470901 – registered on March 29, 2000

BANQUETHALER – Swiss registration No. – 476020 – registered on September 11, 2000

BANQUE THALER – Swiss registration No. – 827352 – registered on February 28, 2025

The Complainant states that these trademarks were originally registered in the name of Banque Thaler SA, and that Banque Thaler SA was absorbed by merger into the Complainant in late 2025, with the consequence (as described in the materials) that the relevant rights were transferred to the Complainant.

The Complainant identifies, among its domain names, <bankthaler.ch>, <bankthaler.eu>, <banquethaler.ch>, <banquethaler.com>, and <banquethaler.eu>.

The disputed domain name is <thalers.works>. The creation date shown in the materials is January 29, 2026.

As regards use, the Complainant states that the website associated with the disputed domain name is not in use. The materials also include a capture showing an error page indicating that the webpage could not be displayed due to an “unknown connection issue” between Cloudflare and the origin web server.

The Respondent is identified in the registrar-provided registrant information as an individual located in Ukraine. The record contains no further information regarding the Respondent.

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 is confusingly similar to its THALER, BANQUE THALER, and BANQUETHALER trademarks because it reproduces the element “thaler”, with the addition of the letter “s”, which the Complainant submits does not prevent confusion. The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name, asserting in particular that the Respondent is not affiliated with, or authorised by, the Complainant (or its predecessor Banque Thaler SA) and that there is no basis for any good-faith use of the disputed domain name. As to bad faith, the Complainant contends that the Respondent registered the disputed domain name with knowledge of the Complainant's rights and without any plausible good-faith explanation, and that the absence of substantive use is consistent with bad faith passive holding, particularly given the Complainant's regulated banking activities and the Complainant's stated concern that lookalike domain names are commonly used in the financial sector for phishing or fraud. The Complainant therefore requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issue – Location of the Respondent

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceedings take place with due expedition.

The location of the Respondent disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue

Having considered all the circumstances of the case, the Panel is of the view that they should. The record shows that the Center transmitted the Notification of Complaint by email to the Respondent's email address disclosed by the Registrar. While the file records a delivery delay in respect of the postmaster email address, it does not contain evidence that notification to the Respondent's disclosed email address was unsuccessful. The record further reflects that Written Notice was to be sent by post/courier subject to the availability of postal services, and the Panel notes that the postal address details disclosed in the registration data are incomplete in that they do not include a street number, which may in practice affect postal notification.

The Panel also takes into account that the disputed domain name was registered during the ongoing conflict, which suggests that the Respondent has had access to the Internet and has been able to maintain control of the disputed domain name during that period. In these circumstances, and noting that the Policy provides for a response to be submitted electronically, the Panel concludes that the Respondent has been given a fair opportunity to present its case, and that it is appropriate for the proceedings to continue so that they may take place with due expedition.

6.2. Substantive issues

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 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 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 3.1](#), section 1.7.

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 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 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 Complainant asserts that it has not authorised the Respondent to use the THALER-formative marks, and there is nothing before the Panel to indicate that the Respondent has been commonly known by the disputed domain name. The materials before the Panel do not show substantive website content to which the disputed domain name resolves and instead show a Cloudflare error page. On this record, the Panel sees no evidence of use of the disputed domain name, or demonstrable preparations to use it, in connection with a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy. Nor is there any indication that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name under paragraph 4(c)(iii) of the Policy.

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 <thalers.works>, which incorporates the element "thaler" together with the letter "s". The disputed domain name was created on January 29, 2026, after the Complainant's trademark registrations. The Panel also takes into account the nature of the Complainant's business as reflected in the record, and the fact that the Complainant relies on THALER-formative marks in Class 36, including marks incorporating the term "Banque". In the absence of any explanation from the Respondent, the Panel finds it reasonable to infer that the Respondent was aware of the Complainant's trademarks at the time of registration and registered the disputed domain name with those trademarks in mind.

As to use, the materials before the Panel do not show substantive website content to which the disputed domain name resolves and instead show an error page at the time of capture. In assessing passive holding, the Panel notes that panels may, where appropriate, undertake limited factual research into matters of public record, for example by consulting a dictionary or encyclopedia. The Panel also considers it important, however, to avoid basing a determinative finding on extra-pleadings material that is not clearly a matter of general public knowledge or that could reasonably be debated, without the Parties having had a fair opportunity to address it. The Panel therefore proceeds on the basis of the materials submitted and the totality of circumstances reflected in the case file when assessing whether any good-faith use of the disputed domain name is plausibly conceivable in the circumstances of this case. Even if one were to posit that the disputed domain name could be used for purposes unrelated to the Complainant, the materials before the Panel contain no indicia of any such contemplated use and the Respondent has provided no explanation.

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 3.1](#), section 3.2.1.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's trademark, and the composition of the disputed domain name, 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.

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 <thalers.works> be transferred to the Complainant.

/Andrea Cappai/

Andrea Cappai

Sole Panelist

Date: April 14, 2026