

ADMINISTRATIVE PANEL DECISION

Banque et Caisse d'Epargne de l'Etat, Luxembourg v. Jean Patricien
Case No. D2026-0840

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 Jean Patricien, France.

2. The Domain Name and Registrar

The disputed domain name <bcee-gestion.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 26, 2026. On February 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 26, 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 March 2, 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 March 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 31, 2026.

The Center appointed Andrea Jaeger-Lenz as the sole panelist in this matter on April 8, 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 Luxembourg company incorporated in 1989 and provides retail, corporate and private banking services (as per Annex 4 to the Complaint). The Complainant's name "Banque et Caisse d'Épargne de l'État, Luxembourg" is abbreviated as "BCEE" which acronym is the abbreviation used for the Complainant's name (as per Annex 5 to the Complaint). The Complainant is owner of rights in the term "BCEE" including the following (as per Annex 7.1 to the Complaint):

- European Union ("EU") trademark registration No. 009110537 "BCEE" (word), registered on November 2, 2010, for goods and services in Classes 9, 16, 25, 35, 36, 38, 39, 41, 42, 43 and 45;
- United Kingdom ("UK") trademark registration No. UK00909110537 "BCEE" (word), registered on November 2, 2010, for goods and services in Classes 9, 16, 25, 35, 36, 38, 39, 41, 42, 43 and 45;
- Swiss trademark registration No. 615156 "BCEE" (word), registered on May 10, 2011, for goods and services in Classes 9, 16, 25, 35, 36, 38, 39, 41, 42, 43 and 45.

The Complainant has registered in 2016 and uses the domain name <bcee.lu> which resolves to its corporate website dedicated to its retail customers, where the Complainant is also referred to as "Spuerkeess" and where its history and current name including its acronym "BCEE" are explained (as per Annexes 7.2 and 7.3 to the Complaint).

The disputed domain name was created on November 3, 2025. At the time of filing the present Complaint, it did not resolve to any active website. When accessed, it returns a browser connection error (as per Annex 6 to the Complaint).

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 identical or confusingly similar to a trademark in which the Complainant owns rights. On this, the Complainant points to owning trademark rights in the sign "BCEE". The Complainant finds the trademark "BCEE" to be particularly distinctive for the covered services. As for the additional element "gestion" ("management" in French) of the disputed domain name, the Complainant argues that it will be directly understood by the relevant public as referring to management services, particularly in the financial, banking and insurance sectors. Given that the Complainant is active in precisely these fields, the term "gestion", according to the Complainant, does not eliminate the likelihood of confusion but rather reinforces it. As for the element ".com" of the disputed domain name, the Complainant points to this having no bearing on the confusing similarity analysis.

On the second element, the Complainant claims that the Respondent has no rights or legitimate interests in the disputed domain name. It is not affiliated with it in any way nor has the Respondent been authorized by the Complainant to use and register its trademark or to seek registration of any domain name incorporating said trademark. The Complainant claims that in the absence of any license or permission, no actual or contemplated bona fide use can be assumed and that, with the near identity of

the disputed domain name and the Complainant's "BCEE" trademark, the Respondent cannot reasonably pretend any intention to develop any legitimate activity through the disputed domain name. Moreover, trademark searches conducted by the Complainant did not reveal any trademark rights of the Respondent in the "BCEE" trademark (as per Annex 9.1 to the Complaint), and Internet searches carried out by the Complainant did not yield any evidence of rights, legitimate interests or bona fide use of the Respondent (as per Annex 9.2 to the Complaint).

On the third element, the Complainant contends that the disputed domain name was registered and is being used in bad faith. On registration in bad faith, the Complainant claims that it is implausible that the Respondent was unaware of the Complainant's trademark rights, as the Complainant's trademark can be easily found when performing a simple search on the Internet (as per Annexes 7.4 to the Complaint). The Complainant finds that through its long history, being ranked among the safest banks globally and excellent credit ratings it has acquired a standing reputation in the financial markets, the term "BCEE" being generally known by the public in Luxembourg, the greater region and beyond as acronym of the Complainant (Annexes 5, 10 and 11 to the Complaint). Reproducing the Complainant's distinctive trademark together with the deliberate addition of the term "gestion", which is closely associated with the banking, financial and insurance markets cannot, according to the Complainant, be pure chance but constitutes a registration in bad faith. Use in bad faith, so the Complainant argues, is present as well, given that the composition of the disputed domain name strongly suggests that it is intended for phishing or other fraudulent purposes. Furthermore, the Complainant claims that the disputed domain name is planned to be used to impersonate the Complainant, to prevent the Complainant from using its trademark in the disputed domain name or to try to sell it.

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 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.

Although the addition of other terms here, "gestion", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 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 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 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 has registered the disputed domain name consisting of the Complainant’s trademark combined with the term “gestion”, which is a descriptive term in the French speaking banking and finance business, referring to the management of financial assets and portfolios. The disputed domain name does not resolve to any website content.

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 (including a blank or “coming soon” page) 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 or reputation of the Complainant’s trademark, and the composition of the disputed domain name, consisting of the Complainant’s trademark and a descriptive term from the banking and finance business. Taking this into consideration, the overall plausibility of any good faith use of the disputed domain name is low. Furthermore, the Respondent has failed to submit a response and provide evidence of actual or contemplated good faith use. Accordingly, the Panel 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 <bcee-gestion.com> be transferred to the Complainant.

/Andrea Jaeger-Lenz/

Andrea Jaeger-Lenz

Sole Panelist

Date: April 22, 2026