

## **ADMINISTRATIVE PANEL DECISION**

BPCE v. Pierre Vanbrie, Bpce  
Case No. D2026-1127

### **1. The Parties**

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

The Respondent is Pierre Vanbrie, Bpce, France.

### **2. The Domain Name and Registrar**

The disputed domain name <bp-ce.online> (the “Disputed Domain Name”) is registered with IONOS SE (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 16, 2026. On March 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 18, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on March 18, 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 20, 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 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 15, 2026.

The Center appointed Isabelle Leroux as the sole panelist in this matter on April 28, 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, BPCE, is a French joint stock company acting as the central institution responsible for the two banking networks, Banques Populaires and Caisses d'Epargne. BPCE is one of the largest banking groups 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 has put down deep roots in its local markets. Its 105,000 employees serve a total of 36 million customers, 9 million of whom have decided to become cooperative shareholders. BPCE is well known in the banking international market and is present in more than 40 countries via its various subsidiaries.

The Complainant is the owner of numerous trademarks for BCPE ("BPCE Trademark"), including the following:

- The European Union trademark  BPCE, registered under number 008375875 on January 12, 2010, for services in Class 36;
- The European Union trademark BPCE (word mark), registered under number 008375842 on January 12, 2010, for services in Class 36;
- The French trademark BPCE (word mark), registered under number 3653852 on November 6, 2009, for products and services in Classes 9, 16, 35, 36, 38, 41, and 45; and
- The French trademark  BPCE, registered under number 3658703 on November 20, 2009, for products and services in Classes 9, 16, 35, 36, 38, 41, and 45.

All the above trademark registrations pre-date by years the registration of the disputed domain name.

The Complainant is also the owner of domain names, directly and also via its subsidiary GCE TECHNOLOGIES, such as <bpce.fr> registered in 2008, and <groupebpce.fr> and <groupebpce.com> registered in 2009, corresponding to active websites and the institutional portal of BPCE.

The Disputed Domain Name <bp-ce.online> was registered on January 9, 2026. There is no publicly available information on the registrant of the Disputed Domain Name in the Whois details and an attempt to access it is blocked by the browser for phishing and other frauds. Moreover, the Mail Exchange ("MX") servers of the Disputed Domain Name are activated. According to the Complainant's evidence, the Disputed Domain Name previously resolved to a Registrar parked page.

At the time of the Complaint, the Disputed Domain Name resolved to a page blocked by a SonicWall network security appliance with the stated block reason of "Phishing and Other Frauds".

Following the Center's verification request to the Registrar, the Registrar disclosed that the Respondent is located in Paris, France (the Panel has independently verified pursuant to its general powers articulated in paragraphs 10 and 12 of the Rules that the Respondent's reported postal address is in close proximity to the Complainant's registered office), and listed the Complainant's own name "Bpce" as the organization in the registration details.

The Complainant sent a cease-and-desist letter to the Respondent (through the Registrar) by email on February 11, 2026, which remains unanswered.

## 5. Parties' Contentions

### A. Complainant

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

On the first element, the Complainant contends that the Disputed Domain Name contains the well-known BPCE Trademark in its entirety, with a hyphen and the generic Top-Level-Domain ("gTLD") ".online". The Complainant relies on prior UDRP decisions involving BPCE Trademark, including a decision concerning <bp-ce-patrimoine.net> (*BPCE v. bernier didier*, WIPO Case No. [D2024-0875](#)), in which the panel found that the addition of another term ("patrimoine") and the presence of a hyphen did not prevent a finding of confusing similarity. The Complainant further notes that the g TLD ".online" will not be considered to assess the confusing similarity, as the TLD is generally disregarded in the comparison between a domain name and a trademark for the purposes of the first element of paragraph 4(a) of the Policy.

On the second element, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name. The Respondent has no trademarks or trade names corresponding to the Disputed Domain Name and the Complainant has never authorized the Respondent to use the BPCE Trademark. The Complainant has not granted any license, nor any authorization, to use the trademarks, including as a domain name.

On the third element, the Complainant asserts that the Respondent has registered and uses the Disputed Domain Name in bad faith and relies on several grounds of bad faith. First, it is unquestionable that the Complainant's trademark registrations pre-date the registration of the Disputed Domain Name. BPCE and its subsidiaries are well known in France and throughout the world, particularly in the financial and banking markets. UDRP panels have already recognized the reputation of BPCE in previous decisions. Second, the Disputed Domain Name is not active and is blocked by the browser for phishing and other frauds. Third, the Disputed Domain Name was registered with an MX record, which specifies a mail server responsible for accepting email messages on behalf of the recipient, and MX activation allows the Respondent to create email addresses using the Disputed Domain Name for phishing attacks – a type of social engineering attack used to steal user data, including logins and credit card numbers. Fourth, the Whois information of the Disputed Domain Name is anonymous, with registrant information hidden by the Registrar. Finally, the Respondent's bad faith is further evidenced by the fact that it is located in Paris, France and provides an address near the Complainant's registered office, such that the Respondent could not credibly claim to have been unaware of BPCE and its prior rights at the time of registration. This conclusion is reinforced by the fact that the Respondent used "BPCE" in the Whois details, thereby creating the false impression that the Disputed Domain Name had been registered by, or was somehow affiliated with, the Complainant itself.

### B. Respondent

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

## 6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel's decision be made "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".

It has been a consensus view in previous UDRP decisions that a respondent's default (i.e., failure to submit a response) would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed with the Complaint, namely that:

- (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.

#### **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 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 Disputed Domain Name contains the BPCE Trademark in its entirety with a hyphen inserted between the second and third letters of the acronym and the BPCE Trademark is recognizable within the Disputed Domain Name.

This finding is consistent with prior UDRP decisions. In *BPCE v. bernier didier*, WIPO Case No. [D2024-0875](#), concerning the domain name <bp-ce-patrimoine.net>, the panel found that although the addition of another term ("patrimoine") and the presence of a hyphen between the initials BPCE may bear on assessment of the second and third elements, such additions do not prevent a finding of confusing similarity between the disputed domain name and the BPCE Trademark.

Furthermore, the gTLD ".online" will not be considered to assess the confusing similarity. As a technical requirement of registration, the TLD is generally disregarded in the comparison between a domain name and a trademark for the purposes of the first element of paragraph 4(a) of the Policy.

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 with 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.

In particular, there is no evidence that the Respondent has trademarks or is commonly known by a name corresponding to the Disputed Domain Name, and the Complainant has never authorized the Respondent to register and/or use any domain name incorporating the BPCE Trademark.

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.

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.

The Panel finds that bad faith registration and use is established based on several cumulative circumstances present in this case.

First, the Disputed Domain Name incorporates the BPCE Trademark in its entirety, differing only by the addition of a hyphen. The BPCE Trademark was registered decades prior to the Disputed Domain Name and enjoys a strong reputation in France, where the Respondent is located, particularly in the banking and financial sectors. Prior UDRP panels have consistently recognized this reputation (*see, e.g., BPCE v. WhoisGuard Protected, WhoisGuard, Inc. / Fransis Coarno, Danstic*, WIPO Case No. [D2020-0967](#); *BPCE v. florian bancal*, WIPO Case No. [D2024-2832](#); *BPCE v. Patrice Colin*, WIPO Case No. [D2024-3766](#); and *BPCE v. Zack Levy*, WIPO Case No. [D2024-5012](#)). Given that the Respondent is located in France, near the Complainant's headquarters, it is not credible that the Respondent was unaware of the Complainant's rights at the time of registration of the disputed domain name.

There is no indication that the Respondent has ever been commonly known by the Disputed Domain Name, nor that it is making a legitimate noncommercial or fair use of it. The access to the Disputed Domain Name is blocked for phishing and other fraud, which cannot constitute a bona fide offering of goods or services.

Panels have held that the use of a domain name for illegitimate activity – here, the risk of phishing - can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. This risk is heightened by the presence of MX records, which enable the creation of email addresses associated with the Disputed Domain Name (*see, e.g., BPCE v. Domain Privacy*, WIPO Case No. [D2024-4681](#), *G4S Limited v. Zakiyullah Parkar, Sole Owner*, WIPO Case No. [D2024-4797](#), and *ZipRecruiter, Inc. v. Nguyen Van Hieu, Van Hieu*, WIPO Case No. [D2023-0543](#)).

This conclusion is reinforced by the Respondent's conduct. The Respondent listed "Bpce" as its organization in the Whois details, creating a false impression of affiliation with the Complainant. The Respondent also failed to reply to the Complainant's cease-and-desist letter or to reply to the Complainant's contentions. Such conduct supports a finding of bad faith.

Moreover, the Panel finds that the Respondent intended to target the Complainant's BPCE Trademark.

The Panel further notes that the Disputed Domain Name previously resolved to a Registrar parked page. However, passive holding does not by itself prevent a finding of bad faith. In assessing this doctrine, panels consider factors such as the distinctiveness of the mark, the lack of response, the respondent's taking active steps to conceal its identity, ([WIPO Overview 3.1](#), section 3.3). All of these factors are present here. In addition, the Disputed Domain Name has been flagged for phishing and fraud. Panels have held that the use of a domain name for illegal activities such as phishing or identity theft constitutes clear evidence of bad faith ([WIPO Overview 3.1](#), section 3.4). This risk is heightened by the presence of MX records, which enable the creation of email addresses associated with the domain name and potentially facilitate phishing attacks,

particularly in the sensitive context of banking services (see, e.g., *BPCE v. Domain Privacy*, WIPO Case No. [D2024-4681](#), *G4S Limited v. Zakiyullah Parkar, Sole Owner*, WIPO Case No. [D2024-4797](#), and *ZipRecruiter, Inc. v. Nguyen Van Hieu, Van Hieu*, WIPO Case No. [D2023-0543](#)).

In light of the distinctiveness and reputation of the BPCE prior Trademark, the Respondent's knowledge and targeting of that Trademark, the failure of the Respondent to submit a response, the Respondent's use of false contact details, and the flagged risks of fraudulent use, the Panel finds that the prior passive holding of the Disputed Domain Name does not prevent a finding of bad faith.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the BPCE Trademark, the composition of the disputed domain name, containing the BPCE Trademark in its entirety, and the Complainant, the failure of the Respondent to submit a response, 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. Therefore, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

Accordingly, and taking the totality of these circumstances into account, the Panel concludes that the Disputed Domain Name was registered and is being used in bad faith. The Complainant has therefore 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 <bp-ce.online> be transferred to the Complainant.

*/Isabelle Leroux/*

**Isabelle Leroux**

Sole Panelist

Date: May 12, 2026