ARBITRATION
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MEDIATION CENTER

WIPO
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# ADMINISTRATIVE PANEL DECISION
BPCE v. Dynadot Privacy Service
Case No. D2026-1447

## 1. The Parties

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

The Respondent is Dynadot Privacy Service, United States of America (USA).

## 2. The Domain Names and Registrar

The disputed domain names <banque-populaire-fr.com> and <banque-populaire8.com> are registered with Hosting Concepts B.V. d/b/a Registrar.eu (the "Registrar").

## 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 3, 2026. On April 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 8, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent ("Not mentioned") and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 9, 2026, providing the registrant and contact information disclosed by the Registrar and noting that the disputed domain names appeared to be associated with nominally different underlying registrants. The Center invited the Complainant either to file separate complaints for the disputed domain names or to demonstrate that the underlying registrants were in fact the same entity and/or that the disputed domain names were under common control. The Complainant filed an amended Complaint on April 13, 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 April 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 5, 2026.

The Center appointed Erica Aoki as the sole panelist in this matter on May 18, 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 société anonyme and the central institution of the Banque Populaire and Caisse d'Epargne banking networks.

The Complainant is the second largest banking group in France and provides banking, financing, and insurance services through its various entities and subsidiaries. The BPCE group serves approximately 36 million customers, employs approximately 105,000 people, and conducts operations in more than 40 countries worldwide.

The Complainant owns numerous trademark registrations for BANQUE POPULAIRE and BANQUE POP, including, among others:

– French Trademark Registration No. 3113485 for BANQUE POPULAIRE, registered on July 25, 2001, in Classes 35 and 38;
– French Trademark Registration No. 4605979 for BANQUE POPULAIRE, registered on December 9, 2019, in Classes 9, 35, and 36;
– European Union Trademark Registration No. 018725733 for BANQUE POPULAIRE, registered on November 12, 2022, in Classes 9, 35, and 36; and
– French Trademark Registration No. 3444947 for BANQUE POP, registered on August 7, 2006, in Class 36.

These trademark registrations remain valid and in force and significantly predate the registration of the disputed domain names.

The Complainant also owns and operates several domain names incorporating its trademarks, including <banque-populaire.com>, registered in 1998, <banquepopulaire.com>, registered in 2001, and <banque-populaire.fr> and <banquepopulaire.fr>, both registered in 2002. These domain names resolve to the Complainant's official Banque Populaire website.

The present proceeding concerns the disputed domain names <banque-populaire-fr.com> and <banque-populaire8.com>, both of which were registered on March 23, 2026.

According to the record, the disputed domain names resolved to websites displaying what appeared to be fraudulent BANQUE POPULAIRE login pages. The websites reproduced the Complainant's BANQUE POPULAIRE logo and purported to provide access to online banking services associated with the Complainant.

The record further indicates that the disputed domain names were used in connection with fraudulent login websites impersonating the Complainant, possibly targeting Internet users seeking access to the Complainant's banking services.

## 5. Parties' Contentions

### A. Complainant

The Complainant contends that it has satisfied all three elements required under paragraph 4(a) of the Policy.

First, the Complainant submits that the disputed domain names are confusingly similar to its BANQUE POPULAIRE and BANQUE POP trademarks.

The disputed domain names incorporate the Complainant's trademarks in their entirety or in a readily recognizable form. According to the Complainant, the addition of the terms "fr", and "8", does not prevent a finding of confusing similarity and instead reinforces the false impression that the disputed domain names are connected with the Complainant and its online banking services.

Second, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent is not affiliated with the Complainant, has never been authorized or licensed to use the Complainant's trademarks, and is not commonly known by the disputed domain names. The Complainant further contends that the disputed domain names have been used for websites impersonating the Complainant and displaying fraudulent BANQUE POPULAIRE login pages, which cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Third, the Complainant contends that the disputed domain names were registered and are being used in bad faith. Given the longstanding use and reputation of the BANQUE POPULAIRE trademarks, the Respondent must have been aware of the Complainant's rights at the time of registration. The Complainant submits that the Respondent intentionally registered and used the disputed domain names to create a likelihood of confusion with the Complainant's trademarks and to mislead Internet users seeking access to the Complainant's banking services. According to the Complainant, the use of the disputed domain names for websites reproducing BANQUE POPULAIRE login pages constitutes evidence of phishing activity and bad-faith registration and use under the Policy.

Accordingly, the Complainant requests that the disputed domain names be transferred to the Complainant.

### B. Respondent

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

## 6. Discussion and Findings

### Preliminary Issue – Consolidation

The Complaint was originally filed with respect to four domain names. Following registrar verification, the Registrar disclosed registrant information indicating nominally different underlying registrants.

The Center therefore invited the Complainant either to file separate complaints or to demonstrate that the disputed domain names were under common control.

In response, the Complainant filed an amended Complaint limiting the present proceeding to the disputed domain names <banque-populaire-fr.com> and <banque-populaire8.com>.

Both domain names are registered with the same entity Dynadot Privacy Service LLC. Accordingly, as per paragraph 3(c) of the UDRP Rules, this complaint may relate to both <banque-populaire-fr.com> and <banque-populaire8.com>.

Accordingly, the Panel finds that consolidation of the disputed domain names in the present proceeding is appropriate.

**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 trademarks and the disputed domain names (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.1"), section 1.7).

The Panel finds that the Complainant has established rights in the BANQUE POPULAIRE and BANQUE POP trademarks through its registered trademark rights.

The disputed domain names <banque-populaire-fr.com> and <banque-populaire8.com> incorporate the Complainant's BANQUE POPULAIRE trademark in its entirety. The trademark remains clearly recognizable within each of the disputed domain names.

The addition of the geographical abbreviation "fr" in the disputed domain name <banque-populaire-fr.com> does not prevent a finding of confusing similarity. Likewise, the addition of the numeral "8" in the disputed domain name <banque-populaire8.com> does not prevent the Complainant's trademark from remaining recognizable. Panels have consistently held that the addition of descriptive, geographical, numerical, or other terms to a complainant's trademark does not prevent a finding of confusing similarity where the relevant trademark remains recognizable within the disputed domain name (WIPO Overview 3.1, section 1.8).

The generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and is disregarded for the purposes of the confusing similarity analysis (WIPO Overview 3.1, section 1.11.1).

Accordingly, the Panel finds that the disputed domain names are confusingly similar to the Complainant's trademarks.

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 a respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings rests with the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may involve the difficult task of proving a negative, requiring information that is often primarily within the knowledge or control of the respondent. Accordingly, where a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests, the burden of production shifts to the respondent to come forward with relevant evidence demonstrating such rights or legitimate interests. If the respondent fails to do so, the complainant is deemed to have satisfied the second element of the Policy (WIPO Overview 3.1, section 2.1).

Having reviewed the available record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names.

The Respondent is not affiliated with the Complainant and has not been authorized, licensed, or otherwise permitted to use the Complainant's BANQUE POPULAIRE or BANQUE POP trademarks. There is no evidence that the Respondent has been commonly known by either of the disputed domain names.

According to the record, the disputed domain names were used in connection with websites displaying what appeared to be BANQUE POPULAIRE login pages and reproducing the Complainant's logo. Such use creates a misleading impression of affiliation with the Complainant and cannot constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy, nor a legitimate noncommercial or fair use under paragraph 4(c)(iii).

Panels have consistently held that the use of a domain name for illegal or fraudulent activity, including phishing, impersonation, passing off, or other forms of fraud, can never confer rights or legitimate interests on a respondent (WIPO Overview 3.1, section 2.13.1).

The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any evidence demonstrating rights or legitimate interests in the disputed domain names.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain names.

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 sets out a non-exhaustive list of circumstances that may constitute evidence of the registration and use of a domain name in bad faith.

Having reviewed the record, the Panel finds that the disputed domain names were registered and are being used in bad faith.

The Complainant's BANQUE POPULAIRE trademark is distinctive and well known in France and in the banking sector. The Complainant's trademark rights significantly predate the registration of the disputed domain names. In these circumstances, the Panel finds it implausible that the Respondent was unaware of the Complainant and its trademark rights when registering the disputed domain names (WIPO Overview 3.1, section 3.2.2).

The disputed domain names incorporate the Complainant's BANQUE POPULAIRE trademark in its entirety together with the additional terms "fr" and "8". Neither addition prevents the disputed domain names from conveying an apparent association with the Complainant. To the contrary, the term "fr" reinforces an impression of connection with the Complainant's French banking operations, while the overall composition of the disputed domain names suggests an official online service associated with the Complainant.

The record shows that the disputed domain names resolved to websites displaying what appeared to be BANQUE POPULAIRE login pages and reproducing the Complainant's logo. Such use was clearly designed to create a likelihood of confusion with the Complainant as to the source, sponsorship, affiliation, or endorsement of the websites. The Panel therefore finds that the Respondent intentionally attempted to attract Internet users by creating confusion with the Complainant's trademark, which constitutes evidence of bad faith under paragraph 4(b)(iv) of the Policy.

Panels have consistently held that the use of a domain name for phishing, identity theft, impersonation, passing off, or other forms of fraud constitutes bad faith under the Policy (WIPO Overview 3.1, section 3.4). Having reviewed the record, the Panel finds that the Respondent's use of the disputed domain names for websites resolving to fake login pages of the Complainant's online banking carries a significant risk of phishing or other fraudulent activity and constitutes bad-faith use.

Moreover, even if the disputed domain names were subsequently deactivated, such circumstance would not prevent the finding of bad faith. Panels have found that passive holding does not preclude a finding of bad faith where the totality of the circumstances indicates targeting of the complainant's mark (WIPO Overview 3.1, section 3.3). Relevant circumstances in the present case include the reputation of the Complainant's trademarks, the composition of the disputed domain names, the Respondent's prior impersonating use, the absence of any plausible good-faith explanation for the registrations, and the Respondent's failure to participate in this proceeding.

Accordingly, the Panel finds that the disputed domain names were registered and are being used in bad faith.

The third element of the Policy has been 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 names <banque-populaire-fr.com> and <banque-populaire8.com> be transferred to the Complainant.

*/Erica Aoki/*
**Erica Aoki**
Sole Panelist
Date: June 1, 2026