ADMINISTRATIVE PANEL DECISION

BPCE v. nebil hermann
Case No. D2026-1601

1. The Parties

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

The Respondent is nebil hermann, France.

2. The Domain Name and Registrar

The disputed domain name <bpcelease.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 15, 2026. On April 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 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 April 17, 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 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 20, 2026.

The Center appointed Nathalie Dreyfus as the sole panelist in this matter on May 27, 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 French joint stock company operating in the banking and financial sector. It acts as the central institution responsible for the Banque Populaire and Caisse d'Epargne banking networks and provides banking, financing, and insurance services through its subsidiaries.

BPCE is the owner of numerous trademarks including the following:

- the European Union BPCE trademark No. 8375875, dated January 12, 2010, duly renewed since then and covering services in class 36;

- the European Union trademark "**BPCE**" No. 8375842, dated January 12, 2010, duly renewed since then and covering services in class 36;

- the French trademark "**BPCE**" No. 3653852, dated May 29, 2009, duly renewed since then and covering goods and services in classes 9, 16, 35, 36, 38, 41 and 45;

- the French trademark " BPCE" No. 3658703, dated June 19, 2009, duly renewed since then and covering goods and services in classes 9, 16, 35, 36, 38, 41 and 45;

- the International BPCE trademark No. 1033662, dated December 15, 2009, duly renewed since then and covering services in class 36 and designating inter alia Australia, Japan, Mexico, Norway, New Zealand, Singapore, Switzerland, China, Algeria and Morocco; and

- the United States GROUPE BPCE trademark No. 5743541, dated May 7, 2019, for services in class 36.

The Complainant owns several domain names incorporating the BPCE trademark, including <bpce.fr>, <groupebpce.fr>, and <groupebpce.com>.

The disputed domain name was registered on March 20, 2026 and at that time, the disputed domain name resolved to an inaccessible website.

At the time of filing the Complaint, the Respondent's identity was shielded by a privacy service.

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.

First, the Complainant contends that the disputed domain name fully incorporates the Complainant's well-known BPCE trademark in its entirety and that the term "lease" increases the risk of confusion among Internet users to be misled into believing that the disputed domain name is connected in some manner with the Complainant. The Complainant argues that the addition of the descriptive term "lease" does not prevent a finding of confusing similarity, particularly since the Complainant offers lease services through its subsidiary BPCE Lease.

Secondly, the Complainant asserts that the Respondent has not been licensed or otherwise authorized by the Complainant to use the BPCE trademark and holds no trademark rights or traded names corresponding to the disputed domain name. The Complainant further contends that the disputed domain name is not used in connection with a bona fide offering of goods or services and instead resolves to an inactive website.

Moreover, the Complainant submits that its BPCE trademark is well known in the banking and financial sector and that the Respondent could not reasonably have ignored the Complainant's prior rights at the time of registration of the disputed domain name. Finally, the Complainant points to the use of privacy protection services and allegedly inaccurate registrant information as further indications of bad faith.

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.

Indeed, the Panel finds that the entirety of the Complainant's BPCE trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of the term (here,"lease") 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 is not affiliated with the Complainant and has not been authorized to use the Complainant's trademark. 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.

Moreover, the Panel finds that the Respondent, identified as "nebil hermann", has no known connection to the Complainant and is not commonly known by the name the disputed domain name. The Respondent has no rights in any corresponding trademark, corporate name, trade name, or domain name that would precede the Complainant's rights.

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.

The Panel further notes the reputation of the Complainant's BPCE trademark in the banking and financial sector. Given the distinctiveness of the BPCE trademark and the composition of the disputed domain name, which combines the trademark with the descriptive term "lease", the Panel finds it implausible that the Respondent registered the disputed domain name without knowledge of the Complainant and its rights. Such composition cannot reasonably be coincidental and rather indicates a deliberate attempt to create an impression of affiliation with, or endorsement by, the Complainant, particularly since the Complainant carries out leasing and financing activities through its subsidiary BPCE Lease. This is likely to mislead Internet users and attract them to the disputed domain name for commercial gain.

The Panel further notes that the disputed domain name does not resolve to an active website. 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 reputation of the Complainant's trademark, and the composition of the disputed domain name, as well as the Respondent's failure to participate in the proceedings, 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 further notes that the Respondent used a privacy service to conceal its identity at the time of registration. Following registrar verification, the disclosed registrant information appeared inaccurate or incomplete, notably because the address provided referred to "Marignane, Île-de-France", whereas Marignane is located in the Provence-Alpes-Côte d'Azur region of France.

Panels have held that the provision of false or misleading contact information may support a finding of bad faith. See WIPO Overview 3.1, section 3.6. In the circumstances of this case, the Panel considers the inaccurate registrant information to be an additional indication of bad faith.

In any event, while the disclosed registrant information appears inaccurate or inconsistent, it nevertheless refers to France. Given that the Complainant's BPCE trademark and banking group have been well known in France for many years, this further supports the conclusion that the Respondent was aware, or should have been aware, of the Complainant and its trademark rights when registering the disputed domain name.

In light of the above, and having regard to the totality of the circumstances, the Panel finds that the disputed domain name was registered and is being used in bad faith.

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 <bpcelease.com> be transferred to the Complainant.

/Nathalie Dreyfus/
Nathalie Dreyfus
Sole Panelist
Date: June 10, 2026