ADMINISTRATIVE PANEL DECISION

Banca Monte dei Paschi di Siena S.p.A. v. Marco Romagnolo
Case No. D2026-2093

1. The Parties

The Complainant is Banca Monte dei Paschi di Siena S.p.A., Italy, represented by Rapisardi Intellectual Property, Italy.

The Respondent is Marco Romagnolo , Italy.

2. The Domain Name and Registrar

The disputed domain name <mps-antiriciclaggio.com> is registered with Nicenic International Group Co., Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 15, 2026. On May 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 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 amendment to the Complaint on May 18, 2026.

The Center verified that the Complaint together with the amendment to the 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 May 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 18, 2026.

The Center appointed Andrea Cappai as the sole panelist in this matter on June 22, 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 Banca Monte dei Paschi di Siena S.p.A., an Italian bank based in Siena, Italy.

The record indicates that the Complainant traces its origins to 1472 and operates in the banking and financial services sector, including retail and commercial banking, corporate finance, investment banking, and digital banking services. The record also shows that the Complainant has a significant presence in Italy and an international presence in a number of jurisdictions.

The Complainant is the owner of the following trademark registrations, among others:

MPS – International registration number 824744 – registration date April 14, 2004;
MPS BANKING GROUP – International registration number 524473 – registration date May 21, 1988;
MPS MONTE DEI PASCHI DI SIENA BANKING GROUP – International registration number 598096 – registration date February 10, 1993.

The record indicates that the Complainant operates domain names incorporating the term “mps”, including <mps.it> and <gruppomps.it>, which are used in connection with the Complainant’s online presence and banking services.

The disputed domain name was registered on September 30, 2025.

The record shows that the disputed domain name did not resolve to an active website. Both the disputed domain name and the corresponding “www” address returned a “503 Service Unavailable” response.

The Respondent appears to be an individual located in Italy. No information concerning the Respondent’s activities or any relationship with the Complainant is available in the record.

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 MPS trademarks because it reproduces the term “mps” in its entirety and adds the Italian word “antiriciclaggio”, meaning “anti-money laundering”, which is descriptive of a compliance area closely associated with banking and financial services. The Complainant further submits that the Respondent has no rights or legitimate interests in the disputed domain name, as the Complainant has not authorised the Respondent to register or use a domain name incorporating the MPS mark, and there is no evidence that the Respondent is commonly known by the disputed domain name or has made any bona fide or legitimate use of it. Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith, relying on the long-standing and widely known character of the MPS mark, particularly in Italy, the Respondent’s apparent location in Italy, the banking-related meaning of the word “antiriciclaggio”, and the absence of any plausible good faith explanation for the Respondent’s registration and non-use of the disputed domain name.

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, "antiriciclaggio", 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 Complainant states that it has not authorised, licensed, or otherwise permitted the Respondent to use the MPS mark or to register a domain name incorporating that mark. There is no evidence in the record that the Respondent has been commonly known by the disputed domain name.

The disputed domain name combines the Complainant's mark with the Italian term "antiriciclaggio". In the circumstances of this case, the additional term is not random. It is apt to refer to anti-money laundering compliance, which is closely connected with the Complainant's banking and financial services. The composition of the disputed domain name therefore carries a risk of implied affiliation with the Complainant and does not support any claim to fair use.

The record contains no evidence that the Respondent has used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Nor is there any evidence of a legitimate noncommercial or fair use. The Respondent has not submitted any Response and has not come forward with any evidence capable of rebutting the Complainant's prima facie case.

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 the Respondent registered the disputed domain name long after the Complainant had obtained registered rights in its marks.

The record shows that the Complainant is a long-established Italian bank, that it operates in the banking and financial services sector, and that it maintains an online presence under domain names incorporating the sign "mps". On the basis of the record, the Panel accepts that the MPS mark is well established and widely known in Italy, where the Respondent appears to be located, and that it is also a long-standing mark more generally in the banking and financial services sector.

The composition of the disputed domain name is significant. It combines the Complainant's mark with the Italian word "antiriciclaggio", meaning "anti-money laundering". That term has an evident connection with the banking and financial services sector. In the Panel's view, the selection of that term, in Italian, together with the Complainant's mark, supports an inference that the Respondent had the Complainant and its mark in mind when registering the disputed domain name.

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 or reputation 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.

In the present case, the Panel considers that the totality of the circumstances supports a finding of bad faith. Those circumstances include the long-standing character of the Complainant's MPS mark, the Complainant's strong connection with Italy, the Respondent's apparent location in Italy, the addition of an Italian banking-related term to the Complainant's mark, the absence of any active use of the disputed domain name, and the Respondent's failure to provide any explanation for the registration of the disputed domain name.

The Panel finds that 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 name <mps-antiriciclaggio.com> be transferred to the Complainant.

/Andrea Cappai/
Andrea Cappai
Sole Panelist
Date: July 7, 2026