ADMINISTRATIVE PANEL DECISION

BPCE v. Thuillier Cedric
Case No. D2026-2386

1. The Parties

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

The Respondent is Thuillier Cedric, France.

2. The Domain Name and Registrar

The disputed domain name <espacebpcebanxo.com> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 2, 2026. On June 3, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 4, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 4, 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 June 8, 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 June 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 13, 2026.

The Center appointed Elise Dufour as the sole panelist in this matter on July 17, 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 BPCE, a French joint stock company (société anonyme) which acts as the central institution responsible for the two banking networks Banque Populaire and Caisse d'Épargne, with its registered office in Paris, France, registered with the Paris Trade and Companies Registry under number 493 455 042.

The Complainant is one of the largest banking groups in France, providing a full range of banking, financing and insurance services through its Banque Populaire and Caisse d'Épargne cooperative banking networks and various subsidiaries. It employs approximately 105,000 people, serves approximately 36 million customers, and is present in more than 40 countries through its subsidiaries.

The Complainant is the owner of numerous trademark registrations for BPCE and BANXO, including:

- the French trademark BANXO, registration No. 4231071, filed on December 3, 2015, registered on March 25, 2016, in class 36;
- the European Union trademark BPCE (figurative), registration No. 8375875, registered on January 12, 2010, in class 36;
- the European Union trademark BPCE, registration No. 8375842, registered on January 12, 2010, in class 36;
- the French trademark BPCE, registration No. 3653852, registered on November 6, 2009, in classes 9, 16, 35, 36, 38, 41, and 45; and
- the International Trademark BPCE, registration No. 1033662, registered on December 15, 2009, in class 36

(together, the "Trademarks").

The Complainant is also the owner of several domain names reflecting the Trademarks, including <bpce.fr> (registered in 2008), and <groupebpce.fr> and <groupebpce.com> (registered in 2009), which resolve to the Complainant's institutional website.

BANXO is used by the Complainant as the name of the Caisse d'Épargne mobile banking application.

The disputed domain name was created on May 14, 2026. It resolves to an inactive website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the three elements required under the Policy for a transfer of the disputed domain name.

The Complainant contends that the disputed domain name reproduces the Trademarks BANXO and BPCE, together with the descriptive term "espace" (French for "space", referring to an online platform through which customers access and manage their bank accounts), which is sufficient to establish confusing similarity, and that the generic Top-Level Domain ("gTLD") ".com" is disregarded for this comparison.

The Complainant contends that it has never authorized the Respondent to register or use any domain name incorporating the Trademarks, and that the Respondent has no rights or legitimate interests in the disputed domain name.

The Complainant contends that the disputed domain name was registered and is being used in bad faith because: (i) the Trademarks are well known, such that registration of a domain name reproducing them is bad faith per se; (ii) the disputed domain name resolves to an inactive website, which amounts to passive holding that does not prevent a finding of bad faith in the circumstances of this case; (iii) the Respondent's registration was made anonymously through a privacy service, reflecting an intent to conceal its identity.

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 Panel finds that the Complainant has shown rights in respect of the Trademarks BPCE and BANXO for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Trademarks are recognizable within the disputed domain name, which reproduces both BANXO and BPCE in their entirety. Although the addition of the term “espace” 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 Trademarks for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The gTLD “.com” is a standard registration requirement and is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

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 Complainant has not authorized the Respondent to register or use the Trademarks in any manner, including as part of a domain name. There is no evidence that the Respondent is commonly known by 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.

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 registration of the Trademarks predates the registration of the disputed domain name by more than a decade in the case of BPCE and more than ten years in the case of BANXO. Based on the record, the Panel is satisfied that the Complainant's BPCE and BANXO Trademarks enjoy a significant reputation in France in connection with banking and financial services, a reputation which has been acknowledged in prior UDRP decisions involving the Complainant. In these circumstances, and given that the disputed domain name reproduces both Trademarks together with a term "espace" that directly evokes an online banking platform, the Panel finds it implausible that the Respondent, who is based in France, was unaware of the Trademarks at the time of registration of the disputed domain name. The Panel finds that the Respondent registered the disputed domain name in bad faith, targeting the Complainant's Trademarks.

Turning to use, the Panel notes that the disputed domain name resolves to an inactive 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 in particular: (i) the distinctiveness and reputation of the Complainant's Trademarks; (ii) the composition of the disputed domain name, which reproduces both Trademarks together with a term directly evocative of the Complainant's online banking services, without any good-faith explanation from the Respondent; and (iii) the Respondent's failure to submit a response or to provide any evidence of actual or contemplated good-faith use. In these circumstances, the Panel finds that 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 <espacebpcebanxo.com> be transferred to the Complainant.

/Elise Dufour/
Elise Dufour
Sole Panelist
Date: July 31, 2026