ADMINISTRATIVE PANEL DECISION
BPCE v. Sarti Maxime
Case No. D2026-2431

1. The Parties

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

The Respondent is Sarti Maxime, France.

2. The Domain Name and Registrar

The disputed domain name <bpcebanxo.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 4, 2026. On June 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 5, 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 (not identified) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 9, 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 10, 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 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 3, 2026.

The Center appointed Nathalie Dreyfus as the sole panelist in this matter on July 6, 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 acting as the central institution responsible for the two banking networks “Banques Populaires” and “Caisses d’Epargne” (hereinafter “BPCE”).

BPCE, is the second largest banking group 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, nine of whom have decided to become cooperative shareholders. BPCE is well known in the international market and is present in more than 40 countries via its various subsidiaries.

BPCE is the owner of numerous trademarks including “BPCE” and “BANXO”, and notably the following:

- the French trademark BANXO registered under number 4231071 from December 3, 2015, duly renewed, for services in class 36;

- the European Union trademark BPCE registered under number 8375875 on January 12, 2010, duly renewed, for services in class 36;

- the European Union trademark BPCE registered under number 8375842 on January 12, 2010, duly renewed, for services in class 36;

- the French trademark BPCE registered under number 3653852 on May 29, 2009, duly renewed, for goods and services in classes 9, 16, 35, 36, 38, 41, and 45;

- the International trademark BPCE registered under number 1033662 on December 15, 2009, duly renewed, for services in class 36; and

- the United States of America (“US”) trademark GROUPE BPCE registered under number 5743541 on May 7, 2019, for services in class 36, (hereinafter, the “Trademarks”).

BPCE is also the owner of the 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, all corresponding to an active website, the institutional portal of BPCE.

Furthermore, BANXO is used by BPCE as the name of the Caisse d’Épargne mobile banking application.

This proceeding concerns the disputed domain name <bpcebanxo.com> registered on May 13, 2026.

The disputed domain name resolves to an inactive website.

According to the WhoIs database, the Respondent in this administrative proceeding is identified as a natural person.

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 it owns rights in the BPCE and BANXO Trademarks, and that the disputed domain name is confusingly similar to those Trademarks, as it identically reproduces both signs in their entirety, in the same sequence, namely "bpce" followed by "banxo". The Complainant further submits that the generic Top-Level Domain ("gTLD") ".com" should be disregarded for the purpose of the comparison.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant states that it has no relationship with the Respondent and that it has never licensed, authorized, or otherwise permitted the Respondent to use the Trademarks. The Complainant further submits that the Respondent is not commonly known by the disputed domain name and has not acquired any rights in those signs.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, BPCE and its subsidiaries are well known in France and throughout the world, notably by financial and banking market consumers. Furthermore, the Complainant submits that the Complainant's Trademark registrations predate the registration of the disputed domain name. Thus, the choice of the disputed domain name does not seem to be a coincidence, but on the contrary seems to have been done on purpose to generate a likelihood of confusion with the Trademarks. Finally, the Complainant contends that the fact that the disputed domain name leads to an inaccessible website, which does not prevent a finding of bad faith under the doctrine of passive holding.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are:

(i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
(ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
(iii) that 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 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 Complainant's Trademarks BPCE and BANXO are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to each of the Trademarks for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Panel finds that the addition of the gTLD ".com" does not prevent a finding of confusing similarity between the disputed domain name and the Trademarks for the purposes of the Policy.

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.

The Panel notes that the Complainant has no relationship whatsoever with the Respondent, and that no license, permission nor authorization to use the wording Bpce or Banxo was ever granted to the Respondent by the Complainant. Furthermore, the passive holding of the disputed domain name does not give rise to any rights or legitimate interests under the Policy noting the circumstances of this case. There is 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 indication that the Respondent has been commonly known by the disputed domain name or is making a legitimate noncommercial or fair use thereof. In the absence of any such evidence, the passive holding of the disputed domain name cannot confer rights or legitimate interests upon the Respondent.

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 Panel therefore 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, by registering a domain name composed exclusively of the two Trademarks of the Complainant, BPCE and BANXO, could not reasonably have been unaware of the Complainant and their prior trademark rights. The deliberate reproduction, without alteration, of the Trademarks excludes any plausible coincidence and clearly demonstrates that the Respondent specifically targeted the Complainant when registering the disputed domain name.

This conclusion is further reinforced by the reputation enjoyed by BPCE and its subsidiaries in France and internationally, particularly in the banking and financial sector. Prior UDRP panels have already recognized the reputation of the BPCE group in previous proceedings (*BPCE v. WhoisGuard Protected, WhoisGuard, Inc. / Fransis Coarno, Danstic*, WIPO Case No. D2020-0967 concerning <bpce-investment.com>). In these circumstances, it is inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant and their trademark rights.

Therefore, the Panel is of the opinion that the disputed domain name was registered 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.

Panels have found that the non-use of a domain name, leading to an inaccessible website, 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 Trademarks, the composition of the disputed domain name, and the Respondent’s lack of 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.

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 <bpcebanxo.com> be transferred to the Complainant.

/Nathalie Dreyfus/
Nathalie Dreyfus
Sole Panelist
Date: July 20, 2026