

ADMINISTRATIVE PANEL DECISION

Banque et Caisse d'Epargne de l'Etat, Luxembourg v. Seth Horsley
Case No. D2026-2593

1. The Parties

The Complainant is Banque et Caisse d'Epargne de l'Etat, Luxembourg, Luxembourg, represented by Office Freylinger S.A., Luxembourg.

The Respondent is Seth Horsley, United States of America ("US"), self-represented.

2. The Domain Names and Registrar

The disputed domain names <snet.dev> and <snet-public.com> (each a "Disputed Domain Name" together the "Disputed Domain Names") are registered with CloudFlare, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed in relation to <snet.dev> with the WIPO Arbitration and Mediation Center (the "Center") on June 15, 2026. On June 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name <snet.dev>. On June 15, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Name <snet.dev> which differed from the named Respondent (Data Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 16, 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 19, 2026.

The Respondent sent a communication to the Center on June 23, 2026.

On June 25, 2026, the Complainant submitted an amended Complaint adding the Disputed Domain Name <snet-public.com>. On July 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name <snet-public.com>. On July 2, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Name <snet-public.com> that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint together with the amended Complaints 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 July 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 29, 2026. The Respondent did not submit any response by that date (but see further below).

The Center appointed Nick J. Gardner as the sole panelist in this matter on August 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.

On August 31, 2026, the Panel issued Procedural Order No. 1 which provided as follows: “The Panel has reviewed the case file and notes that email communication dated June 23, 2026, from the Respondent has not been followed by any filing of a Response. The Panel has carried out limited factual research (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)), section 4.8) with the following results:

The Panel considers it more likely than not that the Respondent has a LinkedIn profile which can be found at ‘<https://www.linkedin.com/in/sethhorsley>’. The Panel reaches that conclusion on the basis that profile shows an individual named Seth Horsley with an address in Ooltewah, Tennessee, United States of America. The Registrar verification provided in respect of the domain names in dispute showed a registrant named Seth Horsley with a US ZIP code of 37363. That ZIP code refers to Ooltewah, Tennessee. Further information about Mr. Horsley can also be found at ‘www.sethhorsley.com’;

Assuming the above is correct, the Respondent appears to have graduated from the University of Tennessee at Chattanooga in 2019 with a degree in mathematics and computer science. Since then he appears to have been involved in a number of apparently bona fide businesses in the computer science or information technology area;

On the available record, there is no evidence that either of the domain names in dispute has ever been used to target the Complainant in any way. There is no evidence that either of the domain names in issue has been offered for sale or hosted any content;

The Panel considers it is at least possible that the domain names in dispute could have been selected by the Respondent because of the inherent attractiveness of the term ‘snet’ as a four-letter acronym rather than because of any connection to the Complainant. The Panel also notes that it is possible to identify multiple possible users of the term ‘snet’ (or ‘s-net’) in relation to computing and information technology fields – see for example:

- (i) ‘<https://devpost.com/software/snet-secure-internet>’;
- (ii) ‘<https://snetdev.readthedocs.io/en/latest/snet.html>’;
- (iii) ‘<http://www.s-net.kr/partners/>’; and
- (iv) ‘https://play.google.com/store/apps/details?id=pl.com.sbit.snet&hl=en_GB’

In view of the Panel’s findings above and pursuant to paragraphs 10 and 12 of the UDRP Rules, the Panel affords the Complainant five (5) calendar days from the date of this Administrative Panel Order (by latest September 5, 2026) to provide any comments and support evidence on the above-referenced findings.

The Respondent is afforded five (5) calendar days after receipt by the Center of Complainant’s comments, to respond thereto (by latest September 10, 2026).

The Parties' further submissions should be limited to the above request.

The Panel informs the Parties that the due date to submit the Decision to the Center is extended to September 17, 2026".

On September 4, 2026, the Complainant lodged submissions pursuant to Procedural Order No. 1. These are discussed below

On September 15, 2026, the Respondent filed submissions with the Center. These are discussed below.

On September 16, 2026, the Panel issued Procedural Order No. 2. It provided as follows: "On September 15, 2026, the Center received an email communication and late submission from the Respondent in Response to Procedural Order No.1 issued on August 31, 2026. The Panel has reviewed the Respondent's explanation for the late filing made pursuant to Procedural Order No. 1. The Panel accepts the Respondent's explanation, admits the filing, and will treat it as the Response.

In view of the Panel's findings above and pursuant to paragraphs 10 and 12 of the UDRP Rules, the Panel requests the Respondent to confirm by email to the Center whether the LinkedIn profile and the website 'www.sethhorsley.com', referred to in Procedural Order No. 1, relate to him. The Respondent shall provide such confirmation by latest September 18, 2026.

The Complainant is afforded five (5) calendar days after receipt by the Center of Respondent's comments, to respond thereto (by latest September 23, 2026).

The Parties' further submissions should be limited to the above request.

The Panel informs the Parties that the due date to submit the Decision to the Center is extended to September 26, 2026".

The Respondent failed to provide any submission of any kind pursuant to Procedural Order No. 2. In particular no further submissions were lodged by the Respondent with regard to the Panel's request for confirmation as to whether the LinkedIn profile and the website "www.sethhorsley.com", referred to in Procedural Order No. 1, related to the Respondent.

On September 28, 2026, following further email communications to the Center from the Complainant on September 24, 2026, the Panel issued Procedural Order No. 3, which provided as follows: "On September 24, 2026, the Center received an email communication from the Complainant requesting the right to present observations in reply to the Respondent's submission of September 15, 2026. The Panel has reviewed the Complainant's explanation and accepts its request. In view of the above and pursuant to paragraphs 10 and 12 of the UDRP Rules: The Complainant is afforded five (5) calendar days to submit its observations regarding the Respondent's above-referenced submission (by latest October 3, 2026). The Respondent is afforded five (5) calendar days after receipt by the Center of Complainant's observations, to respond thereto (by latest October 8, 2026). Further submissions should be limited to the above request.

The Panel informs the Parties that the due date to submit the Decision to the Center is extended to October 13, 2026".

On October 2, 2026, a further submission was lodged by the Complainant pursuant to Procedural Order No. 3. It is discussed below. No further submissions were received from the Respondent.

4. Factual Background

The Complainant, Banque et Caisse d'Epargne de l'Etat, Luxembourg, also known by its Luxembourgish name "Spuerkeess", is a Luxembourgish banking institution which it states was founded in 1856 and is the largest financial and banking institution in Luxembourg, providing retail, corporate and private banking and financial services. The Complainant states that it was ranked 19th among the safest banks globally in 2025, supported by credit ratings of Aa3 (Moody's) and AA+ (S&P).

The Complainant offers its banking services to customers through an internet banking platform and associated mobile application under the name "S-NET". The Complainant is the owner of registered trademarks for S-NET, including Benelux trademark registration No. 644249 (filed April 12, 1999, and registered August 1, 1999, in class 36), European Union trademark registration No. 009110644 (filed May 17, 2010, and registered July 1, 2012, in classes 35, 36, 38 and 41), and United Kingdom trademark registration No. UK00909110644 (filed May 17, 2010, and registered July 1, 2012, in classes 35, 36, 38 and 41). The Complainant also holds the domain names <s-net.lu>, <snet-lux.com> and <snet.lu>, which it uses to direct customers to its S-NET online banking services.

The Disputed Domain Name <snet.dev> was registered on February 15, 2026, and the Disputed Domain Name <snet-public.com> was registered on February 19, 2026, both with the same Registrar. Registrant information disclosed by the Registrar identifies the registrant of both Disputed Domain Names as Seth Horsley, of [address provided], [postal code], United States of America, with the email address "[name provided]@seth4242.com". Neither Disputed Domain Name has, at any material time, resolved to any active website; attempts to visit either produce a browser error page indicating that the site cannot be reached.

In the course of the limited research referred to above and discussed further below, the Panel identified a LinkedIn profile for an individual named Seth Horsley, located in Ooltewah, Tennessee, US, being the location corresponding to the postal code disclosed by the Registrar, and a personal website at "www.sethhorsley.com". Those sources indicate that the individual concerned is a software engineer who graduated from the University of Tennessee at Chattanooga in 2019 with a degree in mathematics and computer science, and who describes himself as the founder of "StateCert", a certification and licensure platform aimed at health departments, and as a former co-founder of "DevDuo", a data analytics business. Neither source refers to "snet", "s-net", or the Complainant. The Panel's research also identified a number of third-party uses of the terms "snet" and "s-net" in the computing and information technology fields, unconnected with the Complainant, including a software project described as a "secure internet" tool, a Python package, a Korean information technology company, and a mobile application available on the Google Play Store. The admissibility and relevance of the results of the Panel's research are discussed below.

5. Parties' Contentions

A. The Complaint

The Complainant in the Complaint contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Names.

Notably, the Complainant contends that the Disputed Domain Names are confusingly similar to its S-NET trademarks, and that the addition of the generic term "public" and the gTLDs ".com" and ".dev" is insufficient to avoid confusion, positively reinforcing, in the case of <snet.dev> in particular, an impression of official association with the Complainant's online banking platform.

The Complainant contends that the Respondent has no rights or legitimate interests in the Disputed Domain Names, having never been authorised to use the S-NET trademarks, having no trademark rights of his own in the terms "s-net" or "snet", and there being no evidence of any bona fide use, or demonstrable preparation to use, the Disputed Domain Names in connection with a genuine offering of goods or services.

The Complainant contends that the Disputed Domain Names were registered and are being used in bad faith. It submits that the Respondent knew or should have known of the Complainant's trademark rights, given their prominence in internet search results; that the S-NET trademarks and the Complainant's related banking services are well known and long established; that the choice of the gTLDs ".com" and ".dev" in combination with the term "snet", and the addition of the word "public" in <snet-public.com>, was a deliberate attempt to suggest official association with the Complainant's banking platform and thereby to facilitate phishing or fraudulent activity targeting the Complainant's customers; and that the Respondent's use of privacy-protected Whois records further evidences bad faith. The Complainant relies on the doctrine of passive holding, citing [WIPO Overview 3.1](#), section 3.3, and *Medtronic, Inc. v. Roohi B Rasheed, Roohi B Rasheed Rasheed*, WIPO Case No. [D2020-1161](#), and submits that the absence of active use of the Disputed Domain Names does not preclude a finding of bad faith.

B. Complainant's submissions pursuant to Procedural Order No. 1

In its supplemental submissions responding to Procedural Order No. 1, filed on September 4, 2026, the Complainant contests the appropriateness of the Panel's own factual research, submitting that identification of a respondent's identity falls outside the scope of the "limited factual research" contemplated by [WIPO Overview 3.1](#), section 4.8, and that such matters ought properly to have been raised by the Respondent in a Response. The Complainant further submits that the material identified by the Panel does not establish with certainty that the individual referred to in the LinkedIn profile and personal website is in fact the registrant of the Disputed Domain Names, and that, in any event, even if it is, this does not preclude a finding that the Disputed Domain Names were registered and used in bad faith targeting the Complainant. The Complainant maintains that the S-NET trademarks are distinctive and internationally recognised, that the existence of other third-party uses of "snet" or "s-net" does not exclude the possibility that the Respondent selected the Disputed Domain Names because of their similarity to the Complainant's mark, and that the Respondent's continued silence, despite having had several opportunities to respond, is itself a further indication of bad faith. The Complainant requests the opportunity to reply should the Respondent belatedly file a Response.

The Complainant stresses three points. First, it says the Respondent's email address is demonstrably live. He confirmed receiving the communications. He missed three deadlines (June 18, July 29 and August 12, 2026). It argues that "one deadline may be overlooked, but not three", and that his conduct shows he cannot defend on the merits and is itself evidence of bad faith.

Second, on the Respondent's identity the Complainant says it was "surprised" by Procedural Order No. 1 and expected a decision on the merits. It relies on [WIPO Overview 3.1](#), section 4.7, for the proposition that procedural orders are relatively infrequent. It argues that the Panel's research into "Seth Horsley" exceeded the limited factual research permitted by [WIPO Overview 3.1](#), section 4.8, for three reasons:

Registrant identity is typically redacted and is disclosed only through the Center ([WIPO Overview 3.1](#), section 4.4.1).

It is the Respondent's job to supply such information, not the Panel's.

The Panel's own "more likely than not" wording shows the link is a possibility, not a fact.

It relies on *Banque et Caisse d'Epargne de l'Etat, Luxembourg v. Slava Kotikov*, WIPO Case No. [D2026-2597](#), a prior S-NET decision, for the burden-shifting principle in [WIPO Overview 3.1](#), section 2.1. It says it discharged its prima facie burden by stating that it has no information on the Respondent beyond what the Center disclosed, and that no Seth Horsley was ever authorised to use or register its marks.

Having reviewed the LinkedIn profile and "www.sethhorsley.com", it says the link to the Respondent cannot be confirmed with certainty. The website does not mention the Tennessee or the US, and neither site shows the registrant's phone number or email address.

It argues that even if the identification is correct, the Complaint still succeeds:

Neither site refers to “s-net”, so no rights or legitimate interests are shown.

The S-NET marks are well known in Luxembourg and internationally for its Internet banking platform and app. Their reputation was confirmed in *Banque et Caisse d'Epargne de l'Etat, Luxembourg v. Slava Kotikov*, WIPO Case No. [D2026-2597](#).

Users are likely to confuse the Disputed Domain Names with the marks and with its own <s-net.lu> and <snet.lu>.

Both Disputed Domain Names are passively held. It cites *Medtronic, Inc. v. Roohi B Rasheed Rasheed*, WIPO Case No. [D2020-1161](#).

Thirdly, on the inherent attractiveness of “snet” the Complainant disagrees with the Panel's suggestion. It says this is an argument for the Respondent to make, and that there is no objective evidence that a four-letter acronym is attractive. It maintains that S-NET has no direct meaning and is distinctive, has been registered for over 20 years and forms the distinctive part of its own domain names. On that basis it says the choice cannot be a coincidence. It adds that the Panel's approach puts it in the “impossible position” of proving a negative.

Fourth, on third-party uses of “s-net” and “snet” the Complainant says the computing and IT “field” the Panel identified is the wrong frame, since it is a 170-year-old bank and the Respondent's activities are unconfirmed. It argues that the existence of other users does not defeat the Complaint, and that analysing each third-party link is more than can reasonably be expected of it. It accepts that one or more of those uses might relate to the Respondent. It repeats that the Respondent's silence indicates bad faith. It asks the Panel to decide “solely” on the Complainant's arguments and evidence.

Finally, the Complainant said that if the Respondent files a Response by September 10, 2026, the Complainant asks for an opportunity to reply.

C. Respondent's Submissions in relation to Procedural Order No. 1 (which the Panel will admit as the Response)

On September 15, 2026, the Respondent filed a submission with the Center which read as follows: “I, Seth Horsley, am the Respondent and registrant of the disputed domain names.

1. Request for Acceptance of Late Submission

I respectfully request that the Panel accept this late submission pursuant to paragraphs 10 and 12 of the UDRP Rules. Following a family wedding the week of August 25, 2026, I remained at my family's off-grid farm in Kentucky. The property lacked functioning electrical power and Internet access for approximately the following week. I was working to restore basic power and connectivity by installing a LiFePO4 battery system and setting up Internet service. These circumstances substantially disrupted and delayed my ability to access the case materials and prepare this submission. I nevertheless recognize that I failed to complete and submit the response by September 10, and I take responsibility for that failure. I sincerely apologize and respectfully ask the Panel to consider the substantive evidence now provided.

1. Independent Origin and Meaning of 'SNET'

I selected 'SNET' independently as shorthand for 'Seth's Network.' The letter 'S' refers to my first name, Seth, and 'NET' refers to my network. 'Seth's Network' is my name for my own personal and technical network. Before receiving notice of this dispute, I had never heard of the Complainant's S-NET online-banking platform. I did not select 'SNET' because of the Complainant, its trademark, its online-banking platform, or any financial service.

1. Contemporaneous Technical Evidence

My explanation is supported by contemporaneous software-development records created before I received notice of this dispute. My private GitHub repository is named 'snet-web.' Its commit history contains technical documentation entitled 'SSL Certificate Setup for snet Tunnels.' The documentation describes an 'snet' tunnel service involving a Rails API, Cloudflare integration, SSL certificates, account-level subdomains, and tunnel-level subdomains. The examples use my independently owned domain <seth4242.net>, further connecting the project to me and my personal technical infrastructure. These records were created for an actual software and networking project, not for this proceeding. The GitHub commit history demonstrates that I was using 'snet' in connection with my own technical network before the Complaint and before I had any knowledge of the Complainant's S-NET platform.

I registered <snet.dev> and <snet-public.com> as part of this same independently conceived technical project and naming scheme.

1. Rights or Legitimate Interests

My reason for registering the disputed domain names was personal and technical. It was based on an abbreviation derived from my own first name and the word 'network.'

I did not register the domains to capitalize on the reputation or goodwill of the Complainant's trademark. The existing 'snet-web' repository, source code, documentation, and commit history demonstrate genuine reparations to use 'snet' for its independently intended technical purpose. The domains have not displayed banking content, copied the Complainant's website, or represented that they were affiliated with the Complainant.

1. Absence of Bad Faith

Because I had never heard of the Complainant's S-NET platform, I could not have registered the disputed domain names with the intention of targeting it.

I did not register the domains to sell them to the Complainant, prevent the Complainant from using its trademark, divert its customers, collect banking credentials, or impersonate the Complainant. Their similarity to the Complainant's mark is coincidental and results from my independent use of 'SNET' to mean 'Seth's Network.'

The Complainant's allegations concerning possible future phishing, fraud, or confusion are speculative and do not reflect my reason for registering the domain names or any use I have made of them.

1. Requested Decision

For these reasons, I respectfully request that the Panel accept this submission and deny the requested transfer of <snet.dev> and <snet-public.com>.

I certify that the information contained in this submission is, to the best of my knowledge, complete and accurate; that this submission is not being presented for any improper purpose; and that its assertions are warranted under the UDRP Rules and applicable law.

A copy of this submission and its annexes have been sent to the Complainant through the addresses appearing in the existing case correspondence".

D. Complainant's submissions in relation to Procedural Order No. 3

On October 2, 2026, the Complainant filed submissions pursuant to Procedural Order No. 3. These were in reply to the Respondent's late email of September 15, 2026, which the Panel had admitted as the Response (see above).

Most of the submission retells the procedural history, with a clear undertone of complaint about this history. The main points the Complainant made are as follows:

The Respondent was in default on every substantive deadline, which the Complainant counts as five missed deadlines: June 18, July 29, August 12, September 10 and September 18, 2026.

His explanation for missing the first deadline was that the emails were “inadvertently overlooked”. The Complainant says this is not a justified reason.

The Complainant objects to the Panel’s approach in several respects:

The Panel conducted independent online research into the LinkedIn profile and <sethshorsley.com>.

The Panel raised arguments the Respondent had not made, such as the possible meanings of “snet” and the observation that there is no evidence of targeting. The Complainant says this forced it to “prove a negative”. The Panel gave the Respondent repeated extensions.

The Panel admitted the September 15, 2026, response, even though no deadline was open and Procedural Order No. 1 had limited further submissions to the matters it raised. The Complainant did not receive the September 15, 2026, email at first. The Respondent had copied it to SimpleLogin alias addresses rather than to the representatives’ real addresses. The Complainant suggests the Center should have spotted this.

The Complainant then went on to reply on the merits as follows.

Rights or legitimate interests. The Respondent says “snet” stands for “Seth’s Network”. He refers to a private GitHub repository called “snet-web”, to <seth4242.net>, and to “contemporaneous software-development records”. The Complainant says that none of this evidence has been produced, and none of it can be verified.

It is not the Complainant’s job to look for evidence that would support the Respondent.

The Complainant relies on *Banque et Caisse d’Epargne de l’Etat, Luxembourg v. Slava Kotikov*, WIPO Case No. [D2026-2597](#) (<snetproxy.online>). It is the same Complainant and the same mark, and that the panel rejected an unsupported technical explanation for “snet” after the respondent failed to substantiate it even when given a further opportunity under a procedural order.

Bad faith. The Respondent says he had never heard of the Complainant. The Complainant argues this is no answer, on a “knew or should have known” basis, citing *Research In Motion v. Privacy Locked*, WIPO Case No. [D2009-0320](#). It relies on four points:

The S-NET marks are easy to find in public databases.

The bank is 170 years old, highly rated, and internationally reputed.

S-NET is well known as the name of its online banking platform, and *Banque et Caisse d’Epargne de l’Etat, Luxembourg v. Slava Kotikov*, WIPO Case No. [D2026-2597](#) is again cited as confirming this reputation.

Passive holding, citing [WIPO Overview 3.1](#), section 3.3, and *Medtronic, Inc. v. Roohi B Rasheed, Roohi B Rasheed*, WIPO Case No. [D2020-1161](#).

The Complainant also argues that the Respondent’s self-described software and Cloudflare background makes his lack of awareness less plausible. It says his conduct in the proceeding is itself evidence of bad faith: missed deadlines, the “off-grid farm” explanation for missing September 10, 2026, failure to answer what was asked, and failure to copy the representatives correctly.

The Complainant then addressed the LinkedIn profile and <sethhorsley.com>.

The Respondent has never confirmed that these belong to him, so the Complainant says they should be disregarded.

The Complainant adds that nothing on them ties them to the registrant's Tennessee details, phone number, or email address.

The Respondent did not list <sethhorsley.com> among his own sites, which the Complainant says undermines the Panel's assumption.

Even if they are his, the Complainant argues they do not help him, because neither mentions "snet".

Users are said to be likely to associate the Disputed Domain Names with the Complainant's own <snet.lu> and <s-net.lu>.

6. Discussion and Findings

The procedural history of this matter is complex. It has not been assisted by the Respondent's repeated failures to comply with the relevant procedural requirements, meet deadlines, and respond to Panel requests. The Panel understands the Complainant's frustration arising out of these failures. Nevertheless, the Panel must deal with all these matters as best it can. It also takes into account the fact that the Respondent is unrepresented. The Panel deals with the various procedural issues below.

Procedural Issue – Addition of Disputed Domain Name

The Complaint was originally filed regarding the Disputed Domain Name <snet.dev>. After Registrar verification the Complainant submitted an amended Complaint adding the Disputed Domain Name <snet-public.com> to its Complaint, and requested the consolidation of the Complaint against the multiple Disputed Domain Names pursuant to paragraph 10(e) of the Rules. As a general rule, domain names held by the same registrant(s) may be added to a complaint before notification to the respondent(s)/formal commencement of the relevant proceeding. [WIPO Overview 3.1](#), section 4.12.1 and Rules, paragraph 3(c). The Disputed Domain Names were registered by the same Respondent, and the request for addition was received prior to complaint notification. Accordingly, the Panel will proceed with the consolidated dispute regarding the two Disputed Domain Names in a single proceeding.

Preliminary Issue: Procedural Order No. 1

The Complainant objects to the scope of the Panel's independent research (see above).

[WIPO Overview 3.1](#), section 4.8, provides as follows "4.8 May a panel perform independent research in assessing the case merits?

Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention.

This may include visiting the website linked to the disputed domain name in order to obtain more information about the respondent or its use of the domain name, consulting historical resources such as the Internet Archive (www.archive.org) in order to obtain an indication of how a domain name may have been used in the relevant past, reviewing dictionaries or encyclopaedias (e.g., Wikipedia), or accessing trademark registration databases.

In some circumstances, a panel may also rely on personal knowledge (e.g., to take “judicial notice” of the reputation of a well-known mark, or a corporate affiliation/structure).

Where a panel intends to rely on information outside the pleadings, in certain limited scenarios, e.g., where such information may not be general public knowledge or at least readily accessible, it may consider issuing a procedural order to give the parties an opportunity to comment on such information as it relates to the proceedings”.

In the present case, the Panel had reviewed a case file which at the time included no substantive Response from the Respondent, but which contained an email from the Respondent showing he was apparently engaged in the process that was being followed. The Panel considered it would assist a fair and reasoned determination of the Complaint to establish whether any publicly available information bore on the question of who the Respondent was and whether the Respondent had any plausible independent connection to the term “snet”, given its brevity and its potential for independent derivation. The Panel accordingly identified and consulted the LinkedIn profile and personal website referred to above, together with search results indicating other third-party uses of “snet” and “s-net” in the computing field, and disclosed the results of that research to the parties by way of Procedural Order No. 1, affording each party an opportunity to comment. This course was consistent with the Panel’s obligation, pursuant to paragraph 10(b) of the Rules, to ensure that the parties are treated with equality and that each is given a fair opportunity to present its case, particularly given the Respondent’s default. The research in question was simple and straightforward and took no more than about 15 minutes.

The Panel does not accept that consulting such publicly available information, and giving the parties an opportunity to comment upon it, exceeded the bounds of the research contemplated by [WIPO Overview 3.1](#), section 4.8, particularly where, as here, that at the time the research was carried out the Respondent had offered no details of who he was, nor what his background was, nor any explanation for the selection of the Disputed Domain Names.

The Panel notes that the Respondent appears to have ignored the request contained in Procedural Order No. 2 to confirm whether or not the materials identified by the Panel did relate to the Respondent. The Panel issued that Order because it considered confirmation from the Respondent (which it thought was likely to be a formality) would be helpful and would provide a clearer record. Given the Respondent’s failure the Panel must determine what weight to give this material. The Panel does not consider the contents of the website to be particularly relevant. The LinkedIn profile is however highly relevant, assuming it relates to the Respondent, as it provides clear evidence of the Respondent’s technical background, educational qualifications, and employment history. The Complainant has alleged that the “choice of the Disputed Domain Names cannot be a coincidence and is, on the contrary, deliberate and a clear sign of bad faith” and that the Disputed Domain Names provide “a way for the Respondent to deceive the consumers through phishing or fraudulent activities”. These are serious allegations and matters that bear on the Respondent’s background and experience are likely to be relevant to considering whether those allegations are justified.

Registrar verification identified that the Respondent was named Seth Horsley with an apparently genuine address located in the area covered by US ZIP code 37363 – and public ZIP code records show that code corresponds to an area in the town of Ooltewah, Tennessee, US. The LinkedIn profile relates to an individual named Seth Horsley who was based in Ooltewah, Tennessee, US. It seems to the Panel highly unlikely that there are two persons each named Seth Horsley in Ooltewah, Tennessee, US. Further the Respondent’s response to Procedural Order No. 1 clearly indicates he has a technical IT background, in that for example he says he maintains his own private Git-Hub software repository and is engaged in software development. The LinkedIn profile relates to a Seth Horsley who graduated in Maths and Computer Science from the University of Tennessee in 2019 and who, since then, has established a number of apparently bona fide software development companies. The Panel concludes that the Seth Horsley shown in the LinkedIn profile, and the Respondent are the same person. The Panel will proceed on that basis. The Panel does not consider that it would be fair or equitable or proportional to exclude this evidence because of the Respondent’s failure to provide the requested confirmation.

Procedural Issue – Acceptance of the Respondent’s late submission to Procedural Order No. 1 and treating it as the Response.

In Procedural Order No. 2 (see above) the Panel accepted the Respondent’s explanation for his late filing of submissions pursuant to Procedural Order No. 1, admitted the filing, and stated it would treat it as the Response. The Complainant appears to be unhappy with this decision so the Panel will expand on its reasons. First, the Panel is not in a position to challenge the Respondent’s explanation of the difficulties he had which he appears to suggest at least contributed to his failure. As a general rule, the Panel does not consider that a party should be excluded from presenting a case which appears at least worthy of consideration simply because it has missed a deadline. That is particularly so if the other party is in no worse position than it would have been had the deadline been met. In the present case the Complainant asked for leave to file further submissions in relation to the Respondent’s late-filed submissions, and the Panel granted that request. The Panel also notes the Respondent is unrepresented. In all the circumstances the Panel considers it would not have been fair or equitable or proportional to exclude the Respondent’s submissions because they were late, or because they were wider in scope than the terms of Procedural Order No. 1 had contemplated. If the Respondent has advanced a case which deserves consideration, it should be considered, providing no unfairness to the Complainant results from the timing issue. That is the position here.

Substantive Matters

To succeed, in accordance with paragraph 4(a) of the Policy, the Complainant must satisfy the Panel in respect of the relevant Disputed Domain Name that:

- (i) the Disputed Domain Name is identical with or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name;
- (iii) 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 Names. [WIPO Overview 3.1](#), section 1.7.

The Complainant has rights in the S-NET trademark. The Panel finds that each Disputed Domain Name is confusingly similar to this trademark. It is established that, where a mark is recognizable in a disputed domain name, the disputed domain name is considered to be confusingly similar to the registered mark. [WIPO Overview 3.1](#), section 1.7. The Panel considers that the S-NET trademark is recognizable in the disputed domain name.

It is also established that the addition of a descriptive term (such as here “public”) to a disputed domain name does not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.8.

It is also well established that the generic Top-Level Domain (“gTLD”), in this case “.com” and “.dev”, is typically disregarded in a disputed domain name for the purpose of determining whether it is identical or confusingly similar. [WIPO Overview 3.1](#), section 1.11.

Accordingly, the Panel finds that each of the Disputed Domain Names is confusingly similar to the Complainant’s trademark and hence the first condition of paragraph 4(a) of the Policy has been fulfilled.

B. Rights or Legitimate Interests

Considering the Panel's finding below and the cumulative nature of the Policy, the Panel need not make a finding under the second element of the Policy.

C. Registered and Used in Bad Faith

On the balance of probabilities, the Panel accepts the Respondent's account that he registered the Disputed Domain Names for his own use, based on the term "SNET" being a convenient acronym for "Seth's NETwork", and not because of any connection with the Complainant, it follows that neither registration was in bad faith. There is no evidence of any subsequent use of either Disputed Domain Name which would amount to bad faith use.

The Panel is conscious that proceedings under the UDRP are of a limited and restricted nature, do not involve oral hearings, discovery, or cross examination, and hence are not readily suited to determining disputed questions of fact or matters of truth or falsehood. In this case the Respondent says that he used the term "SNET" as a convenient acronym for "Seth's NETwork", Seth being the Respondent's first name. The Panel considers that the Respondent has offered what appears to be a credible explanation for his choice of the Disputed Domain Names. He could have done much better at providing information to support and corroborate this account, but he is an unrepresented individual and the Panel does not consider it appropriate to entirely discount the Respondent's contentions in the circumstances of this case. Once the Respondent's background and experience is taken into account, as shown in his LinkedIn profile (see above) it is apparent that he is a bona fide software developer and his account is entirely consistent with that background. His evidence that he had never heard of the Complainant or its S-NET platform is entirely believable and there is nothing at all to suggest his registration of the Disputed Domain Names had anything to do with the Complainant. It is entirely possible that a four-letter term such as "snet" could be independently derived by a person with no knowledge of the Complainant as an acronym or for other reasons, it is a complainant's burden to show that such was instead done to target its trademark, which the Complainant here has failed to establish as more likely than not.

For completeness the Panel will address the further arguments advanced by the Complainant.

The Complainant relies on the allegation that "when searching 'snet' on an internet web browser, the first several results direct you to the Complainant's websites and portals". The Complaint is silent as to where this search was carried out but the Panel infers it was likely in Luxembourg where the Complainant's representative is based. It is well known that such search results will be geo-located and hence vary depending on where the search is carried out. The Panel would need much clearer evidence before accepting that similar results would be obtained for a search carried out in the US. Further the Panel does not see why even if the Respondent was aware of the Complainant's use of the term S-NET for its Internet banking platform that should prevent his use of the term SNET for domain names referencing his own network.

The Complainant relies upon *Banque et Caisse d'Epargne de l'Etat, Luxembourg v. Slava Kotikov*, WIPO Case No. [D2026-2597](#) which is a recent decision where the panel awarded the transfer of the domain name <snetproxy.online> to the Complainant. The panel's reasoning in that case in part relied upon the respondent's failure to produce evidence to substantiate what was said in the response about independent derivation, such evidence having been requested by the panel by way of a procedural order. However, in that case the panel also found the respondent had not disclaimed knowledge of the Complainant at the time of registration of the domain name, unlike the present case where the Respondent expressly states he was unaware of the Complainant and its S-NET platform. Importantly, the panel in the earlier case also found that there were "indications in the Response that it has been created by an AI tool to contrive a credible defence, giving false citations". Overall, the Panel is not persuaded that the facts of the present case are sufficiently similar to justify adopting the approach that the panel took in that previous case.

The Complainant also says that the Respondent's denial of knowledge of the Complainant is not determinative. It says "In fact, according to established case law, bad faith can be found where the Respondent 'knew or should have known' of the Complainant's trademark rights and, still registered domain names in which it had no rights or legitimate interest" and cites *Research In Motion Limited v. Privacy Locked LLC/Nat Collicot*, WIPO Case No. [D2009-0320](#). That case however introduces the concept of constructive knowledge in relation to the very specific circumstances of bulk purchases of large portfolios of domain names. See the following statement by the panel in its decision: "This Panel has never favoured constructive knowledge leading to findings of bad faith, but now concedes that these new practices of automated bulk transfers of domain names do necessitate a limited form of constructive knowledge if the Policy is not to fall into disrepute. The Panel believes it appropriate that purchasers of domain names should be taken to have knowledge of (a) what they have purchased and (b) how their domain names are being used. Accordingly, if a domain name, which they have purchased incorporates a third party's trade mark of which they are likely to have knowledge, they should be treated as having acquired that domain name knowingly and knowingly to have put the domain name to the use to which it is being put. Were it otherwise, automated bulk transfers of domain names would be the perfect shield for abusive registrations". The present case has nothing to do with bulk purchases of large portfolios of domain names and the Panel declines to apply any doctrine of constructive knowledge. Further and in any event the Panel can see no reason why a US registrant of a domain name should be deemed to have constructive knowledge of a trade mark which is not registered in the US and which on the evidence is only famous in Luxembourg. In this regard, the Panel is prepared to accept the Complainant is the largest bank in Luxembourg and its products and services will be well known to at least a significant proportion of the Luxembourgish public and this knowledge will extend to its S-NET Internet banking platform. That does not however mean that the Complainant's fame and reputation extend outside Luxembourg, or that its S-NET Internet banking platform has any reputation elsewhere. The only evidence the Complainant produces as to its international reputation (beyond unsupported assertions) is as follows. The Complainant says "Subsequently, the Complainant, and indirectly its trademarks, are rather well-known to the public worldwide, as the Complainant has been ranked amongst the safest banks globally in 2025 (ranked 19th), supported by excellent credit ratings (Moody's: Aa3; S&P: AA+), which further shows its strong reputation and international recognition (see Annex 15)." In fact, Annex 15 only shows the part of the relevant table which shows the top 10 safest banks in the world so the Panel cannot verify the Complainant's claimed 19th place, but assumes it is correct. These awards appear to have been awarded by Global Finance Magazine which describes itself as providing "Global news and insight for corporate finance professionals". The Panel is not convinced that this limited recognition has anything to do with the Complainant's S-NET Internet banking platform. Even if it does, the relevant recognition would appear to be amongst corporate finance professionals. The Panel does not consider that this amounts to recognition by the public generally, outside Luxembourg. Specifically, there is nothing in the record to suggest that an individual resident in the US who was not involved in banking or corporate finance would have any knowledge of the Complainant or its S-NET platform.

The Complainant also says the doctrine of passive holding is applicable saying: "This approach has been confirmed in numerous cases, including the *Medtronic, Inc. v. Roohi B Rasheed, Roohi B Rasheed Rasheed*, WIPO Case No. [D2020-1161](#), where the panel held that passive holding, when combined with other indicia of targeting, may constitute bad faith registration and use". The Panel observes that there are no other indicia of targeting in the present case. The Panel does not think that the above quotation accurately reflects the panel's reasoning in *Medtronic, Inc. v. Roohi B Rasheed, Roohi B Rasheed Rasheed*, WIPO Case No. [D2020-1161](#), as that reasoning does not appear to consider targeting at all. What the panel said was as follows: "However, many prior UDRP panels have found that passive holding of a disputed domain name can constitute bad faith registration and use of a disputed domain name under the UDRP. See, *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#). In the present case, the Panel further notes that the Complainant's MEDTRONIC trademark is long held and in substantial use worldwide. See, *Medtronic, Inc. v. Chris Olu*, WIPO Case No. [D2019-0069](#) ('Through decades-long global use the Complainant's highly distinctive MEDTRONIC trademark has achieved massive recognition'). As a result, it is clear to the Panel that the Respondent had constructive, and likely actual, knowledge of the mark when registering the disputed domain name. In addition, the Panel notes the failure of the Respondent to submit a response and the implausibility of any good faith use to which the disputed domain name may be put. Given these collective circumstances, the Panel believes that a finding of bad faith registration and use of the

disputed domain name is appropriate. See, *Medtronic, Inc. v. David Janke*, WIPO Case No. [D2019-0665](#). In the present case the Respondent has advanced what the Panel considers to be a plausible alternative use, the Complainant's mark does not have a "massive recognition" other than possibly within Luxembourg, and the Respondent has provided submissions which the Panel has treated as a Response. The Panel does not think this case assists the Complainant.

The Complainant also says that the Respondent's expertise in software development means he should have known of the Complainant saying as follows: "If he is in fact active in the fields of Internet, the Respondent should have known about the Complainant, its trademarks and domain names". The Panel does not understand that argument. Expertise in software development does not equate to a comprehensive knowledge of anything that can be found on the Internet anywhere in the world. It is for the Complainant to show that the fame and reputation of its S-NET platform was at a level that it was likely a US software developer would know of it. It has not done so.

The Complainant also says the way the Respondent has dealt with the present proceeding in terms of missing deadlines, failing to comply with Panel requests and so on, is itself evidence of bad faith. The Panel agrees that the Respondent's approach has been somewhat chaotic, and less than helpful. However, the Panel does not have the impression that this is deliberate obfuscation. Rather it just seems to be caused by the Respondent's disorganization and unfamiliarity with the prescribed procedures in the UDRP. Again, the Panel notes the Respondent is not represented by professional advisers. In these circumstances the Panel declines to find the Respondent's conduct in the course of this proceeding amounts to the type of bad faith contemplated by the Policy.

Accordingly, the Panel concludes the Complainant has failed to establish that the third condition of paragraph 4(a) of the Policy has been fulfilled.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Nick J. Gardner/

Nick J. Gardner

Sole Panelist

Date: October 13, 2026