ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Banque et Caisse d'Epargne de l'Etat, Luxembourg v. Slava Kotikov
Case No. D2026-2597

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 Slava Kotikov, Belarus.

2. The Domain Name and Registrar

The disputed domain name <snetproxy.online> (the "Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed 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 Domain Name. On June 16, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the 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 June 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 amended Complaint on June 22, 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 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2026. The Response was filed earlier with the Center on June 23, 2026. The Respondent did not confirm if this was the final response and no further communications from the Respondent were received.

The Center appointed Ian Lowe as the sole panelist in this matter on July 20, 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 3, 2026, the Panel issued a Procedural Order noting that the Respondent had not put forward any evidence to support its assertions in the Response (as set out below) that it had used the Domain Name as an exclusively technical domain used solely for proxy server infrastructure, and that its primary function was to host a private proxy service for technical testing and internal network operations. The Respondent was afforded the opportunity to submit to the Center evidence:

1) of the Respondent's use of the Domain Name for the purposes it had claimed; and

2) of the period over which the Respondent had so used the Domain Name.

The Respondent did not respond to the Procedural Order or submit any such evidence.

4. Factual Background

The Complainant is a Luxembourgish company founded in 1856 and incorporated on June 22, 1989, and is one of the largest financial and banking institutions in Luxembourg. It is also quite active internationally. The Complainant's banking services are offered through their Internet banking platform and mobile application named "S-NET" at www.spuerkeess.lu/en/snet/. It allows customers to view their accounts, manage banking transactions, execute financial and banking operations and more.

The Complainant is the proprietor of three registered trademarks for S-NET (the "Mark"): Benelux trademark number 644249 registered on August 1, 1999; European Union Trade Mark number 009110644 registered on July 1, 2012; and the related United Kingdom trademark number UK00909110644. A search of the publicly accessible WIPO Global Brands Database reveals that there are a number of other proprietors of registered trademarks for S-NET, including South Korean multinational Samsung, German applied research company Fraunhofer-Gesellschaft, and the German savings bank group Finanzgruppe Deutscher Sparkassen-und Giroverband.

The Complainant is the owner of a number of domain names comprising "snet" including <snet-lux.com> and <snet.lu> that both resolve to the Complainant's online banking services and portals for the Spuerkeess customers.

The Domain Name was registered on March 29, 2026. It does not resolve to an active website. According to the information provided by the Registrar, the Respondent has an address in a city in Belarus that appears to be a valid address and a contact telephone number that appears to be a valid mobile telephone from a Belarus service provider.

5. Parties' Contentions

A. Complainant

The Complainant contends that the Domain Name is confusingly similar to the Mark, that the Respondent has no rights or legitimate interests in respect of the Domain Name, and that the Respondent registered and is using the Domain Name in bad faith.

Notably, the Complainant contends that the Respondent is not authorized to use a domain name comprising the Mark and that since the Domain Name is almost identical to the Mark the Respondent cannot reasonably pretend that it was intending to develop legitimate activity through the Domain Name.

The Complainant further alleges that since the S-NET trademarks are very well known by the Luxembourgish public as referring to the Complainant's internet banking platform and mobile application, and that a simple search of the Internet would have disclosed the Complainant's trademark rights, it is highly unlikely that the Respondent registered the Domain Name without being aware of those rights. The Complainant also relies on the nature of the Domain Name, comprising as it does both the term "proxy" and the generic Top-Level Domain ("gTLD") ".online", as falsely giving the impression that the owner of the Domain Name is the Complainant and that the Domain Name refers to an official website under the control of the Complainant. The Complainant submits that by the composition of the Domain Name the Respondent wanted to create confusion in the eyes of Internet users by falsely suggesting that the website under construction accessible via the Domain Name allows Internet users to safely access, without having to reveal their identity (thus the term "proxy") an official website of the Complainant, i.e. in particular its "S-NET" online banking platform and associated mobile application, or to enter into a secured platform specially designed for proxy holders.

Finally, the Complainant suggests that the Respondent deliberately concealed its identity by using the services of the company "Withheld for Privacy" [sic] to register the Domain Name is a further indication of bad faith.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the Domain Name. It does not make any substantive submissions as to the confusing similarity between the Domain Name and the Mark. However, the Respondent maintains that the Domain Name does not give rise to any confusion and that the Domain Name is being used solely for proxy server infrastructure and has no connection with the Complainant's trademarks. It submits that the Domain Name hosts a private proxy service for technical testing and internal network operations and is not a commercial website, marketing platform or consumer-facing product. The inclusion of "proxy" in the Domain Name directly reflects its purpose, namely routing traffic and IP masking and is a standard convention in IT infrastructure. In addition, the proxy servers operate from the Commonwealth of Independent States and not in the Complainant's markets. Accordingly, the Respondent asserts rights and legitimate interests in the Domain Name.

The Respondent denies that it registered and has used the Domain Name in bad faith. It did not register the Domain Name to profit from or mislead users about the Complainant's brand, and it has never attempted to sell the Domain Name to the Complainant or anyone else. The Respondent submits that passive or technical use of a domain name does not constitute bad faith if there is no intent to mislead. Finally, it points out that the redaction of a registrant's personal details is the default used by the Registrar and was not put in place by the Respondent to hide illicit activity.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, for this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

(i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(ii) the Respondent has no rights or legitimate interests in respect of the Domain Name; and

(iii) the 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, 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.

Ignoring the gTLD ".online", the Domain Name comprises the entirety of the Mark (absent the hyphen) together with the term "proxy". The Panel finds that this addition does not prevent a finding of confusing similarity between the Domain Name and the Mark. WIPO Overview 3.1, section 1.8. Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights, and 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. Accordingly, 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 Complainant has put forward a prima facie case that the Respondent has no rights or legitimate interests, including that the Complainant has provided no license to use its Mark and that the composition of the Domain Name suggests an absence of fair use.

The Respondent asserts that it has rights or legitimate interests in the Domain Name because it has used the Domain Name as a technical domain solely for proxy server infrastructure. However, the Respondent has failed to bring forward any evidence to support this contention, for example by providing a copy of its DNS zone file mapping the domain or subdomains to the IP addresses of its proxy servers or by submitting evidence of the technical configurations and logs running on the servers, even after the Panel gave it further opportunity to do so pursuant to the Procedural Order dated August 3, 2026.

Although the Panel considers that the Respondent's assertions are not inherently implausible, in the absence of any evidence beyond the Respondent's submissions, the Panel finds that the Respondent has failed on the balance of probabilities to displace the Complainant's prima facie case that the Respondent lacks rights or legitimate interests in the Domain Name.

The Panel finds that the second element of the Policy has been established.

C. Registration and Use in Bad Faith

The Complainant alleges that the Respondent must have been aware of the Complainant and its rights in the Mark at the time of registration of the Domain Name because of the notoriety of the Mark and the ease with which an Internet search would have revealed the Complainant's trademark registrations. The Complainant claims that it is well-known in Luxembourg and that it has some more extensive international renown. The Respondent, a resident of Belarus, claims not to have targeted the Complainant's brand, but does not explicitly disclaim knowledge of the Complainant. Furthermore, as is apparent from the WIPO

Global Brand Database, there are a number of other users of "S-NET" and there is no direct evidence that the Respondent was targeting the Complainant when it registered the Domain Name, for example the Respondent has not used the Domain Name for a website. Nevertheless, the Panel notes that the Complainant registered the Mark over 25 years ago and is a large and long-established financial institution, an industry often targeted by bad actors.

The Complainant also relies on the alleged use by the Respondent of a privacy service to conceal illegal activity. However, "Redacted for Privacy" is the default label used by Registrars to comply with what they understand to be data protection obligations and was not explicitly required by the Respondent at all.

The Panel also notes the failure of the Respondent to put forward any evidence that it has used the Domain Name for the purposes and in the manner it asserts. Furthermore, there are elements of the Response that are troubling, suggesting that the Respondent may simply have relied on an Artificial Intelligence ("AI") tool to prepare a credible response to the Complaint. The Response cites WIPO Overview 3.1, section 1.11 as support for the submission that "Generic terms like 'proxy' and TLDs like '.online' are not considered distinctive when assessing trademark confusion". However, not only does the Complainant make no such assertion, but that section of WIPO Overview 3.1 does not include any such statement or in any way support such a submission. Furthermore, the Response cites *Medtronic, Inc. v. Roohi B Rasheed*, WIPO Case No. D2020-1161 as support for the proposition that "Passive or technical use of a domain does not constitute bad faith if there is no intent to mislead". Yet the decision in that case comprises no such observation or finding. While the use of an AI tool is not in itself determinative, the Respondent is responsible for the content of its submission and the inclusion of incorrect or misleading references calls into question the Respondent's credibility. See *Blizzard Entertainment, Inc. v. Anastassiya Pikalova*, WIPO Case No. D2025-4169.

In the circumstances, noting the reputation of the Complainant and the Mark and in the absence of any response by the Respondent to the invitation by the Panel to put forward evidence to support its case, and the indications in the Response that it has been created by an AI tool to contrive a credible defence, giving false citations, the Panel finds on balance that the Respondent was aware of the Complainant and its rights in the Mark at the time it registered the Domain Name and that the Domain Name was registered and used in bad faith to attract Internet users by creating a likelihood of confusion with the Mark

Accordingly, the Panel finds 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 Domain Name <snetproxy.online> be transferred to the Complainant.

/Ian Lowe/
Ian Lowe
Sole Panelist
Date: August 14, 2026