

ADMINISTRATIVE PANEL DECISION

Belfius Bank SA / Belfius Bank NV v. BERTHAUD Camille
Case No. D2026-3067

1. The Parties

The Complainant is Belfius Bank SA / Belfius Bank NV, Belgium, internally represented.

The Respondent is BERTHAUD Camille, Switzerland.

2. The Domain Name and Registrar

The disputed domain name <belfiusdirect.online> is registered with Ligne Web Services SARL (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on July 13, 2026. On July 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 15, 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 (No information available) and contact information in the Complaint.

On July 15, 2026, the Center informed the Parties in French and English that the language of the registration agreement for the disputed domain name is French. On July 22, 2026, the Complainant submitted an amendment to the Complaint and requested that English be the language of the proceedings.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent in French and English of the Complaint, and the proceedings commenced on July 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 14, 2026.

The Center appointed Elise Dufour as the sole panelist in this matter on August 21, 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 bank and financial services provider established in Belgium. It states that it has more than 5,000 employees and more than 650 branches, and that it is wholly owned by the Belgian State.

The Complainant is the owner of the following word marks:

- European Union trademark BELFIUS No. 010581205, filed on January 23, 2012, registered on May 24, 2012, in classes 9, 16, 35, 36, 41, and 45, renewed; and
- Benelux trademark BELFIUS No. 914650, filed on January 23, 2012, registered on May 10, 2012, in classes 9, 16, 35, 36, 41, and 45, renewed (together, the “Trademarks”).

As the trademark register extracts submitted by the Complainant were printed on June 24, 2019, the Panel has consulted the publicly available registers of the European Union Intellectual Property Office and of the Benelux Office for Intellectual Property, and notes that the Trademarks have been renewed and are in force. WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)), section 4.8.

The Complainant is also the registrant of several domain names comprising the term “belfius”, including the domain name <belfius.be>, registered on January 23, 2012, which resolves to the Complainant’s official website, but also notably the domain names <belfius.com>, <belfiusdirect.com>, and <belfiusdirect.net>.

The disputed domain name was registered on May 25, 2026. The Complainant asserts, without providing evidence, that at the time of the filing of the Complaint, the disputed domain name did not resolve to an active website. At the time of this Decision, the disputed domain name does not resolve to any active website.

The Complainant states that it sent several cease-and-desist communications, which remained unanswered, and that it unsuccessfully requested the transfer of the disputed domain name from the Registrar.

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.

As regards the first element, the Complainant contends that the applicable Top-Level Domain is a standard registration requirement which is to be disregarded, so that the comparison is to be made with the second-level portion of the disputed domain name alone, namely “belfiusdirect”. It contends that the disputed domain name incorporates the entirety of its trademarks, that where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark, and that confusion is in this case inevitable. It adds that Internet users are likely to assume that the website linked to the disputed domain name offers services supplied by the Complainant, which is not the case.

As regards the second element, the Complainant contends that its trademark registrations predate the registration of the disputed domain name, that the Respondent is in no way associated with the Complainant, and that it has not licensed, approved, or in any way consented to the Respondent’s registration and use of its trademarks in the disputed domain name. It contends that the Respondent holds no trademark rights in

“Belfius” or “Belfius Direct”, does not appear to carry out any activity, and has no reason to adopt this word combination in a domain name. It further contends that the Respondent is making neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name, which is not connected to an active website and in respect of which no demonstrable preparations for use are apparent, and that passive holding or non-use may, in appropriate circumstances, evidence a lack of rights or legitimate interests.

As regards the third element, the Complainant contends that its trademarks were registered years before the disputed domain name was registered, so that the Respondent either knew or should have known of those trademarks, or else exercised willful blindness, and that even basic searches conducted before registration would have revealed the Complainant. It adds that the well-known status of a trademark is not necessarily confined to the geographic boundaries of the place where its owner is based. It contends that the Respondent has done nothing with the disputed domain name, that there is no evidence of use or of demonstrable preparations to use it, or that the Respondent has ever been commonly known by it, and that passive holding may amount to bad faith where it is difficult to imagine any plausible future active use that would be legitimate. It further contends that the concealment of the Respondent’s identity and the provision of incomplete contact details, rendering the Respondent untraceable, were not inspired by a legitimate need for privacy but serve to make the protection of its trademark rights unnecessarily difficult, and that the Respondent did not reply to the cease-and-desist communications sent through the Registrar, which supports an inference of bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Preliminary Issue: Language of the Proceedings

The language of the Registration Agreement for the disputed domain name is French. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for several reasons, including the fact that the country of residence disclosed for the Respondent is Switzerland, where in the Complainant’s submission English is widely spoken, so that the Respondent would have at least a passive command of that language, and that requiring a translation of the Complaint would result in delay and additional expense. The Complainant added that the Respondent could submit its Response in French if it so wished.

The Respondent did not make any submissions with respect to the language of the proceedings.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs. [WIPO Overview 3.1](#), section 4.5.1.

The Panel notes that the Center notified the Complaint and the commencement of these proceedings to the Respondent in both French and English, invited the Respondent to comment on the Complainant’s language request in its Response, and informed the Respondent that the Response could be filed in either French or English. The Respondent did not comment on that request, did not submit a Response, and did not otherwise communicate with the Center. The Panel further notes that it would have accepted a Response

filed in French, and that requiring a translation of the Complaint at this stage would cause delay and additional expense without any corresponding benefit for the Respondent.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

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 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 Trademarks is reproduced within the disputed domain name. Although the addition of another term (here, "direct") 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 generic Top-Level Domain ("gTLD") ".online" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the disputed domain name is confusingly similar to the Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Complainant states that it has not authorized the Respondent to register the disputed domain name or use the Trademarks, and these statements are not contradicted by any element in the case file. There is no evidence that the Respondent has been commonly known by the disputed domain name, or 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.

The Panel further notes that the disputed domain name reproduces the Trademarks together with a term corresponding, according to the Complaint, to the designation under which the Complainant offers its direct insurance network, so that its composition carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.5.1.

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

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the registration of the Trademarks predates the registration of the disputed domain name by several years. The term “belfius” has no apparent meaning in English or French. In light of the distinctiveness of the Trademarks and of the composition of the disputed domain name, which reproduces the Trademarks and adds a term relating to the Complainant’s activities, the Panel finds that the Respondent was more likely than not aware of the Complainant and of the Trademarks, and targeted them, when registering the disputed domain name.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness of the Trademarks and the reputation claimed by the Complainant, the composition of the disputed domain name, the failure of the Respondent to submit a response. Additionally, the Panel observes that the contact details provided by the Registrar seem to be false, since they combine a postal address located in France with a country of residence and a telephone number in Switzerland. The Panel 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 the third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <belfiusdirect.online> be transferred to the Complainant.

/Elise Dufour/

Elise Dufour

Sole Panelist

Date: September 5, 2026